



United States  
Office of Personnel Management

# **DIGEST OF SIGNIFICANT CLASSIFICATION DECISIONS AND OPINIONS**

**No. 18**  
**August 1993**  
**PSO-ACE-1**

**Office of Merit Systems**  
**Oversight & Effectiveness**

[Main Menu](#)   [Help Screen](#)

## Note to Readers

The guidance in this issue is still applicable and useful in classifying positions in the Federal government. However, there may be references to names and addresses of organizations within the U.S. Office of Personnel Management that have changed, names of individuals no longer employed at the Office of Personnel Management, or documents such as the Federal Personnel Manual that no longer exist.

For the December 1997 HRCD-4 release, the Office of Classification Appeals and Fair Labor Standards Act Programs made minor, nonsubstantive edits to Digest issues 1 through 19. For example, acronyms and abbreviations were spelled out in many places, references to law and regulation were expanded, typographical errors were corrected, leading zeros were added to 3-digit series numbers, outdated prefaces have been deleted, and the issuance date were added to the header of each page. Because of the change from the original paper version to an electronic format, the page numbers in Digest issues 1 through 19 and other references, such as the General Schedule classification standards and Federal Wage System job grading standards, now available electronically may have changed. In issues 1 through 19, where there is a reference to a page, we either eliminated the page reference or updated the page number with the page number of the electronic version. Beginning with issue 20, pages references are to the electronic version only. Please note that pages numbers may change when a file is printed depending on the format and printer used.

The Office of Classification Appeals and Fair Labor Standards Act Programs is responsible for the content of the Digest. We be reached by telephone at 202-606-2990, by fax at 202-606-2663, or by email at [adomsoe@opm.gov](mailto:adomsoe@opm.gov) [fedclass\\_appeals@opm.gov](mailto:fedclass_appeals@opm.gov).

Digest issues are also available on the Office of Personnel Management's website and electronic bulletin board. The website address is <http://www.opm.gov/classapp> and the ~~electronic bulletin board is OPM ONLINE. Using a modem, dial OPM ONLINE at 202-606-4800. Long distance telephone charges may apply.~~ [OPM ONLINE was discontinued July 1999. The *Digest* can also be found on OPM's CD-ROM entitled General Schedule Position Classification and Federal Wage System Job Grading Standards, which is issued by OPM's Classification Programs Division.]

**Standard:** [Fire Protection and Prevention Series, GS-0081](#) (September 1991)

**Factor:** N/A

**Issue:** Use of the mixed-grade rule in evaluating driver/operator positions

### **Identification of the Classification Issue**

This issue arose in an Office of Personnel Management region's consideration of a group appeal. The Fire Department operated a small number of fire-fighting vehicles comparable in complexity to those described at the GS-6 level of the standard (e.g., pumpers, aerial ladder trucks, crash-rescue trucks). At issue was whether the driver/operators of both the primary pumper and the booster pumper could be credited with performing GS-6 level work. The region requested an advisory opinion from the Office of Personnel Management's Office of Classification on the relevance of previous guidance (Digest of Significant Classification Decisions and Opinions, Number 12, page 1) on the grade-level impact of emergency work.

### **Resolution**

The Office of Classification issued two advisory opinions stating that firefighting work is similar to emergency work of other occupations, such as police and guards, in that the frequency and nature of emergencies cannot be predicted. Specifically, the Office of Classification advised:

Firefighters, therefore, are trained to respond to a variety of conditions that might occur at a particular installation. They must be prepared to react to each emergency with a response appropriate to the conditions encountered. Consequently, firefighters are often trained for duties and functions that they do not "regularly" perform, such as driver/operator duties.

There is a fundamental difference, however, between the use of specialty training by firefighters and police. Firefighters' assignments can be controlled in the sense that, on each shift, a full-time driver/operator is typically assigned for each piece of equipment and the individual performs those duties in response to any and all alarms for the entire shift . . . . These assignments require that the

full level of proficiency be maintained and applied on a moment's notice.

