

**U.S. Office of Personnel Management**
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs

Atlanta Oversight Division
75 Spring Street, SW., Suite 972
Atlanta, GA 30303-3109

Classification Appeal Decision
Under Section 5112 of Title 5, United States Code

Appellants: [appellants' names]

Agency classification: Civil Engineering Technician
GS-802-9

Organization: Production Control Branch
Production Management Division
Portsmouth Site
Navy Public Works Center
[city, state]

OPM decision: Civil Engineering Technician
GS-802-9

OPM decision number: C-0802-09-21

Kathy W. Day
Classification Appeals Officer

2/13/98

Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. The agency is responsible for reviewing its classification

decisions for identical, similar, or related positions to ensure consistency with this decision. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the Introduction to the Position Classification Standards, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[appellants' representative]

[name]

Director, Human Resources Office

Naval Base

487 East C Street

[city, state]

Mr. William Duffy

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Introduction

On July 8, 1997, the Atlanta Oversight Division, Office of Personnel Management (OPM), accepted an appeal for the position of Civil Engineering Technician, GS-802-9, Production Control Branch, Production Management Division, Portsmouth Site, Navy Public Works Center, [city,state]. The appellants are requesting that their position be changed to Civil Engineering Technician, GS-802-11.

The appeal has been accepted and processed under section 5112(b) of title 5, United States Code (U.S.C.). This is the final administrative decision on the classification of the position subject to discretionary review only under the limited conditions and time outlined in part 511, subpart F, of title 5, Code of Federal Regulations.

General issues

These appellants are part of a group appeal from engineering technicians at the Navy Public Works Center who perform work in various specializations. Information furnished with the group appeal compares their GS-9 positions with other engineering technician positions at the same location whom they believe are performing the equivalent work or below but are classified at a higher grade. Copies of position descriptions were provided for two Mechanical Engineering Technician, GS-802-11, positions; one Electrical Engineering Technician, GS-802-11, position; and one Electronics Engineering Technician, GS-856-11, position. Although the GS-11 position descriptions are certified by a management official, none have a classification certification or a position description number on the Optional Form 8. A certification by a management official certifies the accuracy of the position description which represents the official record of the duties and responsibilities assigned to a position. However, a classification certification indicates the position description has been placed in its proper class, title and grade in accordance with the OPM classification standards and guidelines by a person delegated classification authority. Since the GS-11 position descriptions lack a classification certification, the duties and responsibilities are not an official record of duties and responsibilities, have not been properly classified, and are neither reviewable nor appealable under the classification appeal process. Additionally, by law, we must classify positions solely by comparing their current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellants' position to others as a basis for deciding their appeal.

In reaching our classification decision, we have carefully reviewed all information furnished by the appellants, the appellants' representative, and the agency, including information obtained from telephone interviews with the appellants and their supervisor.

Position information

The appellants are assigned to Position Number 7Y017. The appellants, supervisor, and agency have certified to the accuracy of the position description.

The appellants prepare scope and funding estimates for project requests and proposals to ensure the needs of the customer are addressed. Customers serviced are in any of the activities located at the

Public Works Center (PWC) Portsmouth Site. Based on site visits and discussions with the customers, the appellants determine the condition of the projects, scope of the work, time frames, and unusual circumstances that may be encountered during work on assigned projects and prepare design sketches, detailed job plans, cost estimates, and material requirements involved in the maintenance, repair, new construction and rehabilitation/renovation of real property systems and equipment. The majority of their assignments involve structural work related to real property systems such as housing, offices, messing, recreational, utility, and miscellaneous buildings, although they also perform work in other areas as well. Supervision is provided by the Supervisory Engineering Technician, GS-802-11, who assigns work identifying major objectives and providing background information and guidance. Unusual problems involving the projects are discussed with the supervisor. The appellants determine the technical requirements of the job plans, construction plans, methods, components and/or materials, and cost estimates. The supervisor provides minimal procedural or technical assistance and completed work is reviewed in terms of quality, timeliness, and adherence with instructions, guidelines, and policy.

Standards determination

Engineering Technician Series, GS-802, June 1969.

