OPM Decision Number: C-0802-00-01, 1/25/92
PH:PMED:92-30

[The appellant]

Dear [appellant]:

This is our decision on the classification appeal you filed with our office, which we accepted under the authority contained in Sections 5103 and 5112(b) of title 5, U.S. Code.

This appellate decision constitutes a certificate which is mandatory and binding on administrative, certifying, payroll, disbursing, and accounting offices of the Government. It is the final administrative decision on the classification of this position, and is not subject to further appeal. It is subject to review only at the discretion of the Classifica-tion Appeals Office in Washington, D.C., and only under the limited conditions and time limits specified in the Federal Personnel Manual, Chapter 511, Subchapter 6-7. It must be implemented in accordance with the provisions contained in 5 Code of Federal Regulations 511.612.

Position Information

Appellant:	[the appellant]
Current Classification:	Engineering Technician, GS-802-09
Job Description No.:	00040496
Requested Classification:	Engineering Technician, GS-802-11/12
OPM Decision:	Classifiable to the Federal Wage System
Organizational Information:	U.S. Department of the Army U.S. Army Test, Measurement, and Diagnostic Equipment (TMDE) Support Activity U.S. Army TMDE Support Group [activity]

Analysis and Decision

In considering this appeal, we carefully reviewed all the information which you submitted; information developed during an on-site audit conducted with you on October 15 and 16, 1992 and on-site interviews with your immediate supervisor, [appellant's supervisor] and your second level supervisor, [appellant's supervisor] Chief of the Center, on October 15, 1992; additional information provided by [appellant's supervisor] subsequent to the on-site visit; and, other pertinent information provided by your agency at our request.

It is our decision that your position is classified correctly within the Federal Wage System. Accordingly, your appeal is denied.

In your appeal letter of May 11, 1992, you requested that your position be upgraded "due to increasing technology and complexity in the engineering field, the education and skills required by the technician have increased to a level exceed-ing the GS-802-09 position." In support of this assertion, you cited a [the installation] Support Group memorandum of a "Review and Analysis Meeting - 15-16 January 1992" which stated:

> During discussion of civilian technician grade levels, the commander expressed agreement with efforts to establish journeyman technician grade level at GS-11 provided a system was in place that filled all vacancies at the GS-09 level and required fulfillment of a reasonably demanding criteria prior to promotion to the GS-11 grade level.

You asserted that your "current duties are comparable but not limited to those of a GS-802-11 at [the installation] You further asserted that your position is that of a "generalist engineering techni-cian" rather than a "specialist in the areas of electrical, electronic and microwave measurements and standards" as reflected in your job description of record. You indicated that standard Job Description # 00040489, classified as Engineering Technician, GS-802-11, more accurately described the work which you perform. Your requested classification as "GS-802-11-12 (UMP)" appears to reflect your belief that your position had established growth potential to the GS-12 grade level. You claimed that your traveling "at least 85% of the time...[created] a hardship not required of a job at a permanent duty location." Prior to the on-site audit, you submitted additional information indicating that your responsibility to "drive this 30 ton truck" used by the mobile team of which you are a member "adds the responsi-bility of approximately 1.25 million dollars every time I drive."

Your appeal submissions have raised several procedural and regulatory issues which warrant clarification. All positions subject to the Classification Law contained in title 5, U.S. Code, must be classified in conformance with published position classification

standards of the Office of Personnel Management or, if there are no directly applicable standards, consistently with published standards for related kinds of work. Hence, other methods or factors of evaluation, such as comparison to other positions, including those which you have occupied in the past, which may or may not have been classi-fied properly, are not authorized for use in determining the classification of a position.

Your agency has the primary responsibility for intra-agency consistency, assuring that published standards are applied consistently to identical, similar, and related positions. These consistency requirements include consistency with OPM decisions. Your agency may not change the classification certified in an OPM decision, nor may your agency classify a position on the basis of position-to-position comparison.

