

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

Chicago Oversight Division  
230 S. Dearborn Street, DPN 30-6  
Chicago, IL 60604-1687

**Job Grading Appeal Decision**  
**Under section 5346 of title 5, United States Code**

**Appellants:** [Name]  
[Name]  
[Name]  
[Name]

**Agency classification:** Engineering Equipment Operator  
WG-5716-10

**Organization:** [Name] Team  
[Name] Division  
Directorate [Name]  
[Name] Army Depot  
[City, State]

**OPM decision:** Engineering Equipment Operator  
WG-5716-10

**OPM decision number:** C-5716-10-02

/s/ (Douglas K. Schauer)

---

Douglas K. Schauer  
Classification Appeals Officer

October 18, 2001

---

Date

As provided in section S7-8 of the *Operating Manual: Federal Wage System*, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in section 532.705(f) of title 5, Code of Federal Regulations (address provided in the *Introduction to the Position Classification Standards*, appendix 4, section H).

**Decision sent to:**

**Appellants:**

[appellant names and address]

[name and address of appellants' representative]

**Agency:**

[name and address of appellants' Commanding Officer]

[name and address of appellants' servicing Civilian Personnel Advisory Center]

[name and address of appellants' servicing personnel office]

Mr. Harrel Sholar, Director  
U.S. Army Civilian Personnel Evaluation Agency  
U.S. Department of the Army  
Crystal Mall 4, Suite 918  
1941 Jefferson Davis Highway  
Arlington, Virginia 22202-4508

## **Introduction**

The four appellants in this classification appeal work for the [Name] Team in the [Name] Division, Directorate [Name], [Name] Army Depot in [City, State]. They are employed as Engineering Equipment Operator, WG-5716-10, but perform other duties in addition to operating engineering equipment. They believe that they are not adequately credited for the container inspection work that they perform, and do not believe that they have received proper credit for the crane operating work. We requested an administrative report from the agency, and it was received on August 8, 2001. During the course of fact gathering we interviewed two of the four appellants, and the two supervisors in the management chain with the most complete knowledge of the appellants' duties and responsibilities.

## **General Issues**

The appellants take issue with management's assignment of one major duty to their position. As a regular and recurring part of their work they inspect for serviceability containers (MILVANs) that are used to store and contain ammunition for transport. They believe this is work that should be assigned to and performed by General Schedule (GS) quality assurance specialists (QAS), and state that many years ago this was performed by the QAS. The appellants should understand that management has a legal right to assign duties and responsibilities to positions (Section 7106, title 5 United States Code). Management has assigned to them tasks that may previously have been performed by GS employees, however, management may make assignments necessary to accomplish the organization's mission. The classification of this inspection work is provided below.

## **Position Information**

The appellants work at the [Name] Army Depot one of whose major missions is to dispose of excess, damaged or obsolete ammunition. During the course of a year the appellants work at various physical locations around the facility, utilizing several types of equipment to accomplish different tasks related to this mission. In periods ranging from three to six months during the summer they operate bulldozers to dig pits and manicure the grounds for ammunition demolition. They dig pits from six to eight feet deep in which to place ammunition and explosives. After they cover the pits up with soil, other employees blow up the ammunition within them. Periodically, they utilize an earthmover to move back to the demolition ground soil that has been displaced by the explosions. They operate a bulldozer to clear vegetation, build protective berms, and provide fire protection in another area used to burn powder. The area is surrounded by brush and trees which occasionally ignite during a fire. At other locations they operate a modified front-end loader to pick up and stack MILVAN containers. In another area they operate an adjustable boom crane with a magnetic or other lifting device to pick up and move large caliber artillery shells. They also operate a small bobcat in a small explosive chamber to remove refuse after a firing. They operate the earthmover and bulldozer to rough grade some roads on the installation. During the winter they operate a dump truck modified to plow snow and distribute salt or sand. They operate rough terrain forklifts when and where requested. As stated above, they inspect MILVAN containers for serviceability and determine whether they are

acceptable, or whether they need minor repair which can be accomplished on the installation, or need major repair and must be sent to [State] for this to be accomplished.

