

**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**

Appellant: [Appellant]

Agency classification: Fire Protection Inspector
GS-081-7

Organization: U. S. Marine Corps
Department of the Navy

OPM decision: Fire Protection Inspector
GS-081-7

OPM decision number: C-0081-07-01

/s/

Kathy Day
Classification Appeals Officer

1/30/01

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]

Mr. Patrick L. Brown
Director
Human Resources Service Center Southeast
Department of the Navy
9110 Leonard Kimble Road
Stennis Space Center, MS 39522-0002

Ms. Sharon Stewart (Acting)
Office of the Deputy Assistant Secretary of
the Navy (Civilian personnel and Equal
Employment Opportunity)
Nebraska Avenue Complex
321 Somer Court NW., Suite 40101
Washington, DC 22310-3398

Ms. Janice W. Cooper
Chief, Classification Appeals
Adjudication Section
Department of Defense
Civilian Personnel Management Service
1400 Key Boulevard, Suite B-200
Arlington, VA 22209-5144

Introduction

On September 26, 2000, the Atlanta Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal for the position Fire Protection Inspector, GS-081-7, [organizational location], [Marine Corps base], Department of the Navy, [geographical location]. The appellant is requesting that his position be classified at GS-8.

This 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 believes that his responsibilities conducting information programs on fire prevention, detection and suppression; coordinating fire watch and fire warden programs; and developing materials and providing situational and classroom training related to fire prevention are typical of fire protection inspectors at the GS-8 level.

The appellant raised concerns over the adequacy of his position description. OPM considers a position description to be adequate for classification purposes when it is considered so by a person knowledgeable of the occupation and the classification standards, and is supplemented by current information about the position's organization, functions, programs, and procedures. We find that the position description describes the major duties and responsibilities of the appellant's position and includes information about the job that is significant to the classification. Combined with the supplemental information provided by the appellant, his supervisor, and his agency, the position description is considered accurate for classification purposes.

Position information

The appellant is assigned to position description number [#]. The supervisor and the agency certified the accuracy of the position description.

The appellant functions as a Fire Prevention Inspector in the Fire Prevention Section. The Section is responsible for planning, organizing and implementing the Fire Prevention Program for all facilities at [Marine Corps base]. The installation is a depot level maintenance center with a physical plant consisting of 230 buildings of various types (e.g., overhaul facilities, warehousing areas, maintenance shops, offices, a dispensary, a child development center, etc.). The installation also has approximately 300 on-base and 400 off-base housing units for military personnel and their dependents. The appellant's primary responsibilities involve conducting scheduled and special fire prevention inspections of assigned buildings, structures and activities to identify potential fire hazards, and initiating required corrective actions. He conducts inspections and prepares and submits notices of discrepancies; establishes and maintains records of inspection findings; and conducts and observes surprise fire and building evacuation drills and prepares reports of results. The appellant inspects and tests fire alarms, detection and

suppression systems (e.g., fire/smoke detectors, fire hydrants and extinguishers, sectional control valves, sprinkler systems) and reviews and issues electrical appliance permits.

The appellant reviews plans for new construction, alteration, or renovation of buildings and inspects work at various stages of completion to ensure conformance with national fire codes, local orders and installation regulations pertaining to fire prevention and protection. He inspects hazardous operations for compliance with regulations, establishes procedures and safeguards, and issues operational permits. His responsibilities include instructing civilian and military personnel on the proper use of portable fire extinguishers; assisting organizations in organizing fire brigades and fire warden programs; and instructing fire department personnel on proper fire inspection procedures and fire prevention principles, rules, regulations and standards. The appellant makes recommendations to his supervisor regarding the placement of alarms, first aid equipment and fire fighting devices. He establishes capacity limits for buildings and the most efficient means of evacuation in emergencies. He tests textiles used in draperies and decorative materials used in buildings for flammability and fire retardant properties. Upon request, the appellant inspects and tests fire alarms, detectors and suppression systems located in housing units.

As part of the installation's fire prevention program, the appellant is responsible for conducting a variety of periodic training for civilian employees and military personnel and their dependents. This training consists of lectures, demonstrations, classroom training, practice drills, etc., on subjects such as fire/building evacuation drills, fire safety and prevention, use of portable extinguishers, effects of carbon monoxide, fire hazards, first aid and cardiopulmonary resuscitation (CPR). The appellant also functions as an Emergency Medical Technician (EMT) responsible for providing rescue and on-scene care of victims of injuries resulting from accidents, fire, sudden illness, or other incidents requiring immediate medical attention. The appellant's supervisor, the Supervisory Fire Protection Inspector, stated that all inspectors at this installation must be certified at the First Responder EMT level and are required to maintain their certification.