Issues which you have raised that are not germane to the classification appeal process include your concerns regarding such conditions of employment as extensive overnight travel. The classification appeal process is a de novo review which includes an official determination as to the duties and responsibilities assigned to your position and performed by you, and constitutes the proper application of published position classification standards to those duties and responsibilities. Under the provisions of 5 Code of Federal Regulations (CFR) 511.609, OPM is responsible for ascer-taining the facts which are necessary in order to adjudicate appeals. The classification of a position, by law, is based on the duties and responsibilities assigned to a position and performed by its occupant. The classification of a position requires that only those skills, knowledges, and qualifi-cations which are of significance in performing the grade controlling work of a position be considered in the classi-fication analysis process.

During the on-site audit, you stressed the breadth of train-ing required to perform your work and the criticality of the systems affected by the quality of your calibration work, e.g., altimeter and other critical information upon which aircraft pilots rely. The classification of a position is based on the duties and responsibilities assigned to a posi-tion and performed properly by the occupant of the position. This classification principle is enunciated in the Introduction to the Position Classification Standards, Appendix 3, Primary Standard, under Factor 5, Scope and Effect, which states that "only the effect of properly performed work" is to be considered in assigning a level of that factor. Therefore, the training and certification requirements necessary to perform the work of your position will be considered to the extent that they impact the duties, responsibilities and qualification requirements necessary to perform the work of your position.

Our audit with you, information obtained from your first and second level supervisors, revealed that your job description (JD) of record contains the major duties which you perform. These duties, however, are not described accurately.

Your JD is constructed in such a fashion as to imply that the primary purpose of your work is analytical in nature and en-tails performing less than professional engineering functions in the specialty area of metrology. Our audit, however, found that the primary purpose of your position is to cali-brate testing, diagnostic, and measurement equipment in a production oriented environment. The paramount purpose of your work, and the work of the team with which you travel in a van outfitted with calibration equipment, is to calibrate approximately 6,000 pieces of equipment at those activities. This equipment normally must be calibrated and certified on a 120 day cycle.

Your workload consists of working approximately 70 percent of the time on electronic equipment consisting of oscilloscopes (30 percent), microwave (15 percent) and DC/Low Frequency equipment (25 percent). You spend approximately 20 percent of your time on physical dimension equipment, e.g., torque pressure calibration, which equipment frequently is elec-tronic in component structure. You devote the remaining 10 percent of your time to nucleonic instruments which require the use of radioactive sources to detect whether safety re-quirements are met. Nucleonic radiation calibration entails the use of analog radiation meters and mathematical computa-tion to accurately record radioactive source half-life information.

Your JD states that you select, apply, and interpret en-gineering principles and practices as "required to collect, reduce, display, and analyze data required for certification of a wide variety of test instruments. Uncertainties are assigned through the application and understanding of sta-tistical methods." Statistics is the body of theory and methods used in the collection, classification, and evalu-ation of quantitative facts as a basis for inference. Typi-cal statistical techniques include the analysis of frequency distribution, times series analysis, sampling, and the analysis of variance. Techniques for the determination of confidence limits and the estimation of magnitudes are other statistical methods. Your work does not require the knowl-edge or application of statistical methods. Rather, your work requires the application of established algebraic and trigonometric formulae; i.e., mathematical expressions and formulae, many of which are contained in charts and graphs in published calibration Technical Bulletins, e.g., taking three readings and averaging them for the final values.

Your JD states that you implement, adapt, modify and occasionally develop procedures "required by the changing user instrument support requirement or workload." Calibra-tion procedures are published in Technical Bulletins (TB's) by[the installation], for testing equipment common to a large number of sites for which the Activity provides field calibration services. Your first level supervisor indicated that approximately 75-80 percent of the equipment serviced has published Army test procedures. If equipment is not in widespread use, manu-facturer manuals and specification sheets are referenced in order to ascertain calibration requirements and procedures.

