

U.S. Office of Personnel Management  
Division for Human Capital Leadership & Merit System Accountability  
Classification Appeals Program

Philadelphia Field Services Group  
600 Arch Street, room 3400  
Philadelphia, PA 19106-1596

**Classification Appeal Decision**  
**Under section 5112 of title 5, United States Code**

**Appellant:** [appellant]

**Agency classification:** Lead Firefighter (Basic Life  
Support/HAZMAT Technician)  
GS-081-8

**Organization:** Fire and Emergency Services Division  
Directorate of Risk Management  
[name] Army Depot  
Department of the Army  
[location]

**OPM decision:** Lead Firefighter (Basic Life  
Support/HAZMAT Technician)  
GS-081-8

**OPM decision number:** C-0081-08-01

/s/

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Robert D. Hendler  
Classification and Pay Claims  
Program Manager

January 19, 2006

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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:**

[appellant's address]

[name]  
[address]  
[location]

[name]  
[address]  
[location]

Ms. Peggy Dare  
Chief, Division 2  
USACHRA, Northeast Region  
Civilian Personnel Operations Center  
Department of the Army  
Office of the Deputy Chief of Staff for Personnel, G-1  
314 Johnson Street  
Aberdeen Proving Ground, MD 21005-5283

Chief, Position Management and Classification Branch  
Office of the Assistant Secretary  
Manpower and Reserve Affairs  
Department of the Army  
Attn.: SAMR-CPP-MP  
Hoffman Building II  
200 Stovall Street, Suite 5N35  
Alexandria, VA 22332-0340

Director, U.S. Army Civilian Personnel Evaluation Agency  
Department of the Army  
DAPE-CP-EA  
200 Stovall Street  
Alexandria, VA 22332-0300

Office of the Deputy Chief of Staff, G-1  
Assistant G-1 for Civilian Personnel  
Department of the Army  
200 Stovall Street  
Alexandria, VA 22332-0300

Chief, Classification Appeals Adjudication Section  
Civilian Personnel Management Service  
Department of Defense  
1400 Key Boulevard, Suite B-200  
Arlington, VA 22209-1544

## **Introduction**

On November 1, 2005, the Philadelphia Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [appellant]. We received the agency's complete administrative report on November 18, 2005. The appellant's position is currently classified as Lead Firefighter (Basic Life Support/HAZMAT Technician), GS-081-8, and is located in the Fire and Emergency Services Division, Directorate of Risk Management, [location] Army Depot, Department of the Army, [location]. The appellant requests that his position be reclassified to the GS-9 grade level. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

In reaching our classification decision, we have carefully reviewed all information of record furnished by the appellant and the agency, including the official position description (PD) of record (number), which contains the major functions assigned to and performed by the appellant and we hereby incorporate it by reference into this decision. To help decide the appeal we conducted separate telephone interviews with the appellant, his immediate supervisor and the Fire Chief.

## **General issues**

The Fire and Emergency Services Division operates with two platoons that report to the Fire Chief. Each platoon is staffed with:

- (1) Supervisory Firefighter, GS-081-10, Assistant Chief;
- (1) Lead Firefighter (Basic Life Support/HAZMAT Technician), GS-081-8, Crew Chief who directs and participates in the work of a crew staffed with four other Fire Fighters and serves as the platoon training officer
- (1) Lead Firefighter (Basic Life Support/HAZMAT Technician), GS-081-8, Crew Chief who directs and participates in the work of a crew staffed with four other Fire Fighters, and serves as the platoon pre-plan coordinator (pre-plan work involves a scheduled cyclical review and analysis of all site facilities/areas to establish or refresh written plans for responding to potential fire or other emergency situations); and
- (8) Firefighters (Basic Life Support/HAZMAT Technician), GS-081-7; and
- (1) Firefighter (Basic Life Support/HAZMAT Technician), GS-081-7 within the Division who rotates between platoons and provides coverage as needed.