### **Title and Series Determination**

The primary reason for the existence of the appellants' positions is to operate one or more pieces of engineering equipment, and the majority of this work is performed in the demolition area using the bulldozer and earthmover. The amount of time this latter work is performed varies from year to year. This year the work began in mid-April and was finished by the end of September. In the year prior, the work began in July and was completed in September. Our interview with the supervisor of the demolition area indicated that the work the appellants perform using the aforementioned engineering equipment averages about five months per year. Another piece of engineering equipment they operate is what is referred to as a MILVAN Handler. It is a converted front-end loader with a capacity of up to 50,000 pounds, and it is used to pick up, maneuver, and stack ammunition containers up to 40 feet long and weighing up to 43,000 pounds gross weight. It is not a forklift. The appellants also operate a bobcat, which is a small caterpillar dozer, for a period of time during the year, as well as other pieces of engineering equipment. All of this work is properly classified in the Engineering Equipment Operator series, WG-5716. Specifically, WG-5716 includes the operation of gasoline- or diesel-powered wheeled or tracked engineering equipment to move, dig and grade earth, sand, stone and other materials. Equipment typically operated includes graders, bulldozers, front-end loaders, backhoes, and large industrial tractors with pan or scraper attachments. The engineering equipment is operated by the appellants over the course of a year approximately 60 percent of the time.

Another of the appellants' major duties is to perform inspection and certification of MILVAN containers. According to both the appellants and the supervisor we spoke with, the task had been done previously by quality assurance specialists assigned from the [Name] Army Depot. Some years ago, evidently to keep busy during slack periods, one of the engineering equipment operators volunteered to do this inspection work, and it has been accomplished by the appellants' position ever since. They inspect the MILVAN containers for holes in the walls and floors, for the soundness of welds, for gaskets, and other designated deficiencies which would fail established certification criteria. They either certify the MILVAN as serviceable or, if not serviceable, determine whether it can be repaired locally or sent to another installation for repair. This work constitutes less than 25 percent of the appellants' time.

The agency classified the inspection work by comparison to the Materials Examiner and Identifier series, WG-6912. The appellants believe that the inspection work they perform is properly classified in the Quality Assurance Series, GS-1910. The series definition for GS-1910 states, in part, that the series covers positions involved in administering quality assurance programs supporting the use and maintenance of products required by Federal agencies. The inspection work that the appellants perform is part of a quality assurance program, but not a program that they administer. They perform an important segment of a quality assurance program that is administered by quality assurance specialists who are responsible for the overall ammunition quality assurance program at the [Name] Army Depot. In a discussion under the Series Coverage section of the GS-1910 series, the standard differentiates between quality

assurance and inspection. It states that while not all quality assurance positions may be concerned with the entire range of activities described for each functional program, they are concerned with a variety of systematic activities designed to prevent defective products and to assure that these products are acceptable and perform as intended. Inspection is but one of the techniques applied by quality assurance specialists in the administration of their program.

The GS-1910 standard explains that for inspection positions, test and measurement of a product typically serves as the basis for accepting or rejecting the product. The inspector is primarily concerned with determining conformance of the product to drawings or technical specifications and reporting technical defects encountered. The standard follows by calling attention to a list of inspection and test functions discussed under the Exclusions section of the standard. In this section the standard identifies work that is exempt from coverage by the GS-1910 series, and directs the reader to the occupation which covers the work described. While not an exact fit, a review of the Exclusion section shows that the inspection work performed by the appellants is most properly classified to a Federal Wage System (FWS) occupation.

The agency classified the appellants' inspection work to the Materials Examiner and Identifier Series, WG-6912. This occupation is appropriate for positions involved with the identification, examination, classification, acceptance and disposition of materials and equipment. Materials examiners and identifiers determine physical condition, adherence to product specifications, and equipment defects, utilizing shipping documents, contracts, catalogs, drawings, and related documents. The work setting is usually within a warehouse facility or in a property reutilization and disposal facility. Another occupational designation which merits consideration is the FWS Job Grading Standard for Inspectors. This standard is used to grade nonsupervisory jobs that involve examining services, materials and products that are processed, manufactured, or repaired by workers performing trade or craft work to determine that the physical and operating characteristics are within acceptable standards, specifications, or contractual requirements. Positions properly graded by reference to this standard are placed in the same occupation code as that of the work they inspect. Our conclusion is that the inspection work is most closely equated to the inspection work performed by positions classified to the WG-6912 series. More similar to WG-6912 than to the Inspector Standard, they examine, determine the physical condition of, and accept or reject MILVAN containers based upon training and established guidelines. Their inspection work does not follow a manufacture or repair process as is called for in the Inspector series.

