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

San Francisco Oversight Division
120 Howard Street, Room 760
San Francisco, CA 94105

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

Appellant:	[Appellant's name]
Agency classification:	Civil Engineering Technician GS-802-7
Organization:	[Appellant's activity] Forest Service Department of Agriculture [City, state]
Work location:	[City, state]
OPM decision:	Civil Engineering Technician GS-802-7
OPM decision number:	C-0802-07-01

Signed by Denis J. Whitebook
Denis J. Whitebook
Classification Appeals Officer

November 17, 1997
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 name and address]

[Name and address of appellant's representative]

[Name and address of appellant's servicing personnel office]

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Director
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Introduction

On August 11, 1997, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [the appellant]. His position is currently classified as Civil Engineering Technician, GS-802-7. The appellant agrees that his position description (PD) 05115202 is adequate and that his position is properly classified as a Civil Engineering Technician, GS-802. However, he believes the grade level should be GS-9. His organization is located in [his activity, Forest Service, Department of Agriculture]. His work location is in [a locality and state]. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

General issues

The appellant believes that the duties for a higher graded position to which he was detailed were less than those in his official position description. By law, we must classify positions solely by comparing their duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to standards is the exclusive method for classifying positions, we cannot compare duties in the appellant's official PD to others as a basis for deciding his appeal.

The appellant notes that he served as the Contracting Officer's Representative when a co-worker who would have served in that capacity was absent. However, duties that are not regular and recurring cannot affect the grade of a position (Introduction to the Position Classification Standards, section III.F.2). Therefore, we will not evaluate that work in this decision.

The appellant also mentions his personal qualifications, including his [type of personal qualifications]. Qualifications are considered in classifying positions. However, these are qualifications required to perform current duties and responsibilities, not qualifications that the appellant personally possesses. Therefore, we could not consider the appellant's personal qualifications, except insofar as they were required to perform his current duties and responsibilities. To the extent that they were needed for this purpose, we carefully considered them along with all other information furnished by the appellant and his agency.

The appellant believes the agency may have classified his position by comparing it to GS-802 positions on other forests rather than basing the classification decision on OPM standards. In adjudicating the appeal, we make our own independent decision on the proper classification of his position. By law, we must make that decision solely by comparing his duties and responsibilities to OPM standards and guidelines.

The appellant further believes that because the agency's classifier did not meet with him, it limited her ability to fully understand the duties and responsibilities of his position. We conduct audits only when the material of record does not provide enough reliable information to allow us to make a sound classification decision. In this case, we found that the record did not furnish enough such information. To help decide the appeal, we conducted a phone audit of the appellant's position during October 1997. The audit included interviews with the appellant and [his immediate supervisor].

In reaching our classification decision, we have carefully reviewed the audit findings and all information of record furnished by the appellant and his agency, including his official PD.

Position information

In evaluating positions, we normally consider only duties performed in the past year. However, the flooding which occurred during the winter months of fiscal year 1997 caused the appellant's work from January of 1997 through August 31, 1997 (eight months) to concentrate on inspecting flood damaged roadways. In addition, the agency indicates that beginning September 1, l997, the appellant has been temporarily promoted for a period not to exceed 120 days to a GS-9 position. In view of the above, OPM determined that a sufficient period of time to yield adequate information about the representative nature of the work is substantially more than one year. For this reason, the period of time covered by this audit was extended to cover the period from January 1, 1996, through August 31, 1997 (20 months).

In his permanent position, the appellant's assignments include inspecting the construction of forest facilities such as buildings, water systems, sewer systems, campgrounds, and roads. He conducts routine forest facility inventories and condition surveys. The appellant prepares sketches, and develops layouts, construction details, and installation drawings including the final plans for forest roads and facilities projects. He uses computer software for drafting, to reduce notes, and to compute quantities for final designs. The appellant's official PD, the other material of record, and our audit findings furnish much more information about his duties and responsibilities and how they are performed.

Series, title, and standard determination

We find that the appellant's position is properly covered by the Engineering Technician Series, GS-802, titled Civil Engineering Technician, and graded using the GS-802 standard. Neither the agency nor the appellant disagrees.

Grade determination

The engineering technician standard uses two classification factors: Nature of assignment and Level of responsibility. Our evaluation with respect to those factors follows.

Nature of assignment

The appellant's assignments are best evaluated at GS-7. For example:

- GS-7 technicians apply initiative and resourcefulness in planning nonroutine assignments of substantial variety and complexity. The appellant's assignments are nonroutine, in that he performs such a wide variety of jobs that none become routine.

- GS-7 technicians select appropriate guidelines to resolve operational problems not fully covered by precedents. The appellant selects the appropriate guidelines from such guides as the Architectural Design Criteria, Uniform Building Code, Universal Design Criteria, and County Building Codes to resolve operational problems not fully covered by precedents. When inspecting construction sites for contract compliance, the appellant uses the contract specifications and the Federal Acquisition Regulations.