The appellant serves as a Crew Chief and designated training officer for his platoon. He filed this appeal with OPM based on his belief that he is not being compensated properly for his EMT and HAZMAT Technician work, and that his assigned training duties and responsibilities warrant classification at the GS-9 grade level. He states that he, and the training officer on the other platoon, were intentionally left out of the grade increases resulting from the application of the new grading criteria for Emergency Medical Technician and Hazardous Materials Technician work as provided by the new position classification standard (PCS) for Fire Protection and Prevention Series, GS-081, issued in March 2004. He also states that, in the past, his position was one grade above the other leaders because of his added responsibility for training, and that he spends in excess of 25 percent of his time on training related work. His current PD, however,

shows only 20 percent of the time is spent on that work. In preparing his current PD, he believes management intentionally assigned the lower percentage of time to the major duty statement describing his training duties, to prevent the work from becoming grade controlling at the GS-9 grade level.

The appellant works 24-hour shifts which include up to 10 hours of production time (typically 8 to 10 hours), 6 hours of standby time and 8 hours for sleep. The normal work schedule for non-supervisory firefighters includes 144 hours per pay period including standby and sleep time. Their work schedule includes regular days off, so they typically work six 24-hour days and have eight days off during each pay period. The two platoons rotate one day on and one day off. The appellant believes that, in assigning percentages of time to the major duties of his PD, management considered his entire 144 hours per pay period. He further states that the percentages of time should have assigned based on production hours, when he was actively engaged in the performance of his assigned duties, and that the time associated with his training work was improperly diluted by the approach used by management thereby denying him an upgrade.

In adjudicating this appeal, our only concern is to make an independent decision on the proper classification of the appellant's position. 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). Because our decision sets aside all previous agency decisions, the appellant's concerns regarding his agency's classification review process are not germane to this decision.

### **Position information**

The appellant's immediate supervisor certified that the appellant's official PD accurately describes his assigned duties and responsibilities, and the Fire Chief agrees. The appellant disagrees because of the percentage of time shown for his training duties and responsibilities and required EMT and HAZMAT certifications.

The appellant uses the term "course" to refer to the training he prepares and provides. When used in an educational context, the word normally carries the meaning of a recognized course of study, or a body of prescribed studies constituting a curriculum. It can also be used to describe a major unit of such an established curriculum. We refer to the appellant's training sessions as "classes" to signify a unit of instruction covering a single topic or a small section of a broad topic. The lesson plans, prepared, and presented by the appellant, are for stand alone-modules covering subjects which change from week to week. They are not part of a recognized program of study leading to the attainment of a degree in a particular body of knowledge or certification in a particular skill. Rather, they are typically short informational, refresher and/or practical application classes intended to maintain firefighter readiness. Most locally prepared weekly training classes take between one, and two and a half hours to present. Infrequently, locally prepared classes may take five to eight hours to present. Because of the universal nature and application of the subject matter regarding firefighting, rescue, hazardous materials and emergency medical services, there is a wealth of readily available information from a wide variety of sources, including the internet and organizations responsible for establishing and maintaining standards for such work.

The appellant's position primarily exists to serve as a Firefighter Crew Chief. In this capacity, the appellant directs, coordinates, and participates in the equipment maintenance, facilities maintenance, response preparation/practice, and other firefighter functions performed by his crew, and ensures that they are prepared to respond to emergency situations, whenever they occur.

The appellant serves as designated training officer for his platoon, staffed by 11 to 12 employees including him. Program responsibility for the Fire and Emergency Services Division training program rests with the Fire Chief. Program administration duties are equally split between the two platoon training officers. Each prepares one half of the training classes for the Division and coordinates, provides training, tracks and reports on the training activities of their respective platoon. They coordinate with each other to prepare the recommended annual training plan, and ensure the training program operates in a cohesive manner. The appellant ensures that training is provided to his platoon every week, typically during the weekend. He either gives the training himself, arranges for someone else from within the platoon to present the written class plan, or for an outside instructor to give a class on a requested and pre-approved topic.