The Office of Classification further advised that regular and recurring work as a driver/operator was grade controlling so long as at least 25 percent of the employee's time is used in some combination of: (1) driving firefighting vehicles described at the GS-6 grade level, (2) training to drive these vehicles, or (3) serving as the designated driver/operator.

In the appealed case, the activity's firefighting vehicles included two pumpers. The back-up pumper was used to boost water pressure to the primary pumper from which the lines were run. The driver/operator of the primary pumper determined the path to the potential fire site, determined the number of lines to be used, and relayed pressure requirements to the operator of the booster pumper.

The region concluded that the duties performed by the driver/operator of the primary pumper fully met the intent of the GS-6 level criteria, but determined that the driver/operator of the booster pumper did not perform the full range of duties and responsibilities envisioned by the GS-6 criteria. Consequently, the region concluded that only the duties of the driver/operator of the primary pumper warranted evaluation at the GS-6 level. The region further concluded that the GS-6 work was grade controlling so long as 25 percent of the employee's time was expended on some combination of: (1) driving the primary pumper, (2) training to drive this vehicle, or (3) maintaining a state of readiness as the designated driver/operator. The region concluded that one position of driver/operator of the primary pumper on each shift warranted classification at the GS-6 level.

**Standard:** [Fire Protection and Prevention Series, GS-0081](#) (September 1991)

**Factor:** N/A

**Issue:** Crediting "fill-in" time

### **Identification of the Classification Issue**

This issue arose in an Office of Personnel Management region's consideration of a group appeal. The four appellants functioned as fire protection inspectors and reported directly to the Fire Chief. Each appellant worked a weekly schedule consisting of four 8-hour days of inspection (and related) duties, including conducting technical fire protection and prevention training, reviewing construction plans, and conducting a client information program. Each appellant also worked one 24-hour day as a "fill-in" crew chief. If both the shift supervisor and senior permanent crew chief were absent, the appellants "filled in" as acting shift supervisor. The appellants contended that their "fill-in" time should be credited toward a higher grade level.

### **Resolution**

The region requested guidance on the proper classification treatment of leader or supervisory work performed in the absence of the permanently assigned employee. The Office of Personnel Management's Office of Classification advised the region that duties performed only in the absence of another employee who is on sick or annual leave do not contribute toward grade-level credit. However, duties performed on a "fill-in" basis may be grade controlling if they constitute a regularly scheduled tour. With respect to the appealed case, the Office of Classification further advised:

We do not believe that it is appropriate to credit two people with supervisory and leader duties over the same employees. The regular shift supervisors and crew chiefs have ongoing technical and administrative responsibility for their respective crews; therefore, the "fill-in" employees are not required to exercise the full range of administrative responsibilities of the leader and supervisory positions. We see this as being different from the firefighters designated [to regularly "fill in"] as driver/operators since, in the case of a fire, they are required to drive firefighting equipment and perform the full scope of duties assigned to the position.

Applying this guidance to the appellants' work assignments, the region determined that none of the appellants' "fill-in" time was creditable toward a higher grade level. Thus, their positions were determined to be correctly evaluated on the basis of their nonsupervisory duties.

**Standard:** [Fire Protection and Prevention Series, GS-0081](#) (September 1991)

**Factor:** Factor 4, Fire Program Management

**Issue:** Crediting elements of Factor 4 to fire chief positions

### Identification of the Classification Issue

This issue arose in an Office of Personnel Management region's consideration of two appeals from fire chiefs. One appellant served as fire chief for a large Air Force base (Case No. 1); the other was fire chief for a large military activity hosting a large academic institution (Case No. 2). Both appellants asserted that their activities had not credited their positions with the appropriate number of aspects under Factor 4, Fire Program Management. This factor covers significant program management responsibilities not covered under the first three factors used to evaluate fire chief positions. At issue was the standard's *intent* for allowing credit for the seven added aspects of fire program management described in the standard.