Series determination

The agency placed the position in the Engineering Technician Series, GS-802. The appellants do not contest the occupational series nor the title of their position.

The GS-802 series includes technical positions that require primarily application of a practical knowledge of (a) the methods and techniques of engineering or architecture; and (b) the construction, application, properties, operation, and limitations of engineering systems, processes, structures, machinery, devices, and materials. The positions do not require professional knowledges and abilities for full performance, and therefore, do not require training equivalent in type and scope to that represented by the completion of a professional curriculum leading to a bachelor's degree in engineering or architecture. The positions are properly placed in the GS-802 series.

Title determination

The title Civil Engineering Technician applies to positions that involve work concerned with buildings, structures, dams, soil mechanics, tunnels, highways, water resources, bridges, airports, railways, and other phases of civil engineering. Since the work primarily involves development and preparation of project specifications and plans for work related to the structural maintenance, repair, new construction and rehabilitation/renovation of buildings all of which are covered by the civil engineering specialization, the positions are properly titled Civil Engineering Technician.

Grade determination

The grading criteria in the GS-802 standard is written in the narrative format. Grade levels are discussed in terms of two factors: (1) Nature of Assignment, and (2) Level of Responsibility. The position is evaluated as follows:

Nature of Assignment

This factor considers the scope and difficulty of the project, and the skills and knowledge required to complete the assignment.

At the GS-9 level, engineering technicians typically perform a variety of work relating to an area of specialization that requires the application of a considerable number of different basic but established methods, procedures, and techniques. Assignments usually involve independent responsibility for the planning and conduct of a block of work which is a complete conventional project of relatively limited scope, or a portion of a larger and more diverse project. Assignments require study, analysis, and consideration of several possible courses of action, techniques, general layouts, or designs, and selection of the most appropriate. This generally requires consideration of numerous precedents and some adaptation of previous plans or techniques. Often changes or deviations must be made during the progress of an assignment to incorporate additional factors requested after commencement of the project or to adjust to findings and conclusions which could not be predicted accurately in the original plans. The GS-9 assignments typically require coordination of several parts, each requiring independent analysis and solution. When phases or details of the project are performed by other groups or personnel outside the organizational unit, the technician reviews, analyzes, and integrates their work. In addition, assignments at this level require a good understanding of the effect that recommendations made or other results of the assignment may have on an item, system, or process and its end-use application.

Discussions with the employees and the supervisor indicate that the supervisor reviews incoming work requests and assigns jobs based upon the discipline involved, the skills of the employee, and the workload priorities of the unit. Once assigned a project, the appellants meet customers onsite to analyze the project request and assess the circumstances of the particular project. These meetings are essential as the customers generally know the desired outcome but lack the specific knowledge of the trades and of the codes, specifications, requirements, and standards that must be adhered to in accomplishing the work. The appellants are also provided an opportunity to determine the existence of conditions or situations which may negatively affect costs, timeliness, construction methods, etc., complicate the assignment, or require significant changes or modifications to the proposal submitted. They prepare preliminary field studies and concept drawings or sketches; recommend systems, materials and the most cost effective construction methods (contractor, PWC shops personnel, or naval self-help construction personnel); prepare preliminary cost estimates; and resolve technical problems regarding what the customer wants and what is feasible in terms of codes, requirements, materials, design, equipment, etc. They prepare an estimate of the total costs for labor and materials; identify special conditions (testing, removal, disposal) required by the existence of

asbestos, lead based paint, or other hazardous materials; and identify unexpected problems involving original construction methods and materials or previous renovations or modifications. Upon receiving customer approval of the project, the appellants develop job plans which include a complete description of work, specifications, and milestones; specify and requisition materials; sequence the phases of the project; coordinate the involvement of technicians from other specializations; plan quality assurance inspections and, where necessary, site cleanup and debris removal. The project is then given to the PWC shops, contractors or self-help personnel, and the appellants are responsible for the overall coordination of the work and resolving any problems that may arise between the beginning and completion of the project. They work with PWC shops personnel, contractors, vendors and suppliers, customers, and when necessary, engineer staff to ensure that the project is properly completed.