Your immediate supervisor indicated that equipment manu- facturer provided technical information was available for approximately 20-25 percent of the equipment which you service. On rare occasions; i.e., a few times each year, you may be given a testing instrument to calibrate for which no written information is available. You obtain information from the user on what the testing procedures for which the equipment is used, and the steps involved in using the equipment, e.g., how each lead is attached in the testing process. Based on this information, you determine what the piece of equipment is, e.g., a counter, establish its operat-ing parameters using the calibration equipment appropriate to test and calibrate that type of equipment, and develop a pro-cedure to be used in the future to calibrate that item. You stated that you must "develop" a local procedure to calibrate common new equipment from manufacturer's manuals if a TB is not available and submit a DA Form 3758 to the U.S. Army TMDE Support Group (Group) in order to have them develop a TB on the new equipment.

An example which you provided of "adapting" procedures was your need to know the uses of your van calibration equipment in order to substitute that equipment for the model of cali-bration equipment specified in a manufacturer's manual. Your immediate supervisor stated that "adapting" procedures also pertained to adjusting an established procedure to an updated model for which the tests, connections, and accuracies were the same. He described "modification" as consisting of identifying when a testing procedure was in error and sub-mitting a DA Form 2028 recommending changes to the published TB. The proposed change is filtered through the Center "Quality Assurance Specialist" who reviews it to assure that another team or individual has not already submitted the proposed correction before it is forwarded to the Group at Redstone Arsenal.

Your immediate supervisor stated that you "adapted" guide-lines when you found that a manufacturer's manual provided the method to adjust a certain parameter into tolerance when the TB stated that no adjustment could be made; this "adaptation" also requires submitting a DA Form 2028. He also observed that "at least half" of the TB's have some changes to them, frequently in the form of appended 2028's.

Your second level supervisor described your use of van calibration equipment in lieu of the model stated in the manufacturer's manual as "developing" procedures. He added that customer owned unique equipment often was calibrated to the customer's requirements, e.g., to a lower level of accuracy than the potential technical parameters allowed because the user did not require that high a level of precision. He indicated that customer contact prior to deployment of new equipment is used to develop and submit a DA Form 3758 to the Group so that a TB can be developed. He also stated that teams were asked to comment on draft TB's distributed to the field.

Clarifying information submitted at our request subsequent to our on-site review revealed that there are 22 occupied posi-tions on four mobile teams of which 18 are nonsupervisory. Center records indicate that over the last 10 to 14 months these teams have produced 69 "locally developed procedures"; i.e., no information was available other than defined equipment accuracies requiring the team member to develop a procedure based on their knowledge of equipment operations and procedures which cover similar types of equipment.

This information would indicate that each nonsupervisory team member "develops" an average of less than four "local" pro-cedures each year. Center records indicate that these four teams have developed 69 "technical notes" during this same time frame; i.e., reference materials implementing equipment substitutions involving step-by-step procedures, hookups, etc., caused by such actions as replacement of the equipment being calibrated by updated models. This information would indicate that each nonsupervisory team member "develops" an average of less than four "technical notes" each year.

Information was not available on the number of DA Form 2028's, suggesting changes to TB's, submitted by the mobile teams for this time period. Center records indicate that 936 DA Form 3758's were submitted in this same time frame identi-fying items that are not currently listed in the Calibration Requirement Manual TB 43-180, which initiates Group program support action. Other information provided revealed that DA Form 3758 items which must be serviced before Group action are calibrated by applying manufacturer defined procedures or the other procedures discussed above.

The above workload statistics reveal that your work does not entail a significant amount of calibration procedure adapta-tion, modification, or development. Calibration of the equipment which you service primarily requires a knowledge of electronic principles related to equipment which is combined and interrelated with other devices and complicated by a variety of multi-component assemblies and devices with intricate functional relationships as reflected in the equipment which you calibrate, e.g., high frequency sampling and storage oscilloscopes, microwave equipment, distortion analyzers, as well as other less complex equipment. Such work requires the practical application of such operating principles as the production and utilization of oscilloscopes over a broad range of frequencies; signal and waveform be-havior, distortion, and amplification; pulse, trigger, and synchronization techniques; digital/analog processing and data conversion techniques; and, familiarity with the methods of signal modulation and electromagnetic radiation.

