

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

Philadelphia Oversight Division  
600 Arch Street, Room 3400  
Philadelphia, PA 19106-1596

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

**Appellant:** [appellant's name]

**Agency classification:** Telecommunications Equipment  
Operator  
GS-390-4

**Organization:** Patrol Section  
Operations Branch  
Public Safety Department  
Naval Station [name]  
Department of the Navy  
[location]

**OPM decision:** (Title Optional) Dispatcher  
GS-2151-4

**OPM decision number:** C-2151-04-01

/s/ Robert D. Hendler

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Robert D. Hendler  
Classification Appeals Officer

12/28/01

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Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), 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* (PCS's), appendix 4, section G (address provided in appendix 4, section H).

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

### **Decision sent to:**

[appellant's name]  
[address]  
[location]

[name]  
Site Manager  
[organizational name]  
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[address]  
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## **Introduction**

On August 21, 2001, the Philadelphia Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [appellant's name]. His position is currently classified as a Telecommunications Equipment Operator, GS-390-4. He believes the position should be classified as GS-083-5. The appellant works in the Patrol Section, Operations Branch, Public Safety Department, Naval Station [name], Department of the Navy, [location]. We have accepted and decided this appeal under section 5112(b) of title 5, United States Code (U.S.C.). We received the complete appeal administrative report on October 9, 2001.

## **General issues**

In his appeal letter, the appellant points to technical inaccuracies in his official PD (#[number]). The PD coversheet places the position in the Telecommunications Processing Series, GS-390, but the body of the PD states that it is a Telephone Communications Equipment Operator, GS-392-4/5. He quoted excerpts from several OPM PCS's and other classification guidance as his appeal rationale.

OPM is required by law to classify positions on the basis of their duties, responsibilities, and qualification requirements by comparison to the criteria specified in the appropriate PCS or guide (5 U.S.C. 5106, 5107, and 5112). These criteria must be applied as a whole since extracts may not convey the full meaning or intent of a PCS. Our decision sets aside all previous agency decisions regarding the classification of the position in question including PD accuracy.

## **Position Information**

The appellant operates the AT&T MLX console that includes 2 recorded emergency lines, non-emergency administrative lines coming into the office, and an intercom connected to 6 gates and 23 extensions in the department. The enhanced 911 system, showing the caller's telephone number and location, is operated by the [name] State Police. This information is provided to the appellant when he answers the station 911 telephone extension. If that information is not available, the State Police will get on the line and question the caller. The appellant also operates a two channel main radio that is used to communicate with patrol cars and hand held portable radio units. He uses the secondary radio system primarily to contact the Auxiliary Security Force; i.e., military police, who are at five gates. This system uses one of its eight channels as a Disasternet. It is shared with and accessible to other public safety offices, e.g., the Station Fire Department and local police.

Based on general information and training received from department staff, the appellant recognizes whether the call concerns a criminal matter falling under police jurisdiction or is a civil matter. For example, he would explain to a caller that parking in the wrong space at military housing is not a criminal matter. He responds to calls as outlined in departmental standard operating procedures (SOP's). He must inform the watch commander when he dispatches a police vehicle. Procedures are in place to determine when a backup vehicle should be dispatched.

The appellant operates the National Crime Information Center automated terminal which also gives him access to the automated State law enforcement system. Both systems are menu driven teletypes that display information on a computer screen. He queries these systems for information as requested by police officers. The appellant monitors alarm systems. One system covers five sites including the ambulatory care center and its pharmacy. Another system covers approximately 30 sites. It is hooked to a teletype that prints out the alarm location and codes. The appellant uses coded questions and receives coded answers that are used to determine if a hostage situation exists. This information is passed onto the officers who must respond to the situation.

Our telephone audit with the appellant on December 18, 2001, a telephone interview with [name], Chief, Security Division on December 19, and a telephone interview with [name], Chief of Police, on December 21 confirmed that the PD of record contains the major duties and responsibilities assigned to and performed by the appellant and we incorporate it by reference into this decision.

### **Series, title, and standard determination**

The agency placed the appellant's position in the Telecommunications Processing Series, GS-390, for which there is a published PCS, and titled it Telecommunications Equipment Operator, GS-390. Because the Telecommunications Processing Series, GS-390, does not describe desk sergeant, control desk, or dispatcher functions, he states it is not appropriate for classifying his position. The appellant believes that the position should be classified as GS-083-5 because he performs police auxiliary control center and communications network duties described in the Grade Evaluation Guide for Police and Security Guard Positions, GS-083 and GS-085 (Guide).