There is another duty that the appellants perform for a significant portion of their normal work year. They operate two different varieties of mobile boom cranes to perform various lifting and moving tasks, one of 25 ton capacity and the other of 50 tons, and they occasionally borrow a 60-ton crane from a local US Army Reserve unit. They use one crane with, normally, a magnetic lifting device to lift and place large caliber artillery shells. Management has advised us that this was performed very little during the 2001 calendar year, but that in normal years it is a significant duty. They also operate a boom crane to lift and place containers and equipment, sometimes to close tolerances. This crane operating work is properly classified to the Crane Operator Series, WG-5725. This work is performed for less than 25 percent of the appellants' time, but it is a skill which is required and performed. As is shown below, the crane operation work is graded no higher than WG-9. The remainder of the employees' time is occupied in

performing other engineering equipment and motor vehicle operation tasks on the installation as required by management.

The appellants work in a mixed series position as defined in the Introduction to the Federal Wage System Job Grading System. This document advises that when a position performs work in two or more occupations, the job should be coded to the occupation which is most important for recruitment, selection, placement, promotion, or reduction-in-force purposes. Normally this is the occupation having the highest skill and knowledge requirements. As shown below, we agree with the agency that the position is properly coded to the Engineering Equipment Operator Series, WG-5716. Although crane operation is significant in terms of the skill required, the work is of a lower grade than the engineering equipment operation. The engineering equipment operating work is the highest graded work and constitutes the most important skill for recruitment, selection, placement, promotion and reduction-in-force purposes. The appropriate occupational series for the appellants' position is the Engineering Equipment Operator, WG-5716. The title for nonsupervisory positions in this series is Engineering Equipment Operator.

### **Grade Determination**

We show below the grades we have determined for each of the appellants' major duties.

#### *Comparison to Engineering Equipment Operator, WG-5716*

##### *Skill and Knowledge*

Workers at the WG-10 level operate one or more types of heavy equipment to excavate, backfill, grade or level earth to rough specifications. They move earth on mountains and steep slopes, graded curves and shoulders, rocky or soft ground, hilly forests, and other surfaces with similar rough features. They grade surfaces, compact soils, or roll to exact specifications on flat or rolling terrain. They utilize the skill and knowledge to be able to operate the equipment to grade surfaces to rough or fine specifications by adjusting attachments while the vehicle is in motion and on all types of terrain.

At the WG-11 level employees operate one or more types of engineering equipment to fine grade slopes, inclines, ramps, curves and excavations by scraping, scooping, rolling or leveling on rough and rocky terrain or in dense forest areas. They work to fine specifications from grade stakes set by engineers. This type of work is considered to be the most difficult because it is harder to steer and to manipulate the control levers and attachments to reach the exact level of the surface under the most difficult operating conditions. It requires a higher level of skill and knowledge than at the WG-10 level because it is harder to grade to fine specifications on more difficult terrain than it is on flat or rolling terrain as described at the lower level. Greater knowledge of surface conditions is required at the WG-11 level because subsurfaces frequently change in hilly terrain or weather conditions may alter the soil condition which may require a change of attachments or an alternate approach to meet the changing conditions.

The appellants regularly operate a variety of engineering equipment to include a bulldozer, earth mover, grader, front-end loader (MILVAN stacker), and bobcat. They operate this equipment in