The calibration of this equipment is based upon a knowledge of its purposes and operating characteristics, which in turn determines which calibration equipment must be used to assure that it functions within necessary tolerances. The substitu-tion of a van calibration instrument for a manufacturer specified model is based on those fundamental operating

principles and characteristics. The calibration is still performed within the established printed manufacturer's procedures and specifications to the required equipment tolerances. Your comments on proposed TB's primarily re-flect input based on field calibration program needs, e.g., what type of calibration equipment is available and how it has performed in calibrating similar equipment.

Your JD states that you assist and advise the "instrument users in the specialty areas of electrical, electronic, and microwave instrument applications." This statement implies that you provide engineering technician advisory services on complex conceptual problems. Our audit found, however, that this function entails providing equipment users with techni-cal information on the operation of testing equipment with which you are familiar already. You may be asked to perform user instruction for two or three days at a site, and may instruct on an unscheduled basis as well. Large new equip-ment deployments which may produce an extensive training workload are rare; e.g., your second level supervisor stated that a large deployment approximately 10 years ago involved the scheduling of training assignments of 2 weeks duration with a number of National Guard units.

Under the provisions of title 5, U.S. Code § 5102, the first step in the position classification process is to determine whether the position is covered by the General Schedule (GS). The decision as to the classification system in which a position belongs in turn determines the skills, knowledges, abilities and responsibilities which determine the grade level worth of the work. Section 5102(c)(7) exempts from coverage under the General Schedule those:

> employees in recognized trades or crafts, or other skilled mechanical crafts, or unskilled, semi-skilled, or skilled manual-labor occupations, and
>
> other employees including foremen and supervisors in positions having trade, craft, or laboring experience and knowledge as the paramount requirement.

The OPM Introduction to the Position Classification Standards, page 26, states that:

> the 'paramount requirement' of a position refers to the essential, prerequisite knowledge, skills, and abilities needed to perform the primary duty or responsibility for which the position has been established. Whether particular types of positions are trades, crafts, or manual labor occupations within the meaning of title 5 depends primarily on the duties, responsibilities, and qualification requirements; i.e., the most important, or chief, requirement for the performance of a primary duty or responsibility for which the position exists. If a position clearly requires trade, craft, or laboring experience and knowledge as a requirement for the performance of its primary duty, the

> position is under the Federal Wage System [FWS] regardless of its organizational location or the nature of the activity in which it exists.

The Introduction goes on to say that "A position is exempt from the General Schedule if its primary duty involves the performance of physical work which requires knowledge or experience of a trade, craft, or manual labor nature," and that "A position is subject to the General Schedule, even if it requires physical work, if its primary duty requires knowledge or experience of an administrative, clerical, scientific, artistic, or technical nature not related to trade, craft, or manual-labor work."

The Introduction to the Electronic Equipment Installation and Maintenance Family, WG-2600 provides additional guidance on differentiating between FWS and GS work. This guidance states that in distinguishing between electronics mechanic (FWS) and electronics technician (GS) work, "the differences between the electronics mechanics and technicians is not so much in the types of skills, knowledges, and abilities possessed but in the degree to which they are possessed and the manner in which they are used."

In evaluating repair work, performing repairs is considered trades work, while performing similar work in conjunction with such engineering functions as "developing and designing test and repair equipment, analyzing present repair practices and developing procedural instructions for use by others on the methods and steps of equipment repair, or conducting engineering evaluations of the adequacy of such things as test and evaluation equipment used in making repairs" is GS technician work. In assessing maintenance work, performing preventative and corrective maintenance is considered trades work, while performing similar work in conjunction with such engineering functions as "the development of maintenance standards and procedures for use by others, the engineering test and evaluation of new or modified electronic systems, or analyzing the compatibility of interlocking components, systems, and equipment for the purpose of redesign of the equipment to increase compatibility" is GS technician work. In evaluating installation work, performing installation and reinstallation is considered trades work, while "responsi-bility for planning and directing the installation of complex electronic systems and associated facilities, particularly where there are problems of site selection and construction, dealing with contractors and public utilities, and modifi-cation of the equipment to adapt to novel site charac-teristics, frequently require engineering competence. In such cases, the nonprofessional employees who perform this coordinative work, with or in lieu of an engineer, are in General Schedule positions." In assessing testing work, performing testing is an "inherent part of a trades function such as repair, maintenance, installation, and fabrication. Such trades work "includes making measurements to diagnose malfunctions, to align and calibrate equipment, and to assure that equipment operates within prescribed standards and tolerances....Positions in which the performance of such testing work is the paramount requirement are trades positions." Performing similar testing work is GS