Typical of the variety of work projects the appellants have been assigned are:

- ▶ A project involving modifications and repairs to a temporary infectious waste storage area at the installation hospital. This work was required as hospital safety officials had cited the area as failing to meet state or Federal standards for the temporary storage of infectious wastes. The appellant responsible for the work stated that a review of applicable state and Federal standards on infectious waste storage was necessary to develop his estimates. There was also a major problem involving an air conditioning unit that cooled an adjacent security area exhausting into the storage area. Bringing the area up to standards required that this unit be removed and relocated as the security area would still require cooling. The appellant performed a detailed analysis to determine the repairs necessary and modifications, labor and material costs, etc., to bring the area up to code and developed the materials listing, work sequences, etc. The decision was made to install a new air conditioning unit in the ceiling of the security area as no other suitable location was available, and seal off the opening into the storage area. The ceiling of the security area was modified to accommodate the new air conditioning unit and its associated ductwork and wiring. The storage area itself required the removal of piping and a floor drain after determining that they were not part of any functional system. The floor was then leveled with concrete and refinished with a covering material which would not be penetrated by spilled waste material. The ceiling also was dropped and new florescent lighting fixtures installed. The appellant stated that he performed this work without supervision.
- ▶ A project involving the renovation of space in Building 32 at the [naval shipyard] from two separate rooms into one large office area. The project involved removal of an existing wall, doorway, shelving units, paneling and suspended ceilings, and refitting the fire sprinkler system with new parts where needed. The decision was made to reuse the ceiling insulation, the wall paneling, baseboard molding, and shelving units to contain costs. New suspended ceilings, floor tile, and baseboard heating units were installed and the opening where the old doorway existed was closed.

- ▶ A project involving the replacement of wooden bumper blocks on a 120 foot long loading dock at the Naval Hospital in Portsmouth, Virginia. Prior to the request for this project, the existing protective system consisted of wooden blocks bolted to the edge of the loading dock. The intent was to have the blocks, and not the dock, absorb the impact of trailers being backed into the loading area during deliveries. At the time of the request, many of the blocks were broken, cracked, or warped, and attaching bolts had been sheared off from the numerous impacts by these trailers. According to the appellant, the customer was seeking answers and had no recommendations of his own as to how to solve the problem. The appellant's research revealed that it would be more feasible to use a system comprised of structural steel and attached rubber bumper blocks rather than to use another wooden system. This new system would be much more durable and longer lasting than the old system.

- ▶ A project involving the conversion of a portion of the fifth floor of Building 510 into a separate "strongroom" for the storage of classified (confidential) documents with adjoining office space. The project required that all work meet Naval requirements for a secured area as far as restricting access (secured doors, windows, and other openings, various types of locks, etc.) to authorized personnel, as well as meet the lighting and ventilation requirements of a normal office work area. The work entailed removal of various equipment no longer needed for the area's new purpose; closing off of various areas where doors, windows, or other openings once existed; and installing new subflooring, floor tile, and fire sprinkler piping and hangers.

The appellants' experience allows them to apply sound engineering practices in carrying out assignments and accomplishing the work. The work routinely requires that modifications be made based on circumstances encountered during site visits, discussions with customers as to their expectations or wishes, and equipment and structural peculiarities of the buildings involved. Complicating the work performed by the appellants is the age of the facilities. The supervisor stated that the appellants are responsible for making the technical decisions regarding modifications, changes, substitution of materials, etc., necessary to accomplish the work. However, these modifications do not normally require a radical departure from established procedures or the development of a wide range of new or extremely complex procedures. Reference materials are available in the form of Navy/PWC directives, manufacturers' specifications and recommendations, national and local codes and standards for different disciplines, engineering drawings, and sketches and files of similar projects. Where modifications or changes must be made, existing precedents are usually available and applicable, allowing the appellants to choose an appropriate means of accomplishing the work from existing bodies of knowledge and their own experience.