### Resolution

The standard recognizes that, in some environments, program management responsibilities predominate in the day-to-day work of the fire chief; in other environments, the work is managed through key subordinates. Irrespective of how program management responsibilities are carried out, the full intent of an aspect must be met before it can be credited. The region considered each of the individual aspects of fire program management as follows.

#### 1. Training Programs

In order for this program aspect to be credited, ongoing training programs must be particularly intense due to new or changing requirements. For example:

--Emphasis on the control of hazardous materials incidents requires significant additional training of firefighters on the appropriate responses to numerous chemical hazards or the establishment of a special hazardous materials response team.

--Recurring proficiency drills are required to build confidence, supplement fire ground supervision, and assure effective response.

--Numerous aircraft transit the airfield requiring continuing training of firefighters on egress from numerous airframe configurations.

--The overall training program may have difficulty or significance such that one or more subordinates will be assigned full-time responsibility for training matters.

Credit for any aspect of Factor 4 must rest on a determination that the credited aspect places on the fire chief demands that significantly exceed those implicit in the first three factors. For example, Factor 3 envisions training as a basic responsibility of a fire chief position. Hazardous materials training is common in fire departments, as is the presence of a training officer and emergency medical technician training for staff members. In order to credit training programs as an added aspect of fire program management under Factor 4, a training program must be characterized by the depth and intensity of training operations described above.

### **Case No. 1**

Training at the large Air Force base occupied three hours on each shift and was conducted by a dedicated training staff. The organization was "cross-staffed" for both airfield and structural firefighting, and intensive training was required to maintain cross-training expertise, including training covering numerous airframe configurations. The position was credited with meeting this aspect on the basis of the intensity and technical coverage of the training program.

### **Case No. 2**

Training at the large military installation hosting a large academic institution occupied approximately one hour on each shift. The training conducted included both classroom and "hands-on" exercises covering all major fire protection and prevention areas, including hazardous materials training. The training was designed to assure that the staff met the yearly minimum requirements for State firefighter certification. Training program administration occupied a small portion of each staff year. Thus, the position was not credited with ongoing training programs because the program did not include training activities of the depth and intensity envisioned by the standard.

## **2. Client Participation in Fire Prevention**

In order for this aspect to be credited, the fire chief must manage a program that actively and systematically pursues client participation in fire prevention. For example, the fire chief or fire program personnel hold meetings with installation supervisors and activity commanders to recruit and utilize the special services of numerous personnel. Personnel in a variety of work environments monitor and exercise day-to-day responsibilities for fire safety and fire



prevention practices. Fire program personnel regularly schedule safety orientations for new employees or tenants, or systematically teach client groups fire safety (e.g., teaching children household fire safety practices).

Any fire protection and prevention program must satisfy regulatory requirements, including those that deal with mandatory fire prevention orientation and training. This aspect of fire program management is creditable for programs that have the diversity of installation conditions that result in the expenditure of substantial program resources in order to pursue client program involvement of significant depth and breadth, e.g., at an installation with a substantial number of housing units, significant industrial operations, as well as a large on-site work force.

### **Case 1**

The client participation program at the large Air Force base included weekly demonstrations and drills at industrial, housing, school, and child-care center sites; use of a training trailer to teach children escape procedures; monthly 8-hour baby-sitter training; orientation for new occupants of base housing twice each month; weekly visits to high-hazard and targeted facilities; training on the proper use of fire extinguishers two days each week; and seasonal campaigns, articles in base publications, and base television announcements. The program included quarterly meetings with base managers and monthly discussions at the Commander's Call. The region found that because of the substantial number of housing units, significant industrial operations, large on-site work force, the substantial program resources devoted to client participation, and the methodologies used, credit was warranted for client participation in the program.