techni-cian work when it is "part of engineering functions... concerning projects such as the development or evaluation of new or modified electronic systems or monitoring of frequency emissions by licensed stations. In these cases, they are not only doing the testing but evaluate the data and form engineering conclusions as to the acceptability of equipment modifications validity of testing procedures and data, or legality of operations."

Although work performed may, on the surface, appear similar:

> A basic difference between the technician and the mechanic is in the mental approach to the problem faced. The technician uses electronic theory,
>
> mathematical knowledge, etc., as the basis for "new thought" to solve engineering problems in conven-tional areas of endeavor, e.g., design and con-struction of amplifier circuits, pulse forming networks, etc....The mechanic, on the other hand, uses a similar background of electronic theory, mathematics, and experience as the basis for "second thought," i.e., to follow and understand the design concepts of others, to understand the purpose and operation of parts and circuits, to follow signal flow through assemblies and com-ponents and recognize proper wave forms and signal values in order to tune equipment for optimum performance and to locate and correct malfunctions.

The distinction between FWS and GS work "is blurred somewhat by the innovative ability of many experienced electronic mechanics...exhibited in the development of shortcut pro-cedures...the recognition and recommendation of correction of errors in documentation; or recommendations of methods, design changes, etc., to remedy a deficiency." The guidance, however, cautions that "it is significant to note that while the mechanic's performance tends toward that of a technician, it is in response to a random condition or need. It is often valuable to and recognized by the activity but it is not an ongoing need of the activity, i.e., is not required by management, and its absence is not cause for negative action by the supervisor against the employee. It is a requirement, however, that the electronics mechanic exercise journeyman level competence in testing, repair, or other assigned work."

Thus, while installation, maintenance, repair and testing are mentioned in GS position classification standards, e.g., Engineering Technician, GS-802 and Electronics Technician, GS-856, it is the design, development, planning, and acqui-sition work discussed in these standards which is considered paramount and determines the pay category. Installation, maintenance and other hands-on work covered by these standards is secondary and usually involves an oversight role rather than performing the work.

You work within an organization which, at the Activity and Support Group level, has primary agency responsibility for assuring that test, measurement, and diagnostic equipment are calibrated in conformance with technical scientific require-ments. Calibration itself is only one component of the field of metrology; i.e., the science of measurement. The primary mission of the field activity in which you work, however, is trades in nature; i.e., to maintain "Organic Calibration Measurement Standards in an operating condition with accu-racies traceable through the Army Calibration Support System and the National Institute of Standard Technology"; provide calibration and repair service to Army elements within an assigned geographic area of responsibility; provide calibra-tion and repair service for other Department of Defense and Government agencies through inter-service support agreements; and, provide a training base for calibration specialty military personnel.

The mission and function statement provided by the Center states that "Field Operations" provide "calibration and repair services for TMDE owners/customers....Overall, the duties [of the mobile support teams] related to calibration are 95 percent or greater and repair 5 percent or greater." The functions performed include work which tends toward that of a GS technician; i.e., initiating "equipment improvement recommendations, SF-Form 368, applicable to supported TMDE and components of the MTSC calibration and repair set"; and, initiating "DA Form 2028 applicable to administrative and technical errors of technical bulletins and publication forms used by MTSC's [Centers]." Our audit and additional documen-tation supplied by your agency at our request revealed that this work is primarily performed in response to random conditions or needs as previously discussed in this position.