The appellant prepares a written training plan every other week, alternating with his counterpart on the other platoon. Class topics are pulled from a variety of available sources including a large standing library of approximately 300 written training plans, the internet, the International Association of Firefighters, the National Association of Fire Service Instructors, the National Fire Academy, Maryland Fire and Rescue, the [location] County Public Fire Training Center, the [location] Fire Academy, the American Heart Association, [location] Department of Health, topics presented and materials provided at Fire Department Instructor's Conferences attended by the appellant and/or his counterpart, etc. In most cases, the appellant selects and updates a preexisting training plan and adds new practical application illustrative examples and/or exercises which takes about four to five hours every two weeks. Approximately four to six times a year the appellant develops new or significantly modified written training plans that each require about 15 to 16 hours to complete. The emphasis of class preparation is on maintaining readiness and providing the newest information in the field to keep the firefighting staff apprised of emergent developments and techniques. The appellant also endeavors to keep the presentations interesting by adding new and varied graphic, visual and/or audio elements to the training classes. He stated that he spends a substantial amount of time researching potential topics for presentations, reading pertinent materials, and attending conferences and other training to keep up-to-date on the latest firefighting developments, techniques and equipment.

The Fire Chief has directed that each month's training schedule provide information on emergency medical services (EMS), firefighting, hazardous materials and rescue operations on a rotating subject basis. The platoon has one Firefighter, GS-081-7, certified to give EMS training. This individual is typically called upon once a month to present the selected topic on that subject and may also recommend, personally develop and/or work in coordination with the appellant on EMS class development. The biweekly written training plans are submitted in advance to the appellant's platoon supervisor and the Fire Chief who review and approve classes prior to presentation and occasionally suggest modifications or the inclusion of additional information. The classes developed and/or presented by the appellant are not recognized by any recognized

accredited organization to provide certification or academic credit upon completion, nor is testing usually a part of the training classes. When certification is necessary, the instructor is someone other than the appellant. This type of training is generally provided by accredited sources from outside the organization.

In the past year the appellant has also conducted occasional in-house firefighting equipment familiarization sessions described as “show and tell” type presentations to maintain staff awareness of available equipment and its proper use, storage, maintenance, etc. The Fire Chief recently decided that these sessions should be performed on a regular and recurring basis. The sessions require minimal planning and take 15 to 20 minutes each to present.

In addition to firefighter training given during the past year, the appellant gave: two 6 hour classes to local security personnel regarding weapons of mass destruction, based on available “force protection” lesson materials developed elsewhere; one 8 hour confined space rescue refresher class for local public works personnel following a pre-established lesson plan; and three 1.5 hour fire extinguisher training sessions for various groups at the facility.

Last year’s log of all training given by the organization shows 70 percent of the classes lasted two hours or less, 10 percent were given by an Assistant Fire Chief as the lead instructor, 16 percent indicate that the lead instructor was one of the EMS certified Firefighters, and 22 percent were presented by visiting instructors who also taught 78 percent of the courses lasting more than two hours. Log entries indicate that other Firefighters also occasionally filled in as lead instructors to teach the pre-approved written lesson plans.

### **Series and title determination**

The agency classified the appellant’s position to the Fire Protection and Prevention Series, GS-081 and assigned the official position title of Lead Firefighter (Basic Life Support/HAZMAT Technician). Neither we nor the appellant disagree. The appellant’s work requires knowledge of firefighting, fire prevention theory and techniques as well as skill in planning, coordinating and providing training related to fire protection/prevention programs and operations and, therefore, it is properly placed in the GS-081 series.

The appellant exercises continuing responsibility as a Crew Chief for both technical and administrative oversight of a crew of four assigned Firefighters (Basic Life Support/HAZMAT Technician), GS-081-7, as well as personally performing the same kind, level and type of work as the other members of the crew. As directed by the GS-081 (PCS), the “Lead” prefix is appropriately affixed to the title in accordance with titling instructions provided by Part 1 of the General Schedule Leader Grade Evaluation Guide (GSLGEG).

### **Grade determination**

The GS-081 PCS, Section III, provides guidance for determining the grade of appellant’s Crew Chief responsibilities. It states that Crew Chief positions are normally classified one grade level above the highest level of nonsupervisory work in the crew led, and directs the use of GSLGEG criteria for grade determination. We will also refer to the Grade Level Guide for Instructional Work (GLGIW), which provides criteria for determining the grade level of non-supervisory

instructor and instructional specialist work, to address the appellant's rationale concerning the grade-level worth of his training work.

