

U.S. Office
Office of Merit Systems
Classification



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

Appellant: [Appellant]

Agency classification: Nuclear Medicine Technologist
GS-601-9

Organization: Department of Veterans Affairs

OPM decision: Health Physicist
GS-1306-9

OPM decision number: C-1306-09-01

/s/

Kathy Day
Classification Appeals Officer

6/19/00

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).

Since this decision changes the title and series of the appealed position, it is to be effective no later than the beginning of the fourth pay period after the date of this decision, as permitted by 5 CFR 511.702. The servicing personnel office must submit a compliance report containing the corrected position description and a Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action.

Decision sent to:

Appellant:

[Appellant]

Agency:

[Chief, Personnel Service]

Mr. Ronald E. Cowles
Deputy Assistant Secretary for Human
Resources Management
Department of Veterans Affairs
Washington, DC 20420

Introduction

On January 28, 2000, the Atlanta Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [appellant] who is a Nuclear Medicine Technologist, GS-601-9, assigned to [organizational location], Department of Veterans Affairs (VA), [geographic location]. The appellant believes his position should be graded GS-11.

The appeal has been accepted and processed under section 5112(b) of title 5, United States Code. 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

The appellant's position was downgraded from Nuclear Medicine Technologist, GS-601-10, to GS-601-9, effective January 16, 2000, following an agency decision on his request for an upgrade to GS-11. The appellant believes that his responsibilities as the facility's Radiation Safety Officer and related budget maintenance and control point official duties for the Nuclear Medicine Service warrant his position being classified as GS-11. He also believes that the agency should have determined the grade of his position through comparison with the standard for the Health Physics Series, GS-1306, rather than the Medical Technologist Series, GS-644.

Position information

The appellant functions as the Radiation Safety Officer 60 percent of the time and Nuclear Medicine Chief Technologist 40 percent of the time. He is responsible for managing and maintaining the facility's radiation safety program. He ensures that all Nuclear Regulatory Commission (NRC) regulations, as well as other regulations and requirements governing radioactive byproduct materials used in the diagnosis and treatment of disease, are met. He provides radiation safety training to all personnel who work with or frequent areas where byproduct materials are stored or used. He develops local guidelines and policies regarding the use of ionizing radiation; conducts surveys and evaluates the effectiveness of shielding and ventilation in areas where such radiation is used; and evaluates and reports current and potential radiation hazards. The appellant develops methods and procedures for the receipt, storage, use, and disposal of all radionuclide sources; checks incoming shipments of byproduct materials for contamination; and reviews and follows up on radiation exposure reports involving instances of accidental or excessive exposure. He coordinates the procurement of radioactive and non-radioactive supplies and equipment, and he maintains accountability for and control of all radioactive materials at the facility. He also has responsibilities for developing and maintaining the operational budget and serving as the fund control point official for the Nuclear Medicine Service. However, there is no indication that these duties require more than a minimal amount of the appellant's time.

In addition, the appellant functions as the Chief Nuclear Medicine Technologist and performs radioimmunoassays of patient body fluids and tissues. He mixes patient dosages of radiopharmaceuticals and radionuclides used in the diagnostic examinations and imaging of

organs and organ systems; performs patient injections; prepares images for analysis by the nuclear medicine physician; and monitors the use of radioactive materials by two other technologists in his organization.

As the Radiation Safety Officer, the appellant reports to the Chief of Staff who provides general administrative guidance and direction on matters related to radiation safety at the facility. He independently carries out assignments in compliance with NRC rules, regulations, and other requirements governing radioactive materials in a hospital environment. The appellant's work must also comply with rules and regulations regarding these materials that are enforced by the Environmental Protection Agency, the Department of Transportation, the Occupational Safety and Health Administration, and other agencies and organizations. Work is evaluated in terms of overall effectiveness and success of the Nuclear Medicine Service in conforming with requirements as determined by periodic audits, surveys, and visits by organizations having regulatory authority.

Series, title, and standard determination

The agency placed the position in the General Health Science Series, GS-601. The appellant does not contest the placement of his position in this series. We believe the position is properly placed in the GS-1306 series.

The General Health Science Series, GS-601, covers positions involving research or other professional and scientific work which is specifically health-oriented in character, when the work is of such generalized or miscellaneous specialized nature that the positions are not more appropriately classifiable in any of the existing series in the GS-600 or any other Group.

The appellant's primary responsibility is management of the radiation safety program at the medical facility. He functions as the Radiation Safety Officer and is responsible for ensuring that staff, patients, visitors, and the overall facility environment are not exposed to harmful radiation from radioactive materials used in diagnostic and treatment procedures.

The Job Family Standard (JFS) for Professional Physical Science Work, GS-1300P, provides series definitions, titling instructions, and grading criteria for nonsupervisory professional positions in the physical sciences. The Health Physics Series, GS-1306, covers positions that require primarily the application of professional knowledge and competence in health physics, which is concerned with the protection of persons and their environment from unwanted exposure to ionizing radiation.

All medical facilities using radioactive materials in diagnosing and treating patients are required by the NRC to appoint a Radiation Safety Officer. The NRC mandates specific levels of training, knowledge, and experience in the areas of radiation physics and instrumentation; mathematics pertaining to the use and measurement of radioactivity; radiation protection and biology; and radiopharmaceutical chemistry for Radiation Safety Officers. The appointee must also possess certification from a national board responsible for establishing and upholding qualification and professional standards for the fields of radiology and nuclear medicine technology. Sixty percent of the appellant's time is spent performing the duties of the Radiation

Safety Officer, and he is required to meet the NRC criteria for Radiation Safety Officer. Therefore, we find that placement in the Health Physics Series, GS-1306, is appropriate for this position.