It is not unusual for engineering organizations which develop maintenance, test, repair, calibration and other procedures to ask for trades input; mechanics and other trades employees are the primary users of these published procedures and can provide valuable input on the impact of these procedures within the shop environment. It is the U.S. Army TMDE Activity and Support Group which have primary and paramount authority for the development and distribution of calibration procedures. The submission of DA Form 3758's and 2028's, including documentation of "locally developed procedures" consists of recommended actions which are ancillary to the primary hands-on calibration function of your work. Higher level TMDE organizations within the Army conduct the inten-sive metrological review and exercise approval authority for any significant proposed or recommended procedural change.

As discussed above, such input is valuable to and recognized by higher level TMDE organizations, but it is not the funda-mental underlying reason for the existence of the Center and does not constitute the primary work of the mobile teams or the reason for their existence. Furthermore, the "user training" which you provide is an inherent part of

journeyman level trades work; i.e., providing guidance to lower graded employees and/or to employees less familiar with a particular piece of equipment.

The primary purpose of your job is to perform hands-on calibration of electronic and other test, measurement and diagnostic equipment and standards of measurement. We find that performance of this work is based on the application of trades knowledge and experience which is the paramount re-quirement for performing calibration work. The driving of large road vehicles also is typical of trades work; there are published job grading standards for evaluating that work under the FWS. Thus, your position is excluded from the General Schedule and is placed properly within the Federal Wage System.

The Introduction recognizes that borderline positions exist where a pay category determination is difficult to make. In such situations, it is necessary to evaluate such factors as: (1) the nature of the work processes or services of the organization; (2) working relationships with other positions in the organization; (3) normal lines of career progression; (4) equitable pay relationships with other positions in the immediate organization; and, (5) management's intent, or purpose, in creating the position. Although your position is not borderline in nature, we have applied the borderline criteria in order to corroborate our findings.

As discussed above, the nature of the work products and services of your organization (the Center) is hands-on calibration performed within a production environment which is typical of a FWS position. The working relationships with other positions in the organization also are typical of a FWS position; the Center and its mobile teams perform hands-on calibration services. In contrast, higher level U.S. Army TMDE echelons retain control over borderline as well as clearly identifiable GS work, e.g., the systematic develop-ment and final approval of TB's.

The normal lines of career progression are reflected in the sources of recruitment and the background typical of em-ployees in the unit. As discussed previously in this deci-sion, mechanics and technicians frequently share a common training background in electronic or engineering theory, mathematical knowledge, etc. Trades apprenticeship programs typically include courses on theory which may be acquired through attending college courses.

Our review of your background indicates that you entered Government service as a trades worker; you moved into the Center from a journeyman trades position (Electronics Mechanic, WG-2604). We reviewed the backgrounds of other employees in the unit in supervisory positions and found they also entered the government in trades positions, and moved into the Center with a journeyman trades background, e.g., Electronic Fire Control Systems Repairer, WB-2617, Industrial Equipment Repairer, WB-3305, and Guided Missile Mechanical Equipment Repairer, WB-6612.

Information which you and your supervisors provided revealed that a major source of recruitment for positions in your or-ganization are from trades personnel in Building 370. The working level positions within that building are trades positions in the Electronic Equipment Installation and Maintenance Family, WG-2600. Your second level supervisor stated that a "strong electronics or even avionics" back-ground reflected in "electronics maintenance people on the Depot" or other military "users" of such equipment would provide the primary source for candidates. These sources reflect the hands-on maintenance and repair of equipment typical of a trades background. Mr. Dehart also stated that people with a community college "metrology" background would do "fair." These candidates would enter trainee posi-tions with the classroom trades training typical of many apprenticeship programs. As trainees they would receive the on-the-job training also typical of a formal trades training and development program.