### **Case No. 2**

Client participation at the large military activity hosting a large academic institution involved over 13,000 occupants of housing and barracks. New residents received information packages and attended an annual briefing. Drills and demonstrations were conducted at the base school buildings, child care and pre-school centers, the base hospital, and other buildings. Speakers were invited to speak to a variety of groups on post, and quarterly training was provided in supervisory courses. Information articles were periodically disseminated in post publications. The program was expanding and occupied approximately one staff year of work. Based on the substantial resources devoted to the program and the methodologies used, the position was found to meet the requirements for crediting client participation in fire prevention.

### **3. Upgrading Fire Protection Systems**

In order to credit this program aspect, the fire program must be concerned with upgrading installed fire protection systems on an ongoing basis. The program is carried out in an environment where there is continuing large-scale renovation of buildings or facilities which requires significant attention to the approval of construction plans and monitoring phases of construction throughout the installation. The fire chief is responsible for the proper number and placement of exits, sophisticated alarm and fire suppression systems, and technical features such as automatically closing doors and ventilation flow in stair wells and air shafts. At times, one or more subordinates will be assigned full-time responsibilities for attending planning meetings, coordinating construction approvals, or monitoring construction. However, the fire chief retains control and ultimate approval authority.

#### **Case No. 1**

The appellant argued that a staff of eight fire inspectors and the large construction budget (over \$23 million) at the large Air Force base justified credit for this aspect. The region's factfinding revealed that most construction projects required limited involvement of the fire department in the engineering design of roadways, curbing, street lighting, and runways. Thus, the region concluded that the program did not reflect the scope of involvement in the review and approval of construction plans required for crediting this program aspect.

#### **Case No. 2**

The large military activity hosting a large academic institution had historically certified buildings. The activity included extensive housing units and barracks, some of which were also historically certified. Two subordinate fire protection inspectors each devoted a third of their work week to detailed review of construction plans. The region's factfinding found that the annual budget for major construction ranged from \$20 million to \$60 million and usually involved one or two multimillion dollar renovation projects in which the requirements of fire alarm and suppression systems had to be accommodated, within both the extensive renovation of historic structures and the construction of new structures that had to adhere to historic architectural detail. The region concluded that the scope of activity involving the review and approval of fire protection and suppression systems warranted credit for this aspect.

### **4. Negotiating Mutual Aid Agreements**

In order to credit this program aspect, the fire chief must be responsible for negotiating mutual aid agreements to protect remote sites on the installation and/or to assist local communities. The demands of such a program are typified by the following:

--Mutual aid agreements are arranged with three or more Federal or local fire departments.

--Some mutual aid requirements are particularly fluid, necessitating frequent updates or reassessments.

--The fire chief assesses the capability of other fire departments to provide the required services.

This program aspect is intended to recognize and credit the demands of *negotiating and maintaining* mutual aid agreements. Many fire departments have mutual aid agreements; however, this aspect may only be credited when the analytical and negotiating demands or the resource demands of arranging and updating agreements significantly add to the overall difficulty of the fire chief's position.

#### **Case No. 1**

The program at the large Air Force base had one mutual aid agreement with approximately 63 fire departments (both paid and volunteer) covering four counties. The region found that the agreement was updated approximately every two years. The information shared by the signatories included the type of equipment available at each fire department, which was indicative of the type of assistance that could be expected from each signatory. The region concluded that, although the agreement added to the effectiveness and efficiency of the base program, it did not involve the type of recurring negotiation or the level of resources envisioned for crediting this aspect.

#### **Case No. 2**

The program at the large military activity hosting a large academic institution had a mutual aid agreement with a large number of fire departments through a countywide mutual aid plan. It had a documented agreement with a tenant activity, a partially documented agreement impacting a single crew station at a distant site, and a delegation to combat fires for another agency at a single radar site. The countywide agreement was signed in 1985 and had not materially changed since that time. The region's factfinding revealed that the agreement itself required no more than a few hours each year. The agreement with the other agency was not dated and reflected no updates or reassessments. The agreement with the tenant activity was dated October 1991, and no updates were recorded subsequent to that date. For the same reasons cited for Case No. 1, the position was not credited with this program aspect.