The appellant cites the Telephone Operating Series, GS-382, in his appeal, stating that Exclusion 3 pertains to his position. That exclusion states that positions are classified to the GS-083 series when they require knowledge of police work to explain regulations, rights, and procedures; involve answering calls about emergencies, complaints, and requests for assistance; and involve transmitting pertinent information to police officers.

The Police Series, GS-083 covers law enforcement work in the preservation of the peace; the prevention, detection, and investigation of crimes; the arrest or apprehension of violators; and the provision of assistance to citizens in emergency situations, including the protection of civil rights. The purpose of the work is to assure compliance with laws and ordinances, and agency rules and regulations pertaining to law enforcement work. Auxiliary duties are included in the GS-083 series and covered by the Guide only when performed in addition to or in conjunction with law enforcement work that requires the application of a full range of police law enforcement knowledge and skill. The appellant's work does not require the exercise of GS-083 knowledge and skill. He has not been sent to law enforcement training and is not commissioned, deputized, appointed or otherwise designated as a law enforcement officer. The watch commander tracks the center's communications channels and functions as the agency's law enforcement official on the appellant's tour of duty. Therefore, the appellant's position is excluded from the GS-083 series and the Guide may not be used directly to evaluate the appellant's position.

The primary and paramount knowledge required by the appellant is that of dispatching procedures, requirements, and documentation, and location and capabilities of available department equipment and personnel. Similar to dispatcher positions, the appellant must have complete geographical knowledge of the area served, including roads, streets, buildings, housing areas, and organizations, within the department's jurisdiction, and sufficient knowledge of surrounding jurisdictions to ensure proper coordination with other agencies. The appellant's position is best assigned to the Dispatching Series, GS-2151. This includes positions involved in dispatching or scheduling motor vehicles, trains, aircraft or vessels used for the transportation of passengers, mail, equipment or supplies. The duties of these positions are primarily of an office or a clerical nature and involve assigning vehicles, keeping records and reports, and providing route and destination information and instructions to the operators. Similar to positions classified in the GS-2151 series, the appellant dispatches police vehicles primarily for law enforcement and/or other emergency response. The equipment dispatched is automotive in nature, and self-contained. The agency may use one of the suggested position titles listed in the GS-2151 PCS or construct another appropriate title based on instructions in the *Introduction to the PCS's* that includes the basic title of Dispatcher.

The GS-2151 PCS does not include grade-level criteria. When no directly applicable grade level criteria have been published, other PCS's that cover work as similar as possible are used for evaluation purposes based on cross-series comparison. The GS-2151 PCS states that the key element in evaluating difficulty and responsibility of dispatcher positions is the extent of the knowledge which the dispatcher must have of the organization and the geographic area served, and of the characteristics and capability of the equipment being dispatched. The grade level is also affected by the nature and finality of decisions made and actions taken, and by the nature and extent of control over the work of the operators of the dispatched equipment. The extent to which the dispatcher is required to determine the piece of available equipment best suited for the particular purpose requested and the extent to which the dispatcher is authorized to commit the use of vehicles for extended time and/or distance may be significant considerations.

The Telecommunications Processing Series, GS-390, includes positions that perform or supervise the operation of equipment in transmitting, receiving, and relaying messages. The work requires knowledge of message-handling procedures and use of computer hardware and software or other equipment to send messages to their proper destinations using knowledge of computer operating and message processing procedures. Some positions involve operating other types of equipment, such as teletype machines or radio equipment, for sending and receiving messages. GS-390 operators distribute incoming messages to the proper addressees, and apply knowledge of computer operation to identify and correct systems problems, start and restart the system, load programs, and operate peripheral devices through the console. This is similar to the primary purpose of the appellant's work in receiving routine and emergency requests for assistance and dispatching the appropriate personnel in response. In doing so, the appellant accomplishes his work by using telecommunications equipment including computers, radios, and telephones. Although the GS-390 PCS does not directly address the appellant's dispatching decisions, the grade level criteria in the GS-390 PCS are appropriate for use in cross-series comparison for grading the appellant's position.