Thus, the normal line of progression into the Center is from trades or equivalent military positions, or GS positions entered from trades or equivalent military positions. This normal line of progression would indicate that equitable pay relationships would be reflected in progression from journey-man to trades supervisory positions. Furthermore, the Center mission reflects that management's purpose in creating your position was to provide hands-on equipment calibration services. Therefore, our application of the borderline cri-teria confirms that your work, and that of the mobile team of which you are a member, is trades in nature and is classified properly within the FWS.

Summary

In summary, we have evaluated all of the information in the 2appeal record, supplemented with information obtained from an on-site audit with you and interviews with your first and second level supervisors, and additional documentation sub-mitted by your agency at our request, and have concluded that your position is covered by the FWS.

By copy of this decision, your employing agency is directed to develop a job description which accurately reflects the work vested in your position and performed by you as con-tained in this decision, and determine the proper series, title, and grade of your position in its implementation of the change in pay system directed by this decision. If you do not agree with your agency's classification of your position, you may appeal that classification decision under the procedures contained in Federal Personnel Manual (FPM) Supplement 532-1, Subchapter 7.

Under the Classification Law, the Office of Personnel Management has the responsibility to determine whether positions are placed properly in classes and grades in conformance and consistent with published classification standards. When misclassifications are found, we

have no choice but to direct corrective action. Such actions are not directed arbitrarily, and do not reflect on the employee's ability, qualifications, or quality of work.

This decision constitutes a classification certificate under the authority of Section 5103 of title 5, U.S. Code. This certificate is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the Government. In accordance with Section 511.702 of 5 Code of Federal Regulations, this certificate must be implemented no earlier than the date of this decision and no later than the beginning of the sixth pay period following that date. Your servicing personnel office must submit a compliance re-port containing a copy of the corrected job description and documentation indicating the action taken with respect to you, e.g., SF-50. The compliance report must be submitted no later than the beginning of the sixth pay period following the date of this decision.

Your servicing personnel office must determine if you are entitled to grade or pay retention, or both, under the appropriate sections of title 5, U.S. Code as a result of implementing this decision. Documentation must be in accordance with FPM Supplement 296-33, Chapter 14. The servicing personnel office must notify you of your entitle-ment to grade or pay retention in accordance with FPM Chapter 536, Subchapter 4. If you are entitled to grade retention under the provisions of 5 USC 5362, the two year retention period begins as of the effective date of this certificate.

During the appeal process you raised concerns that your position warranted classification to a higher grade level based on your belief that other positions classified at a higher level within your agency were performing work of equal difficulty to the work which you perform. You specifically identified these positions; i.e., GS-802-11 TMDE positions at Letterkenny Army Depot, Fort Belvior, and Harry Diamond Laboratory. You contended that you were performing the functions contained in Job Number 00040489 (Engineering Technician, GS-802-11) which appears to be a standard position description used throughout the U.S. Army TMDE Activity field structure.

As we previously indicated, the Office of Personnel Management is obliged by law to classify positions on the basis of their current duties, responsibilities and quali-fication requirements and the application of standards published by the OPM. Your agency, however, is required to apply the rationale of this decision to identical, similar, and related positions under its administrative controls under the conditions and procedures previously cited in this decision. While your agency has the primary responsibility for intra-agency consistency with OPM decisions, your agency may not change the classification certified in an OPM decision, nor may your agency classify a position on the basis of position-to-position comparison.

We have asked your agency to review the position in question, as well as any other positions classified by application of the same classification rationale, and submit a report to the Chief, Compliance and Operations Division, OPM Central Office, either explaining the differences between these positions and your position which supports a difference pay category determination, or if these positions are essentially the same, setting forth a plan to correct the classification of the other positions to achieve internal consistency. We have asked your agency to inform you of the results of this study.

Please be assured that this decision is not intended to reflect on your ability, qualifications, or the quality of your performance. Rather, it reflects our evaluation of your position based on the application of published classifica-tion principles, practices, procedures and standards.

Sincerely,

Frederick A. Kistler
REGIONAL DIRECTOR

cc:
Director of Personnel and
Community Activities
[activity]

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