The appellants are given their assignments along with major objectives, time frames, background information and guidance by the supervisor. The supervisor stated that on work of a critical nature, he accompanies the technician on the initial site visit so that he will have some familiarity with the work. Following assignment of a project, the appellants are responsible for determining the technical requirements of the job. They visit job sites, consult with the customers, develop construction plans and estimates of project related labor and material costs, determine the construction

methods/techniques to be used, and material requirements. The appellants do not receive technical assistance from the supervisor in completing the assignment or in meetings or discussions with customers, vendors, suppliers, shop personnel or other technicians involved in the project. In those instances where technical assistance is required, the appellants consult with other technicians, an engineer or an architect as required.

Following assignment of the work to the appropriate work center, the appellants are responsible for coordinating the work of other personnel involved in the project and assuring that the final product conforms with all applicable codes, requirements, and standards. They are also responsible for meeting with customers during the execution of projects to resolve any job-related problems or concerns they may have. The supervisor is advised of project status and unusual problems or delays that may affect project costs or timeliness. Guidelines generally available to the appellants include PWC and NAVFAC instructions and directives, design manuals, Engineering Performance Standards (EPS), R.S. Means cost estimating data, technical directives, procedures, engineering drawings, sketches, specifications, manufacturers' specifications and recommendations, and precedents and files of previous projects. Also included are appropriate national, state or local building codes; standards and practices for the different trades; fire protection; and environmental requirements related to testing for, removing, and disposing of asbestos, lead paint, and other materials. All projects require the use and application of established engineering principles, methods, and techniques and must conform to any applicable codes. These assignments are comparable to the GS-9 level.

At the GS-11 level, engineering technicians perform work of broad scope and complexity that requires application of (1) demonstrated ability to interpret, select, adapt, and apply many guidelines, precedents, and engineering principles and practices related to the area of specialization; and (2) some knowledge of related scientific and engineering fields. GS-11 technicians plan and accomplish complete projects or studies of a conventional nature requiring independent adaptation of a general fund of background data and information, and interpretation and use of precedents. They are typically confronted with a variety of complex problems in which considerable judgment is needed to make sound engineering compromises and decisions. Other related interests must often be considered, entailing frequent coordination with personnel in the fields concerned. There is a continuing requirement for contact work. Initiative, resourcefulness, and sound judgment are needed in planning and coordinating phases of assignments and in selecting which of several sound alternatives is to be used in arriving at acceptable engineering compromises. Ingenuity and creative thinking are required in devising ways of accomplishing objectives, and in adapting existing equipment or current techniques to new uses.

By comparison, technicians at lower levels receive assignments which are usually segments or phases of the type independently carried out at grade GS-11 or which involve less complex systems and facilities requiring design adaptation. GS-9 technicians apply standard engineering methods and techniques whereas GS-11 technicians are typically required to be creative in devising ways to accomplish the work. Assignments typically found at the GS-11 level include: (1) Develops cost estimates for competitive bidding for a variety of multiple-use construction projects. Determines (a) construction operations and methods involved and the time required to complete each phase or

feature, (b) various types and capacities of construction equipment required and cost of operation and maintenance, (c) material types and quantities, and (d) overhead, tax, and other costs; or, (2) Prepares designs and specifications for various utility systems such as heating, plumbing, air conditioning, ventilating, pumping, gas supply, and pneumatic control systems. Assignments characteristically involve utility systems for office buildings, pumping stations, and flood control facilities, where the complexity or nonconventional nature of the buildings and facilities entails design problems requiring considerable adaptation of precedents or design of features for which precedents are not directly applicable. Performs technical review of contractor-prepared designs and specifications for such systems.

The appellants do not meet the GS-11 level. Larger and more complex projects are generally assigned to the Engineering Division. The appellants' assignments deal primarily with the civil aspects of conventional structural construction projects, design features, drawings and contract specifications for portions or complete buildings or other facilities. Although the buildings on which the appellants work tend to be older and frequently may contain hazardous materials in varying levels, there are established national, local, industrial, and manufacturer codes and specifications, manufacturer recommendations, and engineering principles which the appellant can use. Additionally, in some cases, there may be files of previous work available which they can reference in order to help them accomplish their portion of the project. The appellants do not generally deal with a variety of multiple-use construction projects and do not develop new procedures/systems as is envisioned at this level.