an open area to dig pits which are used to blow old, damaged or obsolete ammunition and explosives. The area used for this purpose, referred to as the demo ground, is a 20-30 acre space stripped of vegetation. The soil is a heavy clay with a substrata of limestone below the normal bottom level of the pits. The appellants dig a series of 30 pits at a time, each from six to eight feet deep and about 10 feet wide with a 12-14 foot blast wall between pits. The walls are dug at approximately a 30-degree angle with a ramp to enable a rough terrain forklift to deposit the items to be blown into the pit. When the materials are in place, the appellants use the bulldozer to cover each pit. After the pits are blown, the appellants re-build the pits for the next demolition. On heavy work days in periods of good weather they build up to 90 pits a day (three times 30). The limestone strata below the pits causes problems, because the continuous explosions blows up large pieces of stone which have to be hauled away and replaced with soil. The demo ground itself is situated on a level plain. The constant demolition re-figures the terrain to the extent that a considerable amount of soil material is blown away and drainage of water is a consideration in rebuilding the demo ground. The appellants use an earth mover with a scraper pan to pick more soil to replace the rocks and soil lost through the demolition. They then use the bulldozers to re-build the grounds and dig more pits. They also use the bulldozer to clear trees and other vegetation from an area where explosive powder is blown. One of the bulldozers must be on station while this burn is accomplished in case of fire spreading to the nearby vegetation.

For a significant portion of the year the appellants operate a front-end loader that has been modified to lift, transport and stack MILVAN containers. They operate this around vehicles such as trucks and rail cars, in storage areas, and on roads on the installation. They pick up empty and loaded containers up to 40 feet in length and over 40,000 pounds gross weight when full. They sometimes drive the equipment with load over installation roads from one area to another. When they do this they must be careful to avoid obstructions along the roads such as trees, brush, poles and power lines. The appellants say that it is difficult to see to maneuver when loaded. The appellants also operate other engineering equipment when necessary.

The appellants' position equates to the WG-10 level for this factor. As described at that level the appellants operate one or more types of heavy equipment to excavate, backfill and level earth to rough specifications. They move earth on one area that is comprised of clay and rock, and when wet it is slippery and dangerous to work. They have to build their pits to exact specifications as expressed in the SOP. They have to operate the equipment and use the attachments while the vehicle is in motion. Another area they work is forested with heavy brush. Their work does not meet the WG-11 level because they do not work to the fine specifications as expressed at that level. For example, they do not work from grade stakes set by engineers. This is typical of grading work done prior to the laying of asphalt or concrete on roadways. And they do not fine grade slopes, inclines, ramps, curves and excavations on rough and rocky terrain or in dense forest areas as described at the WG-11 level.

### *Responsibility*

At the WG-10 level workers follow oral or written work orders, but the work is performed without direct supervision. They are responsible for the operation of the equipment to grade surfaces to rough or fine specifications by adjusting attachments while the vehicle is in motion and on all types of terrain. They are responsible for operating the equipment safely and

for seeing that the equipment is not damaged. At WG-11 they also follow oral or written instructions and work without direct supervision. But at this level the work performed is more difficult. It includes responsibility for satisfying the fine grade requirements in a minimum amount of time. It also includes responsibility for more exacting requirements to insure properly banked curves, slopes and shoulders, and drainage features.

The appellants' position meets the WG-10 for this factor. As at that level they work from mainly oral instructions and they work under only general supervision. The work includes responsibility for operating bulldozers, graders, and earth movers to grade dig pits to specifications and rough grade other surfaces. They are responsible for operating the equipment safely and ensuring that it is not damaged. They do not meet the WG-11 level where operators are responsible for satisfying fine grade requirements in a minimum amount of time or for exacting requirements to ensure properly banked curves, slopes and shoulders.

#### *Physical Effort*

Physical effort at the WG-10 level involves constant reaching, bending, turning and moving arms, feet, and legs to handle different sets of controls to operate the equipment and attachments. Considerable strain is caused by the constant vibration of the equipment, and because of the location of some of the controls and attachments, the operators are frequently required to work in awkward or strained positions. The work is strenuous because of the large pieces of equipment and requirement for frequent adjustments under adverse operating conditions. Physical effort at the WG-11 level is similar to the WG-10 level except that the operators must change the position of the attachments more often and more rapidly as they adjust to the changing conditions of the surface.

The position of the appellants' is a match to the WG-10 level for this factor. Similar to that level they operate the equipment with one attachment for extended periods of time. They adjust the attachments frequently to meet depth, width and length requirements of the pits and the safety distances and blast walls between pits. Their work does not meet the WG-11 level where operating the equipment to meet fine specifications on changing surface conditions causes more frequent changes in the attachments and controls.