Part I of the GSLGEG covers work leader positions who, as a regular and recurring part of their assignment, lead three or more employees in one grade interval occupations in the GS in accomplishing work and states that work leaders also personally perform work that is usually of the same kind and level as that done by the team led. It describes team leaders responsible to their supervisor for ensuring that the work of their assigned team is carried out as directed and in a timely manner. Team leaders distribute and balance work among employees; keep in touch with the work and make day to day adjustments as needed; estimate and report on the time for completion of assignments and maintain work records and production reports; instruct employees in the specific tasks and job techniques; make available written instructions, reference materials and supplies to team members; give on-the-job training to employees in accordance with established procedures and practices; maintain current knowledge to answer questions of other employees on procedures, policies, directives, etc.; obtain information or decisions from supervisor as needed on problems that arise and/or issues not covered by provided guidance; spot check work in progress, or review completed work accomplished by crew members to ensure it is done in compliance with directions and on time; direct team members to correct or re-work assignments not meeting established standards; approve leave for a few hours or for emergencies; inform employees of available services or activities; resolve simple informal employee complaints referring; report to the supervisor on performance, progress and training needs and behavior problems of employees; and provide information to the supervisor as requested concerning promotions, reassignments, recognition and personal needs of employees team members.

The appellant's position meets the GSLGEG description of team leader work. He directs and personally participates in the day-to day work of his crew, staffed with four Firefighters (Basic Life Support/HAZMAT Technician), GS-081-7, employees; directs the firefighting activities of the crew, working from specific orders given by higher level supervisors at the scene; takes charge of all firefighting activities at the scene of a fire in the absence of the supervisor; directs the crew in fire protection inspection functions; assigns crew members to perform station facilities work and/or equipment maintenance and cleaning duties; makes adjustments to daily crew assignments based on established priorities; reviews work accomplished by crew members and requires re-work as appropriate; prepares reports for the supervisor concerning fire runs, training, inspection, or other topics; maintains current knowledge of firefighting and related procedures, practices and policies to provide up-to-date information to crew members and others; gives on-the-job training to crew members and others including guidance on practical application of a skill or knowledge and proper handling and use of equipment; directs and participates in drills and training classes for the assigned crew and others; sees to the working conditions of the crew; approves leave for emergencies, resolves simple employee complaints and refers other more difficult matters to the supervisor, provides input to the supervisor concerning performance training needs and disciplinary issues; provides recommendations to the supervisor, as requested, on reassignments, awards and promotions; and keeps the crew informed of administrative matters, policy/procedural changes, work requirements and other information from the supervisor. The appellant's Crew Chief duties and responsibilities, including his EMT and



HAZMAT Technician work, are properly classified to the GS-8 grade level, one grade above the highest level of non-supervisory work led.

Firefighter Crew Chiefs are inherently responsible for maintaining current knowledge and answering questions from their crew members regarding procedures, policies, directives and other pertinent information. This includes providing on-the-job, and other training to those led to ensure they are aware of new practices, policies or requirements, and are capable of performing their assigned duties and responsibilities. As described above, one Crew Chief on each platoon is designated as training officer for the platoon and the other as pre-plan coordinator. We find that the training provided by the appellant to his platoon is a natural extension of his Crew Chief duties and responsibilities resulting from the established division of responsibilities within the organization and is fully considered and credited as described previously.

The appellant states that he spends in excess of 25 percent of his time on training. We do not find this to be credible based on the record discussed previously. The appellant believes that all the time he spends attending firefighter conferences, training, and keeping up on new developments in the field of firefighting should be considered as part of his lesson plan preparation and instructor work because he gets new ideas for training classes during these times. Attendance at training, conferences and keeping oneself apprised of new developments in their field of endeavor are things done by, or for an individual to enable them to perform their own work more effectively. These activities do not, in and of themselves, directly involve accomplishing work. As discussed previously, our analysis has fully considered the time spent by the appellant on research specifically to gather and verify/validate information used in the preparation or updating of lesson plans. This work usually involves four to five hours work per lesson plan, but can occasionally take as long as sixteen hours.