## 5. Arson/Fire Investigations

This aspect is creditable when the fire chief manages a program involving active participation in arson investigations or investigations to determine the specific causes of fires. The chief directs or assists investigators, personally conducts the investigations, and/or testifies as an expert witness in judicial proceedings concerning fires on the installation or in the surrounding community.

The purpose of this program aspect is to recognize and credit the program demands of an *active* fire investigation program. Credit for this program aspect rests upon the presence of conditions that require the operation of an *active* investigation program, not whether staff members are qualified to conduct such a program.

### Case No. 1

The appellant at the large Air Force base argued that credit was warranted for an arson/investigation program because of the existence of a fire investigation/arson task group and because of his training and experience that qualified him as an "expert" in a court of law. The region's factfinding revealed that the program had limited investigative activity; one arson investigation was conducted over the past two years. There were one or two building fires each year. Base fires typically consisted of trash fires ignited by children as well as car, toaster or other types of kitchen fires. The region concluded that this situation was not indicative of a fire/arson investigation program of the scope and complexity required for crediting the fifth program aspect.

### Case No. 2

The appellant at the large military activity hosting a large academic institution argued that credit for an arson/fire investigation program was warranted because all fires were investigated to determine their cause and because he was qualified to testify as an expert witness in court. Factfinding revealed that no arson investigations had been conducted in the past two years. A review of reports of fire investigations from 1990 to 1992 revealed that all but one fire was small, and their origins were evident, e.g., a malfunctioning elevator motor and the arson of three portable toilets. Brush fires in undeveloped areas were small (not exceeding 300 acres in scope) and were typical of a base with a large number of residents and substantial undeveloped acreage. The region concluded, therefore, that these conditions did not reflect the operation of a fire/arson investigation program of the scope and complexity necessary to credit this program aspect.

## **6. Protection and Control of Hazardous Materials**

This program aspect is creditable to a fire chief position that involves management of an active hazardous materials protection and prevention program. The demands of the program are typified by: the use of a variety of hazardous materials in several different installation operations; extensive contingency plans for containment and evacuation which must be devised and coordinated with client organizations and support groups such as investigators, police, guards, and evacuation units; and the deployment of a vehicle with specialized equipment for which protective gear, absorptive materials, chemical neutralizers, and other expended equipment must be continually replaced.

Due to increasing regulatory requirements, hazardous material vehicles and response teams are becoming common aspects of Federal firefighting program environments. Activities without dedicated vehicles frequently carry containment and absorptive materials on general purpose vans and trucks. The sixth program aspect is intended to recognize and credit the demands of an *active* hazardous materials protection and control program. For example, this program aspect might be met by the variety of hazards and the frequency of program responses that would be found in a large-scale depot-level equipment repair operation or a laboratory using a wide variety and large volume of chemicals and other hazardous materials. Such an environment would involve extensive consumption and replacement of materials.

### **Case No. 1**

The appellant at the large Air Force base argued that he supervised the only hazardous materials response team in a four-county area and that his budget for hazardous material operations was in excess of \$35,000 each year. Factfinding revealed that most hazardous incidents involved housing propane or problems involving natural gas lines, fuel spills, and acid or anhydrous ammonia. Major spills were identified as those involving more than 50 gallons and reportedly occurred about once each month. Information provided by the activity revealed that the department responded to an average of nine incidents each quarter involving hazardous materials. Base industrial operations included the use of plating and painting materials, hydraulic fluids, and chlorine. The region concluded that the program did not involve the variety of hazardous materials or the frequency of response to incidents envisioned by the standard for this program aspect. The region also found that the contingency plans for containment of base hazardous materials did not involve the technical complexity required to contain and neutralize the variety of hazardous materials typical of an active program. Therefore, the position was not credited with this program aspect.