#### *Working Conditions*

The appellants match the WG-10 for this factor. They do not meet the WG-11 level where operators must pay closer attention to the attachments which allows less time to concentrate on the speed and direction of the vehicle. As a result, there is more danger of tipping or overturning the vehicle, especially when working on steep banks and side slopes.

#### *Comparison to Crane Operator, WG-5725*

#### *Skill and Knowledge*

WG-9 employees operate boom cranes at various outdoor locations where maneuverability is not a major problem and accuracy is not critical. Worksites may contain some obstacles such as



trees, walls and equipment, but there is considerable room to maneuver around and over these objects. The crane is normally operated with standard boom lengths, and with loads that are well within the lifting capacity of the crane. The boom crane is fitted with attachments such as hook, clamshell bucket, orangepeel bucket, magnet, piledriver, demolition hammer, or dragline bucket, and is typically used to:

- load and unload crates, lumber, or equipment at worksites or outdoor storage areas;
- load sand, coal, gravel, or other loose material at loading docks;
- segregate and move scrap metal into trucks, bins, or railroad cars within a salvage yard;  
or
- dig trenches in a sanitary fill area.

The WG-9 operators must be skilled to compensate for changes in the lifting capacity of the crane caused by variations in the angle of the boom, length of the boom, position of the revolving frame and the slope of the terrain. They must determine what moves the crane will need to make in order to complete the move, and assure the lifting capacity will not be exceeded. Because boom cranes have a large number of controls, considerable eye, hand, and foot coordination is required to produce the desired movements while watching the load and its clearance with other objects.

At the WG-11 level workers operate boom cranes at various outdoor locations where maneuverability is restricted and accuracy is critical. Work is typically done near obstructions which restrict not only the load movement, but also the movement of the boom. Many work areas do not permit positioning the crane near the work to be done, and to reach the load, extreme boom lengths or angles must be used, greatly reducing the lifting capacity of the crane and further restricting maneuverability. The operator makes precise load placements where exact movements must be made to position the load accurately and safely. The boom crane at this level is typically used to:

- load and unload equipment and supplies on board ships where masts, antenna, or other obstructions are in the way;
- precision set objects such as guns into mounts, sonar equipment onto ships, or wings on to aircraft;
- dig and move earth or rock close to buildings, walls, or under ground obstructions; or
- destroy obsolete brick and stone structures near high-voltage power lines or other structures.

In addition to the skill and knowledge required at the WG-9 level, operators at this level must be skilled in operating cranes at all boom lengths, angles, and positions. They must be skilled in making rapid lifting capacity judgments during continual position changes. They must be skilled

in operating near or at the crane's lifting capacity and within extremely congested areas. They must be skilled in producing exact movements while precision setting loads onto or into other objects, e.g., positioning and holding a hull section of a ship while it is being welded into place. Grade 11 operators must be skilled in simultaneously operating the crane's controls, making difficult clearance judgments while watching the moving load and boom, and compensating for variations in the crane's lifting capacity during position changes.

The appellants operate a 25-ton and a 50-ton boom crane to pick up, move and place large caliber artillery shells, MILVANs and other containers, and other equipment. On occasion they may borrow a 60-ton crane from the US Army Reserves for a special project. When moving ammunition the cranes are normally operated at full boom length. The MILVAN stacking crane stacks containers up to four high in outdoor areas where there is little need for concern about nearby buildings or overhead obstructions. The appellants need to be careful in the placement of the containers one on top of the other because only one configuration will work, and they must be safety conscious in the use of cranes with a somewhat limited visibility in the presence of other workers.

The appellants' position matches the WG-9 level for this factor. Consistent with that level they operate a boom crane with a magnet attachment to move containers and ammunition canisters in an outdoor area where maneuverability is not a major problem and accuracy is not critical. Although they must sometimes maneuver the MILVAN containers or other items around obstacles, this is not to the degree of constricted movement as discussed at the WG-11 level. Although their movement and placement of items must be relatively precise, accuracy is not critical as explained at the WG-11 level. The skill required to pick up and move large caliber shells or to pick up, move and place bulky and heavy MILVAN containers is not as demanding as is required for the work described at the WG-11 level. The areas where the appellants pick, move and place their items have been denuded of such obstacles as are regularly confronted by a WG-11 operator. Consequently, the skill and knowledge required are not to the degree described at the higher level.