The GLGIW recognizes that instructor and instructional specialist work is performed in a wide range of educational and training programs operated by Federal agencies. Although the record shows that the appellant spends significantly less than 25 percent of his time preparing lesson plans and presenting training classes, we have decided to provide an assessment of this work in order to fully address the appellant's issues concerning the grade-level worth of his training officer duties and responsibilities. The work is evaluated in comparison to GLGIW grade level criteria, which is divided into two parts:

*Part I* covers instructor work involving the following activities:

- preparing daily work plans based on general course outlines and established learning objectives. Plans cover instructional methods and techniques, training materials and aids, time schedules, etc.
- training in traditional classroom situations or in self-paced learning programs where the instructor guides students in the use of special learning techniques.
- evaluating the progress of students and advising and assisting them to improve their performance.

*Part II* covers instructional specialist work such as:

- ascertaining needs for training and education, usually through surveys or job analysis.
- determining the objectives and scope of the courses, the subjects to be covered, and the criteria for evaluation.
- developing, revising, or adapting courses and instructional materials and guides.
- evaluating education and training programs and recommending needed changes and improvements.

The appellant's assigned training officer duties and responsibilities contain aspects of both Parts I and II. Both Parts are evaluated by considering distinctions between grade levels of work based upon two factors: **Nature of Assignment and Level of Responsibility**

### **Nature of Assignment**

This factor encompasses such aspects as the knowledge, skill, and ability required for performing the work, and the complexity and difficulty of the duties and responsibilities assigned.

#### *Part I, Instructor Work*

At the GS-7 grade level, assignments typically involve short, repetitive courses or course units that are highly structured.

At the GS-9 grade level, courses cover a wide variety of topics in well-established areas of a subject-matter field. They include courses taught by a technical service school in the fundamentals and skills of a technical occupation; courses taught at the secondary through basic undergraduate levels; or all subjects taught at an elementary school level. They require thorough familiarity with the assigned subject-matter area and use of a wide range of teaching methods or tools depending on the students' learning requirements. They are usually well structured and have ample training materials. These courses generally involve instructional problems that require organization, illustration, and interpretation of course material in order to reach and motivate students who may pose typical problems of communication and motivation, e.g., diverse ages, backgrounds, and levels of interest in the course. GS-9 instructors need to give concrete expression to the abstract principles and concepts taught at this level. They make recommendations for changes that involve substantive rather than procedural matters. Obtaining and adapting current instructional material is typical of this level.

The appellant's instructor work, on the surface, may appear to meet the description of GS-9 grade level work. However, the classes he presents are given as informational or refresher training. They do not involve testing students, nor are they part of a defined course of study. As at the GS-7 grade level, most tend to be highly structured and repetitive and last two hours or less. Instructional problem issues such as the student's level of interest in the course and dealing with students who pose communications or motivational problems are also not encountered. It is significant that the classes are frequently presented by other members of the staff who fill in as instructors following pre-approved detailed lesson plans. Because the appellant's work does not fully meet the GS-9 grade level for this factor, it is properly evaluated at the GS-7 grade level.

### *Part II, Instructional Work*

At the GS-7 grade level, assignments are normally developmental in nature and involve preparing assigned segments or portions of larger projects being carried out by higher grade employees.

Employees at the GS-9 grade level independently carry out studies or analysis in a subject matter or functional specialty area including course development that are typically short and self contained or constitute portions of larger projects. Assignments are characterized by the established or conventional nature of the training product and usually require some adaptation of existing materials or methods. Employees gather and analyze information, develop findings and make recommendations largely modeled on precedents. Additional assistance and/or guidance is provided to the employee when precedents are lacking.

The appellant, in concert with his counterpart on the other platoon, develops a recommended training plan annually for approval by the Fire Chief and, operating within that framework he identifies topics and develops, or modifies lesson plan modules on a biweekly basis. The lesson plans are for short (two hours or less), self contained and typically of a conventional nature. In most cases they are based on precedent and may involve the modification of illustrations, examples and/or applications used in previous presentations or updating training plans to incorporate new developments in the field. In contrast, assignments at the GS-9 grade level involve studies or analysis in a subject matter or functional specialty and *course* development. At this level the courses are typically short and self contained or constitute portions of larger projects, for example, a short course may be held over a period of a week and involve a number of consecutive segments/classes which build upon each other to meet an established goal or objective. Instructional assignments at the GS-9 grade level are much broader than those of the appellant. Because the appellant's work does not fully meet the GS-9 grade level for this factor, it is properly evaluated at the GS-7 grade level.