The appellant works under the supervision of the Supervisory Fire Protection Inspector who makes assignments through oral and written instructions. The appellant independently carries out assignments within the parameters of existing regulations, rules, and policies and refers only unusual problems to the supervisor. Review of the appellant's work is accomplished through periodic spot inspections, observations, and review of reports and records.

Series and title determination

The agency determined that the appellant's position is best covered by the Fire Protection and Prevention Series, GS-081, and titled *Fire Protection Inspector*. The appellant does not contest the series or title determination. We agree.

Standard determination

Fire Protection and Prevention Series, GS-081, September 1991.

Grade determination

The grade level criteria for the Fire Protection and Prevention Series is divided into two parts: Part I consists of three sections used to grade fire chief and supervisory and lead firefighter positions. Part II contains grade level criteria for nonsupervisory firefighter and fire protection inspector positions, grade GS-3 through GS-8. The standard provides descriptions of the duties typically performed by firefighters and fire protection inspectors at each grade level.

At the GS-7 level, fire protection inspectors are responsible for areas of an installation characterized by equipment, materials, and operations involving hazards that are difficult to recognize and, once identified, require advanced, sometimes innovative, methods to reduce or eliminate them. They adapt accepted fire protection techniques for application to potential hazards in highly specialized and technical operations. They must be especially alert to new or unusual types of combustibles or other hazardous materials and recognize conditions of high fire expectancy and severity. When these are noted, GS-7 inspectors question operating personnel as to their identification. They search technical manuals, fire codes, or trade reference books to ascertain the fire characteristics. They determine measures to reduce or eliminate the potential for fire or explosion.

Many of the recommendations made by inspectors at this level are controversial in terms of their effect on time and operating requirements of the programs and projects involved. Inspectors are expected to maintain relationships with operating officials such that only very difficult or controversial cases need be referred to superiors for final disposition.

In addition to those discussed above, duties and responsibilities typically performed by fire protection inspectors at the GS-7 level include:

- Reviews plans for new construction and alteration and extension of existing structures. Recommends changes and additions to ensure compliance with fire prevention and protection requirements.
- Inspects and corrects deficiencies in a variety of fixed fire protection systems, many of which are complex and/or designed for specific operations and hazardous conditions (e.g., Carbon Dioxide Cascade Systems, Halon Total Flood Systems, Heat Rise Detection Systems, and Interlock Systems).
- Has a thorough familiarity with the layout and contents of buildings, locations of fire protection systems, and other similar characteristics of the installation.
- Knows the recognized standards covering fire prevention techniques and procedures; agency and installation manuals, rules, and regulations; and local, state, and Federal fire prevention ordinances and building codes.

- Occasionally participates with fire prevention or safety engineers in studying fire prevention problems.
- Adapts standard fire prevention practices and procedures to local requirements.
- Uses tact and firmness in dealing with all levels of management in gaining acceptance of good fire prevention practices.

At the GS-8 level, in addition to performing very difficult fire inspection work, fire protection inspectors conduct an information program and secure client involvement in fire prevention, detection and suppression. They emphasize fire prevention topics, develop prevention messages from actual fire incidents, and interact with a wide variety of employees and others in all aspects of fire prevention. They coordinate established fire watch programs with designated building, facility, or installation program representatives (e.g., fire marshals) and teach school children about home fire prevention and emergency procedures. They develop materials, provide situational and classroom training in installation fire prevention activities, and address a variety of client groups in fire program methods and goals.

The duties and responsibilities of the appellant's position are characteristic of the GS-7 level. His principal duties and responsibilities involve conducting inspections of a variety of buildings and structures to identify equipment, materials, operations, activities and conditions having high potential to result in fires. The nature and variety of fire hazards, and the potential severity of fires at [Marine Corps base] are characteristic of conditions described in Degree C of Factors 1 and 2 of Part 1 of the standard. Typical of Degree C are industrial operations consisting of large shops engaged in industrial or maintenance and repair operations (e.g., the major overhaul and repair of tracked vehicles); activities requiring the use, storage and/or movement of large quantities of highly flammable or explosive materials (e.g., gasoline, other fuels, chemicals); and installations having extensive timber resources subject to fires from drought. The appellant's facility is engaged in the overhaul, maintenance and repair of all tracked vehicles (i.e., amphibious assault vehicles, main battle tank, and tank retrievers) in the Marine Corps inventory. The facility has extensive warehousing areas and maintenance shops where volatile chemicals and/or fuels are stored or used during the course of normal operations. The base also has approximately 1,500 acres (almost half of its total acreage) of woodland susceptible to fire during periods of drought.