### **Grade determination**

The GS-390 PCS is written in the Factor Evaluation System (FES) format based on the Primary Standard. Positions graded under the FES format are compared to nine factors. Levels are

assigned for each factor and the points associated with the assigned levels are totaled and converted to a grade level by application of the Grade Conversion Table contained in the PCS. Under the FES, factor level descriptions mark the floor threshold for the indicated factor level. If a position fails in any significant aspect to meet a particular level in the standard, the next lower level and its lower point value must be assigned, unless an equally important aspect that meets a higher level balances the deficiency.

The agency credited Levels 1-3, 2-2, 3-2, 4-2, 5-2, 6/7-2a, 8-1, and 9-1. The appellant disagrees with the agency's evaluation of Factors 6 and 7. After careful review of the record, we concur with the agency's analysis of the uncontested factor levels and have so credited the position. Our analysis will address the remaining factors.

*Factor 6: Personal contacts*

This factor covers the face-to-face, telephone, and radio contacts with people not in the supervisory chain. It considers what is required to make the initial contact, the difficulty in communicating with those contacted, and the setting in which the contact takes place, e.g., the degree to which the employee and those contacted recognize their respective roles.

As at Level 2, the highest level described in the GS-390 PCS, the appellant has contact with outside law enforcement organizations on problem situations arising from routine and emergency calls. Typical of Level 2, contacts are also with other organizations in the immediate installation, e.g., tenant commands. Contacts with people outside the agency, e.g., military families, Station visitors, and other cooperating agencies, are in a moderately structured setting. They occur at the appellant's place of work and he typically needs to clarify the role and functions of the communication center dispatcher.

The appellant's work does not meet Level 3 as described in the PS where regular and recurring contacts are with individual or groups from outside the employing agency in a moderately unstructured setting, e.g., people in their capacity as attorneys, contractors, representatives of professional organizations, the news media, or public action groups. While the appellant has initial contact with these callers, substantive dealings are reserved to the watch commander or higher level staff. Therefore, we evaluate this factor at Level 2.

*Factor 7: Purpose of contacts*

The purpose of contacts ranges from factual exchange of information to situations involving significant or controversial issues and differing viewpoints, goals or objectives with the persons credited in Factor 6.

As at Level a, the purpose of contacts is to obtain, clarify or provide factual information necessary to initiate and complete appropriate responses to requests for assistance, report emergencies, and dispatch police vehicles. Typical of this level, the appellant attempts to obtain as much information as possible to pass on to the responding officer. Providing directions to places on Station, explaining established procedures such as providing an escort vehicle for moving hazardous materials, and explaining that parking in the wrong spot is not a crime all reflect the Level a exchange of information.

The appellant's position does not meet Level b, where the purpose is to plan, coordinate, or advise on work efforts or resolve operating problems, e.g., computer programming problems. While he may need to extract information from agitated callers and determine when a backup vehicle should be sent based on SOP's, this is not equivalent to the influencing or motivating described at Level b, e.g., resolving dispatching program problems, or presenting new program proposals. Because his position fails to meet Level b, it does not approach or meet Level c as proposed by the appellant.

Factors 6 and 7 are evaluated at Levels 6-2 and 7-a, and a total of 45 points is credited.

### *Summary*

In summary, we have credited the position as follows:

| <b>Factor</b>                                   | <b>Level</b>        | <b>Points</b> |
|---|---------------------|---------------|
| 1. Knowledge Required by the Position           | 1-3                 | 350           |
| 2. Supervisory Controls                         | 2-2                 | 125           |
| 3. Guidelines                                   | 3-2                 | 125           |
| 4. Complexity                                   | 4-2                 | 75            |
| 5. Scope and Effect                             | 5-2                 | 75            |
| 6. Personal Contacts and 7. Purpose of Contacts | 2-a                 | 45            |
| 8. Physical Demands                             | 8-1                 | 5             |
| 9. Work Environment                             | 9-1                 | <u>5</u>      |
|   | <b>Total Points</b> | <b>805</b>    |

A total of 805 points falls within the GS-4 grade level point range of 655-855 points on the Grade Conversion Table.

### **Decision**

The position is properly classified as (Title Optional) Dispatcher, GS-2151-4.