**Case No. 2**

The appellant at a large military activity hosting an academic institution with extensive housing units and barracks argued that this aspect should be credited because of the operation of a hazardous materials response team and the responsibility for responding to spills and other problems throughout the activity. The region's factfinding revealed that most hazardous materials incidents involved housing propane or natural gas problems, gasoline spills, and small chemical spills, e.g., hydraulic fluid. Post maintenance operations included the use of materials common to a public works environment and laboratory materials typical of those used in academic laboratories for small-scale experiments. The 65-bed post hospital used supplies and materials typical of an institution of its size and scope. Information developed during the factfinding process revealed that the fire department acted as "first responder" and performed containment; major cleanup was conducted by the Environmental Branch and/or contractors. For the reasons cited in the discussion of the first case, this position was not credited with significant responsibility for protection and control of hazardous materials.

**7. Other Significant Demands**

This aspect is creditable when the fire chief has significant, additional responsibilities not directly related to fires or the containment of hazardous materials. Such responsibilities might include, for example, management of a motor vehicle or transportation operation (in addition to firefighting equipment) or an extensive ambulance or emergency medical service.

Emergency medical service is a typical component of Federal firefighting programs; emergency medical technician duties are discussed as typical GS-5 firefighting work in the GS-0081 standard. The purpose of the seventh program aspect is to recognize and credit the demands of an *extensive* ambulance or emergency medical service. The operation of a single ambulance in support of a base clinic would not meet the intent of this program aspect. Likewise, responsibility for several vehicles used for nonfirefighting functions is not equivalent to managing a motor vehicle or transportation operation for the purpose of crediting additional demands on the fire chief.

**Case No. 1**

The appellant at a large Air Force base argued that this aspect should be credited to his position because of: shared responsibility with the base hospital for emergency medical service response; the presence of 31 emergency medical technicians and two paramedics; his responsibility for managing the fire department disaster preparedness and explosive ordnance disposal vehicle fleet valued at \$3 million. Factfinding revealed that the disaster preparedness fleet consisted of a pickup truck and one camper, and the explosive ordnance disposal vehicle was a 3/4-ton pickup truck with special equipment. Most of the fleet dollar value was

attributable to the fire department fleet credited in the first three factors. Further factfinding revealed that the fire department operated one ambulance in sharing "first-response" responsibility with the base hospital. During a nine-month period in 1992, the fire department responded to approximately 80 calls involving car crashes, sports accidents, breathing difficulties, one drowning, and one infant death. The region concluded that operating a single ambulance in support of the base hospital did not reflect the scope of emergency medical service or ambulance operation required for crediting significant additional responsibilities. The region also concluded that responsibility for three vehicles used for nonfirefighting functions was not equivalent to managing a motor vehicle or transportation operation. Therefore, no significant additional responsibilities were credited to the position.

### **Case No. 2**

The appellant at the large military activity that hosted an academic institution argued that significant additional responsibilities should be credited to his position because: the fire department shared responsibility for emergency medical response with the base hospital; the fire crew at an off-post housing site provided emergency medical service to that site as well as a contiguous airport; and fire department employees were qualified to perform emergency medical technician services. Factfinding revealed that support provided to the base hospital consisted of operating a rescue vehicle or a pick-up truck. Fire department personnel were not authorized to transport patients on the post; the base hospital transported patients on the main post using its two ambulances or by using a volunteer ambulance service. The off-post crew provided emergency service from the fire engine, and turned patients over to a contract ambulance service for transport. Emergency response records revealed a range of emergencies typical of the population supported, including accidents and cardiac arrests. For the reasons cited in the discussion of the first case, this position was not credited with significant additional responsibilities.

### **Summary**

Both positions were credited with two significant additional responsibilities under Factor 4. Using the chart for the evaluation of Factor 4, the region evaluated the positions at Degree B, which is the appropriate credit when one or two additional program management aspects are present in a fire chief position.