The appellant inspects building and fire protection and prevention systems and prepares reports that are given to the building manager or supervisor. These reports identify the nature of the hazards and include deadlines for corrective actions. He instructs firefighters on the activities taking place in the various buildings and develops pre-fire plans reflecting building layout, location and types of fire suppression systems, and any modifications to the structure. He checks and tests fire alarm, detection, and suppression systems to ensure that they are in working order. The appellant attends pre-design and pre-construction meetings to review plans for the construction or modification of buildings. He advises contractors of fire prevention and safety codes and requirements that must be met and ensures that any required changes are included in their plans. He conducts inspections of housing areas to ensure that residential fire alarms, smoke detectors, sprinkler systems and range hood extinguisher systems are operational and

briefs new occupants on these systems. He also conducts intensive “top to bottom” inspections of warehouse and shop areas to detect fire and identify potential hazards and ensure that operations conform with all fire prevention requirements. The nature of the work performed in the shop areas and the fuels and chemicals routinely stored and used at the installation require the appellant to be alert to new or unusual types of combustibles and other hazardous material and recognize conditions that result in a high probability of fire. The appellant makes recommendations to his supervisor on and coordinates the location of fire alarms, first aid equipment, portable extinguishers, etc., and the best means of evacuation for the buildings he inspects. He coordinates and issues permits for the placement and use of small electrical appliances in work areas. The appellant’s supervisor stated that the work performed by the inspectors is essential in the event of a fire as they are the ones with an intimate knowledge of the layout of specific buildings, their contents, and the probable location of the start or cause of a fire.

The appellant’s duties and responsibilities approach but do not meet the characteristics of the GS-8 level. The intent of the GS-8 level is to credit programs which actively involve the installation’s population in fire prevention, detection, and suppression. The appellant’s work seems on the surface to meet this level. He conducts a variety of training, which consists of lectures, demonstrations, classroom training, practice drills, etc., on subjects such as fire/building evacuation drills, fire safety and prevention, use of portable extinguishers, effects of carbon monoxide, fire hazards, first aid and CPR. His responsibilities include instructing civilian and military personnel and their dependents on the proper use of portable fire extinguishers; assisting organizations in organizing fire brigades and fire warden programs; and instructing fire department personnel on proper fire inspection procedures and fire prevention principles, rules, regulations and standards. However, this information and education program is not geared toward securing active participation in the installation’s fire prevention program, as described at the GS-8 level.

GS-8 level inspectors, although engaged in some inspection activities similar to those of the appellant (e.g., training and briefing employees and others on fire hazards and preventive measures; interacting with designated fire marshals/fire wardens; coordinating established fire prevention programs and teaching school children about home fires and emergencies; explaining fire prevention activities; etc.), have primary responsibility for the development and implementation of an installation’s fire prevention information program. They determine which fire prevention topics will be emphasized and develop original informational materials based on actual fires. The training provided by the appellant tends to be standardized periodic training conducted concurrently with other required training (e.g., annual fire safety briefings, etc.), or conducted when new personnel are designated fire marshals/fire wardens. According to the appellant’s supervisor, 75 percent of the informational material (e.g., handouts, flyers, etc.) used is obtained from other sources. The material used in the fire warden program is locally produced as it addresses local concerns. The appellant does not have the level of program responsibility or the depth of involvement in the educational development aspects of fire prevention (e.g., determining prevention topics to emphasize, developing original messages and materials from actual fire incidents) found at the GS-8 level. The appellant’s work and responsibilities do not meet the full intent of the GS-8 level.

The appellant's EMT functions are comparable to those described at the GS-5 level for firefighters. At this level, the firefighter assists injured individuals by immobilizing them for safe transport; using direct pressure or tourniquets to stop bleeding; checking the windpipe for obstructions; performing CPR; or providing other assistance at a comparable level of difficulty. At this level, EMT's do not administer drugs either orally or by injection. The supervisor stated that the appellant is trained and certified as a First Responder. As such, the appellant performs functions such as immobilizing injured individuals for transport, stopping bleeding, checking for and clearing obstructions from air passages, and performing CPR when necessary. The appellant's supervisor stated that the appellant can initiate saline intravenous solutions but is not authorized to administer drugs. The EMT duties are properly graded at GS-5 and do not impact the grade of the position.

Decision

The appellant's position is properly classified as Fire Protection Inspector, GS-081-7