- GS-7 technicians are required to develop revisions to standard work methods and procedures. The appellant develops revisions to each work assignment to meet its special requirements. Likewise, when requirements or specifications change as the work progresses, as it did with [Project 1], the appellant develops revisions in accordance with the changes.

- GS-7 technicians are required to take actions or make recommendations based on preliminary interpretation of data or results of analysis. The appellant meets with the person in charge of each work project and obtains desired specifications and requirements. Using AUTOCAD, he selects the plan that best fits the specifications and requirements. He then develops a set of plans using AUTOCAD. These plans may include a floor plan, foundation plan, elevation, cross-section, roof structure, and may show members, piers, concrete footings, and trusses.

The appellant's assignments do not fully meet GS-8 criteria. GS-8 technicians independently plan and conduct blocks of work that are complete projects of relatively conventional and limited scope or are portions of a large project with diverse components. The appellant believes that four of his assignments were blocks of work that exceed the GS-8 criteria. We agree that these assignments are discrete blocks of work. However, they do not reach the scope and complexity envisioned by the standard for the GS-8 level. The following is a discussion of each of these assignments.

- *[Project 2]* This assignment involved drafting plans for remodeling an engine bay and office space to bring them into compliance with the Americans With Disabilities Act (ADA). GS-8 technicians typically prepare plans, specifications, and cost estimates for facility modifications to adapt to major alterations or changes in use. Here, the appellant's modifications were significant. However, they did not involve major alterations or changes in use of the facilities. For this reason the [Project 2] does not meet the GS-8 level.

- *[Project 3]* This assignment involved working with the Recreation Officer for the [a ranger district] to build a horse campground at the [project site]. This assignment involved landscaping to accommodate horses and installing toilets. This assignment did not involve major alterations to existing facilities or changes in the use of existing facilities and does not meet the GS-8 level.

- *[Project 4]* This assignment involved working with the recreation technician at [the project site] to replace a pair of chemical toilets with vault toilets. The chemical toilets were originally designed so that they could later be converted to vault toilets. The appellant needed

to make some modifications to accommodate the vault toilets. However, these were not major alterations and did not change the use of the facilities.

- *[Project 5]* This assignment involved working with the Recreation Officer to secure funding through the State to repair or expand an existing facility. Again, this assignment did not require major alterations to existing facilities or changes in the use of existing facilities and did not meet the criterion for the GS-8 level.

Further, GS-8 assignments require more adaptation of previous plans and techniques than do GS-7 projects. We realize that as is typical at GS-7, the appellant's assignments are nonroutine and not fully covered by precedents, and that he must develop revisions to each assignment to meet its special requirements. This indicates that as is characteristic at GS-7, the appellant must adapt previous plans and techniques to some extent. However, as discussed in the preceding paragraphs, the appellant's assignments have less scope and complexity than intended at GS-8. They therefore afford less opportunity for adaptation than would broader and more complex assignments. Further, the appellant can use many precedents in developing his plans and techniques. For instance, in the [name of project], in addition to the ADA guidelines, his precedents could have included material programmed into the AUTOCAD; plans and techniques that he and his co-workers had developed or used in the past for moving walls, widening hallways, and performing other remodeling tasks; and plans and techniques developed by others outside his organization for performing such tasks. These many precedents limit the necessity for the appellant to make adaptations. All this indicates that the appellant's assignments require less adaptation of previous plans and techniques than envisaged at GS-8.

As discussed above, the appellant's assignments from January 1, 1996, through August 31, 1997, generally meet GS-7 criteria for Nature of assignment but fall short of GS-8 criteria. Therefore, the appellant's assignments are best evaluated at GS-7 for Nature of assignment.

Level of responsibility

The appellant's level of responsibility is best evaluated at GS-7. For example:

- GS-7 technicians perform assignments that require initiative and resourcefulness in planning or execution. Likewise, the appellant is located about 70 miles from his supervisor, and so must demonstrate initiative and resourcefulness in both planning and executing work.

- GS-7 technicians independently select, interpret, and apply engineering technical guidelines in situations where precedents are not fully applicable. Similarly, because each of the appellant's assignments is unique, there is no precedent exactly like it for the appellant to follow. Rather, he must select the most appropriate guidelines from among precedents that do not fully apply.

The appellant's responsibilities do not fully meet GS-8 criteria. The level of responsibility at GS-8 differs from that at GS-7 mainly in terms of the broader, more complex assignments at that level. As indicated earlier under Nature of assignment, the appellant's assignments that we can consider are less broad and complex than envisioned at GS-8.

Summary

In sum, the appellant's position is properly evaluated at GS-7 for both Nature of assignment and for Level of responsibility. We note that even if the appellant's position had been evaluated at GS-8 with respect to either Level of responsibility or Nature of assignment, it still would have been properly classified at GS-7 overall. This is because OPM guidelines and previous decisions indicate that if a position is evaluated one grade higher for one classification factor than for the other, the lower of the two grade levels controls the grade of the position as a whole.

Decision

The appellant's position is properly classified as Civil Engineering Technician, GS-802-7.