The title for positions in this series is *Health Physicist*.

Standard determination

JFS for Professional Physical Science Work, GS-1300P, December 1997.

Grade determination

The GS-1300P JFS for Professional Physical Science Work provides grading criteria for nonsupervisory professional positions in the physical sciences, including the Health Physicist Series, GS-1306. Therefore, the appellant's position is best graded by means of the GS-1300P standard.

The GS-1300P standard includes appropriate language from the law and the grade level data, i.e., the standard. The law and the grade level data are supplemented by illustrations of work appropriate for each grade level. Positions are graded as a whole against the criteria found at differing grades in the standard. Positions are classified to the grade that best represents the overall demands of the work, for example, its knowledge requirements, complexity, scope and effect, and responsibility.

The GS-9 level is the first full performance grade in the physical sciences. At GS-9, work assignments typically involve independent responsibility for applying established technology in routine ways to well-defined, moderate sized physical science projects, but GS-9's might also work in support of larger projects using less established technology. Assignments at this level normally involve planning and carrying out routine work requiring selecting and making minor adaptations to procedures and accepted practices to handle unexpected conditions that may arise. At the GS-9 level, scientists have considerable latitude for the exercise of independent judgment, to perform moderately difficult work requiring---

- (i) professional, scientific, or technical training equivalent to that represented by graduation from a college or university of recognized standing; and
- (ii) considerable additional professional, scientific, or technical training or experience which has demonstrated capacity for sound independent work

The standard includes a number of illustrations representing the complexity, degree of independence, and scope of assignments at the GS-9 level. The appellant's work compares to the illustration at the GS-9 level where the employee performs a variety of duties in a hospital, including surveying all radiation areas. Takes measurements and wipe tests as appropriate. Reads and records wipe test results in accordance with hospital plans. Responds to a wide variety of conventional questions about radiation from doctors, nurses, other hospital personnel, and the general public. Uses appropriate radiation detection equipment to define ambient dose equivalent rates and contamination levels in conjunction with performance of radioactive material package surveys, user facility inspections, sealed source leak tests, management of

wastes from radionuclide therapy patients, radioactive material spill decontaminations, and radiological decommissionings of treatment rooms and user facilities. Assignments normally involve different and unrelated established processes and methods involved in recognizing, evaluating, and controlling radiation safety hazards.

At the GS-11 level, scientists plan and execute complex studies that usually involve intensive investigations into one or more recognized phenomena. The work typically involves conventional methods and techniques, though going beyond clear precedents. The work also requires adapting methods to the problems at hand and interpreting findings in terms of their scientific significance. Finished products are reviewed for adequacy of conclusions and soundness of the procedures and methods used. Assignments at this level generally do not involve radical departures from past practices or require the development of new, novel, or innovative approaches, methods, or techniques. At the GS-11 level, scientists have wide latitude for the exercise of independent judgment in performing work of considerable difficulty requiring somewhat extended professional, scientific, or technical training and experience which has demonstrated important attainments and marked capacity for independent work.

Illustrative of the GS-11 level is the employee who provides health physics services in a VA Medical Center for an assigned area made up of many small laboratories in a research area, in addition to a radiation treatment area involving different forms and different masses and intensities of radiation. The employee ensures that all personnel are properly trained and monitored; provides advice on appropriate safeguards to use; performs radiological surveys and related activities. The employee also assesses new or unusual situations, variations in approach, and incomplete or conflicting data and makes decisions concerning such things as interpreting extensive data, planning the work, or refining methods and techniques to be used.

The appellant's assignments are best evaluated at GS-9. Like the illustration for GS-9 work, the appellant's work as Radiation Safety Officer involves performing the full range of activities required by the NRC and other organizations concerning the use of ionizing radiation for diagnostic and treatment purposes. He has overall responsibility for ensuring that the facility conforms with all regulatory requirements in accounting for; monitoring the usage of; and storing, shipping, and disposing of radioactive materials. The appellant conducts surveys of all areas where radioactive materials are used and stored; performs weekly wipe tests to check equipment for contamination; evaluates the adequacy of shielding and ventilation in areas where these materials are used; and conducts periodic physical inventories of the facility's supply of radioactive materials. He responds to a wide range of conventional questions regarding radiation from hospital staff and other parties; and uses appropriate radiation detection and measurement equipment to check containers for leakage, conduct area surveys, monitor contamination from spills, and monitor patient wastes. The appellant performs required testing prior to the decommissioning of radiation treatment areas and analyzes areas for suitability prior to the relocation of radiation equipment. He is the sole certification authority for all required documents involving radioactive materials, and he coordinates the procurement of all radionuclides and radiopharmaceuticals used by the Nuclear Medicine Service. Typical of the GS-9 level, the appellant's work involves the use of established processes and methods to recognize, evaluate and control radiation hazards. He is independently responsible for the application of established technology in planning, organizing, and carrying out routine

assignments. The individual to whom the appellant reports is not an authority in the appellant's area of expertise and does not provide day-to-day supervision. The appellant is considered the facility's authority on matters related to radiation safety, and the effectiveness of the work is judged on the basis of successfully passing audits and inspections by outside regulatory agencies.

While the appellant has some responsibilities that are also found at the GS-11 level, e.g., ensuring that personnel are trained in radiation safety, providing advice on appropriate safeguards, performing radiological surveys, the environment in which he performs these duties does not match the complexity described at the GS-11 level. His medical center is not a research facility. He is not typically faced with new and unusual situations requiring variations in approach nor is the data he assesses typically conflicting or incomplete. The appellant's position fully meets the GS-9 level but does not meet the GS-11 level.

Decision

The appellant's position is properly classified as Health Physicist, GS-1306-9.