### *Responsibility*

WG-9 operators work from oral or written instructions indicating the crane to be operated, location of the work, general nature of the work to be done, and any problems which may be encountered. Within the assigned work area, the operators plan the positioning of the crane to provide for maximum freedom of movement and the greatest possible lifting capacity. They assure that the boom crane is well within its lifting capacity during position changes and that all moves are safely carried out. They may recommend changes in boom length, rigging, and attachments to the supervisor if they feel the situation warrants it. Their work is spot checked for compliance with standard operating procedures.

Because the work is typically done near obstructions, WG-11 boom crane operators have greater responsibility for determining the positioning of the crane than WG-9 operators. They must consider such factors as the safest routing of the load, clearances along the route, position changes needed to complete the move, and the effect of these changes on the crane's lifting capacity. These determinations are critical due to the greater responsibility of exceeding the

crane's lifting capacity, injuring personnel, and damaging the load, crane, and obstructions while making position changes.

The appellants' level of responsibility meets the WG-9 level. They operate the cranes in flat areas working with objects of known weight and size, there is little need to maneuver around obstacles, they do not have to worry about the safest routing of the load or clearances along the way, and they do not have to determine the effects of these changes on the crane's lifting capacity. They do not have to make the critical determinations characteristic of the WG-11 level. In the appellants' appeal submission, they maintain that they operate the cranes in areas where maneuverability is very restricted and precision required in setting in loads. For example, they have used a crane to lift machinery into place inside of buildings with just inches to spare, and set large furnaces into place half inside of buildings and half outside with inches to play with. Our interviews indicate that such precision work is so infrequent that it is not considered regular and recurring work and, therefore, not creditable for grading purposes.

#### *Physical Effort*

WG-9 boom crane operators exert heavy effort in pushing, pulling and depressing the various levers, clutches and brakes. They are subject to strain caused by vibrations of the crane and from the jerking and jolting motions while lifting and moving loads. In addition to the physical effort described at this level, WG-11 level operators have to make continual control changes to maneuver the crane and load around obstructions, to stay within the lifting capacity, and to position the load at the desired location. Because the appellants do not perform work described at the WG-11 level, they do not have the degree of physical effort described at that level.

#### *Working Conditions*

Operators at the WG-9 level work outdoors in a partially enclosed crane cab in all kinds of weather. They are exposed to unpleasant noise, heat and fumes produced by the engine. They are exposed to the possibility of injury caused by swinging loads from the crane overturning. In addition to this, WG-11 operators are exposed to a greater possibility of injury from overturning because they must frequently work near or at the crane's lifting capacity. The appellant's work does not meet the WG-11 level because they operate the cranes well within the lifting capacity, and the danger of the cranes overturning is minimal.

#### *Comparison to Materials Examiner and Identifier, WG-6912*

The appellants inspect for serviceability MILVAN containers that have normally been in the inventory for quite some time. They are standard items, and what to look for in the inspections is covered in the training provided and in written guidelines. The containers are used for storing and transporting a great variety of military ammunition; therefore, the serviceability of the containers is of critical interest to the organization's mission. When the containers do not meet standards, they make a decision as to whether the container can be repaired at the depot machine shop or must go to another installation for repair. When repaired on the installation, they check the container again to make sure it meets standards. The highest level of work

described in the standard is WG-7. Comparison of the appellants' work to the standard shows that it does not exceed this level.

*Comparison to Motor Vehicle Operator, WG-5703*

The appellants operate various types of motor vehicles as assigned by management. This includes, in particular, a dump truck modified for use as a snow removal vehicle by the attachment of a blade and salt/sand dispersal equipment. They operate this equipment on the installation to clear roads of snow and ice. Comparison of this work to the Motor Vehicle Operator standard shows that the work does not exceed the WG-6 level. It does not meet the WG-7 level because the vehicle is not operated on public roads in heavy traffic as described at that level.

**Decision**

The appellants' position is mixed, with duties performed in several FWS occupations. The highest graded work is that associated with operating the engineering equipment; therefore, that becomes the final occupation and grade. The position is classified as Engineering Equipment Operator, WG-5716-10.