**Standard:** [Fire Protection and Prevention Series, GS-0081](#) (September 1991)

**Factor:** N/A

**Issue:** Identifying "typical" supervisory positions under Part I

### **Identification of the Classification Issue**

This issue arose in an Office of Personnel Management region's consideration of an appeal from two supervisory employees. The two appellants functioned as "shift supervisors," and each worked three 24-hour days each week. Each supervisor directed two firefighting crews on each shift, as well as other firefighters who supported ancillary operations, i.e., an ambulance service and the transportation of equipment and supplies used to control hazardous materials. In accordance with instructions in Section III of Part I of the standard, the installation had classified the positions as station chiefs and graded them one grade above the crew chiefs, i.e., at the GS-8 level. The appellants contended that they were assistant chiefs and that their positions should be evaluated two grades below that of the fire chief, or at GS-9. The region considered the guidance in Section III of Part I of the standard for classifying typical supervisory positions.

### **Resolution**

The region's factfinding revealed that the appellants exercised full first-level supervision over employees engaged in fighting fires, providing ambulance service, and responding to incidents involving hazardous materials. Four fire protection inspectors performed duties involving fire inspection, internal training on fire protection and prevention, and a client information program. The inspectors reported directly to the fire chief who retained direct managerial authority over these programs, as well as overall program planning and approval authority, including the authority to approve bi-weekly and longer work schedules.

### **Station Chief Positions**

Guidance on Section I of Part I of the standard describes the typical organizational environment in which station chief positions exist. According to that guidance, station chief positions are typically found at larger installations (with three or more stations) where the fire chief and assistant chief are unable to provide immediate oversight and direction of day-to-day activities. Each station typically has two or more crews on a shift. The standard indicates that station chief positions typically do not exist when there are only one or two stations. In the



instant case, the region found that the Fire Department, as a whole, operated as a single station with two firefighting crews on each shift. The fire chief retained full authority for the technical and administrative direction of the day-to-day activities of the entire Fire Department. Because of the relatively simple organizational environment in which the positions were located, the region concluded that the appellants did not function as station chiefs, despite the fact that they exercised full first-line supervisory authority. Because the positions did not operate as "typical" station chiefs, they could not be evaluated by applying the guidance Section III of Part I of the GS-0081 standard.

### **Assistant Chief Positions**

The region sought an advisory opinion on identifying "typical" assistant chief positions. The Office of Classification advised that "the typical assistant chief is either at the second or third organizational level of the firefighting force and is *delegated program or administrative duties and responsibilities from the fire chief*." The Office of Classification further advised that, in a department located at a single station:

a supervisor over two crew chiefs that has been delegated administrative responsibilities for planning and coordinating such functions as: inspection, training, hazardous material handling, or fire prevention in addition to day-to-day supervisory responsibilities would be considered an assistant chief for grading purposes. On the other hand, the same supervisor with only day-to-day supervisory responsibilities and no program or administrative responsibilities would be considered an atypical supervisor.

The region concluded that retention of overall program and administrative authority by the fire chief did not permit the appellants to exercise the range of administrative and/or program management responsibilities required for evaluation as typical assistant chief positions. Thus, the guidance Section III of Part I of the standard was not applied in evaluating their positions.

Since the appellants' positions were not appropriately evaluated under the guidance for "typical" supervisory positions, they were evaluated by applying generic evaluation criteria for General Schedule supervisory positions. Application of the supervisory grading criteria resulted in a grade of GS-8.