### **Level of Responsibility**

This factor includes such things as independence (e.g., the degree to which work and decisions are supervised or reviewed); the extent to which guidelines for the work are available or must be developed; and the kinds of contacts required to perform the work.

### *Part I, Instructor Work*

At the GS-7 grade level, the employee works independently within highly structured work situations, making suggestions for procedural course modifications and occasionally substantive content change recommendations.

At the GS-9 grade level, the instructors independently plan and carry out their training sessions within the prescribed course framework. They resolve normal classroom problems and make outside contacts for supplemental information and materials. On unusual matters or questions or program objectives and policy, they obtain guidance before taking action. Recommendations for course modification receive review for consistency with overall course material, for technical

accuracy, and for educational adequacy. At this level, the courses of instructors are audited and evaluated periodically by higher level instructors. Examples of work provided at this level to illustrate typical work assignments include serving as instructor for: a broad course in the fundamentals and basic skills of an occupation such as computer operation or engineering drafting (involves detailed explanation, demonstration and supervision of laboratory exercises, and frequently translating theoretical explanations and mathematical analysis into simpler explanations); a course in the maintenance and repair of designed components of various models of aircraft requiring explanation of the theoretical problems underlying maintenance and repair problems; or a course in the basic principles of a field, e.g., general accounting or basic management, up to and including the college undergraduate level.

The appellant's instructor work, on the surface, may appear to meet the description of GS-9 grade level work. However, that level is predicated on responsibility for courses of GS-9 grade level complexity. The short, stand-alone classes presented by the appellant do not compare favorably with the scope or breadth of courses typical of that grade level. The evaluation of the appellant's independence, nature of supervisory review, available guidance and kinds of contacts necessary for the work must all be considered in the context of the appellant's actual training assignment. Although the topics covered by the appellant's training classes generally fall within four broad categories, i.e. fire, EMS, HAZMAT, and rescue, they are taught as separate modules, rather than as components of a larger course of study where students are recognized for attaining a defined objective through the completion of consecutive segments of study that build upon each other. Because the appellant's work does not fully meet the GS-9 grade level for this factor, it is properly evaluated at the GS-7 grade level.

## *Part II, Instructional Work*

At the GS-7 grade level, the employee independently accomplishes repetitive assignments when they are governed by established and directly applicable procedures. Assignments may require some judgment in selecting appropriate guidance to apply in given situations. Contacts are to exchange information and may involve individuals from outside the immediate organization.

At the GS-9 grade level, project assignments usually begin with a briefing on the project background, objectives and relationship of the employee's assignment to other aspects of the larger project and general nature of the results expected. Work is done independently, but the supervisor gives advice on expected problems, and is consulted when unexpected problems occur. Completed work is thoroughly reviewed for technical soundness and to ensure that it meets project objectives. Employees devise ways to accomplish their work within established guidelines and modify methods or materials as necessary. At this level, the employee usually has established contacts within the organization and with instructor or instructional personnel in other training organizations or activities.

The level of responsibility described at the GS-9 grade level anticipates the employee is involved in *course* preparation work as is evident by the need for a briefing on the project background, objectives and relationship of the employee's assignment to other aspects of the larger project. The level of independence, supervisory oversight and direction and work related contacts described at the GS-9 grade level are all discussed in the context of involvement in a larger

project or assignment than the work assignments performed by the appellant. Work examples provided at this grade level describe: studying course objectives, outlines or other available training materials; reviewing and evaluating audiovisual aids for courses from a variety of sources; and developing material for portions of new courses that conform to existing guidelines and precedents. Because the appellant's work does not fully meet the GS-9 grade level for this factor, it is properly evaluated at the GS-7 grade level.

### *Summary*

Based on application of GLGIW, Part I and II grading criteria, the appellant instructor and instructional work are properly evaluated at the GS-7 grade level.

### **Decision**

The position is properly classified as Lead Firefighter (Basic Life Support/HAZMAT Technician), GS-081-8.