GS-10 level assignments are not specifically described in the standard. The appellants' assignments do not in any way regularly exceed those described at the GS-9 level. Therefore, their assignments cannot properly be classified at the GS-10 level.

GS-9 is assigned for Nature of Assignment.

Level of Responsibility

This factor considers the nature and purpose of person-to-person work relationships, and the supervision received in terms of intensity of review of work and of guidance received during the course of the work cycle.

At the GS-9 level, the supervisor provides information on any related work being performed and furnishes general instruction as to the scope of objectives, time limitations, priorities, and similar aspects. The supervisor is available for consultation and advice where significant deviations from standard engineering practices must be made. The supervisor observes the work for progress and for coordination with work performed by other employees or other sections and for adherence to completion and cost schedules. Standard methods employed are seldom reviewed, but review is made for adequacy and for conformance with established policies, precedents and sound engineering concepts and usage. Personal work contacts typically are more frequent and demanding and are primarily to resolve mutual problems and coordinate the work with that of personnel in related

activities. Some contacts are made with using agencies for whom work is done, and with contractors and architecture-engineer firms. The contacts are made to clear up doubtful points, to advise as to discrepancies found in meeting contract terms, to consider recommendations for acceptable substitutes, and to promote adherence to agency standards and concepts of good engineering.

Comparable to the GS-9 level, the appellants operate in an independent manner with very little technical guidance or supervision. However, technical advice and guidance is readily available whenever unusual or controversial problems or policy questions are encountered during the course of a project. These are discussed with the supervisor, but technical supervisory assistance is infrequently sought or required. The appellants have regular contact with customers, other engineering technicians, engineers, suppliers, vendors, civilian and military managers or officers, and contractors. These contacts are to gather and provide information, define the scope of the requested work, resolve problems, clarify policy issues, etc.

At the GS-11 level, technicians have considerable freedom in planning work and carrying out assignments. The supervisor makes assignments in terms of the major objectives, providing background information and advice on specific unusual problems which are anticipated or on matters requiring coordination with other groups. Unusual or controversial problems, or policy questions arising in the course of a project, may be discussed with the supervisor, but technical supervisory assistance is infrequently sought or required. The supervisor is usually informally advised regarding progress but there is little review during progress of typical assignments. Completed work in the form of recommendations, plans, designs, reports, or correspondence is reviewed for general adequacy, conformity to purpose of the assignment, and sound engineering judgment. Contacts in the course of the work are with the same groups of individuals at lower grade levels and the purpose of the contacts is similar. Because of the increased scope of GS-11 assignments, these contacts tend to become more extensive than at lower levels. Contacts with contractors and other personnel regarding complex engineering and administrative problems are carried out without close supervision. However, the technician generally discusses with the supervisor the approach to be taken.

Although the appellants work independently under general supervision, the intent of the GS-11 level is not met. They may recommend a course of action, but they seek technical advice on unusual problems and policy issues. The GS-11 level of responsibility assumes that the employee is performing assignments equivalent to the GS-11 level and would, therefore, have responsibility for adapting a general font of knowledge and interpreting precedents to handle complex assignments requiring the exercise of considerable judgment. In comparison, the appellants are responsible for applying conventional engineering practices, techniques, and knowledge of the codes, specifications, and regulations to their projects. They exercise some judgment in determining the applicability of the specifications, codes, and engineering principles to the specific project, but consult with the supervisor on difficult problems or unusual situations. This level of responsibility does not fully meet the intent of the GS-11 level.

The GS-10 level is not specifically described in the standard. To be appropriately classified at the GS-10 level, the technician's Level of Responsibility would have to regularly and clearly exceed the

level described at grade GS-9. The appellants' position does not regularly require them to perform at a level that exceeds the GS-9 level.

GS-9 is assigned for Level of Responsibility.

Summary

Both factors are evaluated at the GS-9 level.

Decision

This position is properly classified as Civil Engineering Technician, GS-802-9.