**Standard:** [Fire Protection and Prevention Series, GS-0081](#) (September 1991)

**Factor:** N/A

**Issue:** Using the "assistant chief" concept for nonsupervisory positions

### **Identification of the Classification Issue**

This issue arose in the reconsideration of a classification appeal decision issued by an Office of Personnel Management region. The position in question was a nonsupervisory fire protection specialist responsible for the training and safety programs of the fire department at a military base. The region determined that the position met the definition of an assistant chief (Section I of Part I of the standard) because the appellant was delegated overall program management responsibility for the fire department's training and safety programs, to include planning, developing, and implementing the base's activities for these programs. Accordingly, the region evaluated the position by applying the guidance in Section III of Part I of the GS-0081 standard, which directs that an assistant chief position that is not a full deputy be graded two grades below the grade of the fire chief.

The agency challenged the region's interpretation of the GS-0081 standard, arguing that Part I of the standard is applicable to supervisory positions *only*. Because the appellant's position had no supervisory responsibilities, the agency contended that the position should have been evaluated in accordance with the instructions in Part II of the standard covering Type B positions, i.e., positions with full-time staff responsibility for one phase of the total fire protection and prevention program. The instructions in the Organization of the Standard section state that Type B positions are to be evaluated by comparison to classification standards for related occupations involving work relating to the type of assignment with which the position is involved.

The issue to be resolved was: What is the difference between a Type B position covered by Part II of the standard and an assistant fire chief position covered by Part I of the standard?

### **Resolution**

The Classification Appeals Office sought advice from the Office of Classification on distinguishing between the two types of positions. The Office of Classification advised:

The example of a Type B fire protection specialist on page 2 of the GS-0081 standard should be viewed as an employee who is responsible for developing and implementing training courses or a series of courses. The definition of an assistant chief on page 6 describes a position that is in charge of overall *program management* for *one or more* programs. This distinction is important in defining the difference between the two types of positions. The assistant chief (unlike Type B positions) exercises primary responsibility for planning, developing, implementing, reviewing, and evaluating a program.

The concept of "program management" has been discussed in previous Office of Personnel Management guidance. (See, for example, Digest No. 3, dated November 1983.) Typically, program management responsibilities include such activities as:

- planning and scheduling work to meet program goals and general objectives established by a higher organizational echelon;
- development of recommendations to higher level management on the level and mix of resources (staff, money, space, and equipment) needed;
- coordination of program activities with other staff offices and with line managers to achieve mutual objectives;
- systematic evaluation of program activities and functions to measure the effectiveness of program efforts;
- modification of program methods and approaches; and
- assessment of the applicability of current program objectives and recommending changes.

An additional indication of the existence of program management responsibility is the need to assign, direct, and review the work of other employees, including collaterally assigned employees who participate in carrying out program activities.

Applying this general guidance, the Office of Classification advised that the distinction between a Type B specialist and an assistant fire chief position does not rest on the presence or absence of supervisory duties. The Type B fire protection specialist is concerned only with the technical aspects of a program and must be classified by using standards for related occupations. A position delegated *both* technical and program management responsibility,

while still officially titled Fire Protection Specialist, is classified under the grading criteria for assistant fire chiefs, i.e., two grades below that of the fire chief.

In the instant case, the appellant performed both technical and program management duties. The Classification Appeals Office determined that the appellant carried out the majority of the specific program management activities listed above and spent most of his time planning, scheduling, implementing, and reviewing program activities for a fire department of 85 employees. Additionally, the appellant was responsible for assigning, reviewing, monitoring, and evaluating the performance of 15 instructors who conducted training courses on two shifts.

The Classification Appeals Office determined that the appellant's duties were consistent with "program management" responsibility as it is intended to be credited to assistant chief positions in the GS-0081 series. The absence of one or two of the specific program management activities listed above was not considered of such significance to preclude crediting the appellant with overall responsibility for the assigned programs. The program management duties not performed were considered more indicative of the relatively limited scope of the appellant's programs than his level of delegated responsibility. Accordingly, the appellant's position was evaluated under the instructions in Section III of Part I of the GS-081 standard. Since the fire chief's position was evaluated at the GS-12 level, the appellant's position was evaluated two grades lower, at the GS-10 level.