

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

Appellant: [Appellant]

Agency classification: Dental Laboratory Technician
GS-683-8

Organization: [Name]
Dental Service
[Name]
[Organization]
Veterans Health Administration
U.S. Department of Veterans Affairs
[Location]

OPM decision: Dental Laboratory Technician
GS-683-8

OPM decision number: C-0683-08-01

_____/s/_____
Robert D. Hendler
Classification and Pay Claims
Program Manager
Center for Merit System Accountability

10/1/09
Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), this decision constitutes a classification certificate which 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 5 CFR 511.605, 511.613, and 511.614, as cited in the *Introduction to the Position Classification Standards (Introduction)*, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[Appellant]
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Introduction

On March 24, 2009, the Philadelphia Oversight and Accountability Group of the Office of Personnel Management (OPM) accepted a classification appeal from [Appellant]. The appellant's position is currently classified as Dental Laboratory Technician, GS-683-8, and is located in the [Name], Dental Service, [Name], [Organization] Veterans Health Administration, U.S. Department of Veterans Affairs (VA), in [Location]. The appellant believes his position should be upgraded to GS-9. We received the complete agency administrative report on April 14, 2009, and have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

To help us decide the appeal, we conducted telephone interviews with the appellant on July 14, 2009, the first-level supervisor on July 2, 2009, and the [Organization] [Name] on August 27, 2009. In reaching our classification appeal decision, we carefully considered all of the information obtained from the interviews, as well as the written information furnished by the appellant and his agency including the position description (PD) of record.

Background

The [Organization] had previously classified the appellant's position as Dental Laboratory Technician, GS-683-9, in December 2006. In October 2007, [Organization] downgraded another dental laboratory technician position from GS-9 to GS-8 because of incorrect classification. Upon further review, [Organization] determined the appellant's position was improperly classified as well because it did not fully meet the GS-9 grade level. The supervisor updated the appellant's PD and [Organization] reclassified the appellant's position as Dental Laboratory Technician, GS-683-8. The appellant then filed this appeal with OPM.

The appellant agrees the PD to which he is assigned, PD # [number], accurately describes the duties and responsibilities of his position, and his immediate supervisor has certified the PD as accurate.

General Issues

In his appeal to OPM, the appellant provided a thorough list of his duties, which will be discussed later in this decision. He also raised the issue of the impact of the person on the job, which he believes should be considered in determining the classification of his position. The appellant states he is a Dental Laboratory Technician "of the highest level" with 45 years of experience and 27 years of service to the VA.

The concept of impact of the person on the job is addressed in both the *Introduction to the Position Classification Standards* and *The Classifier's Handbook*. This concept holds that, by virtue of exceptional competence, an employee may have such an impact on the duties, responsibilities, and qualification requirements of a position that it is changed to the point where its classification must also be changed. On the other hand, the mere fact an individual in a position possesses higher qualifications or stands out from other individuals in comparable positions is not sufficient reason by itself to classify the position to a higher grade. When

determining grade level based on this concept, it is essential management recognizes and endorses the duties and the work environment allows continuing performance at a different level. Neither the appellant nor officials of his agency provided evidence impact of the person on the job should be a factor in evaluation of the appellant's position. That is, his performance actually makes the duties of the appealed position materially different from what they otherwise would be.

The appellant also discusses research duties he performed several years ago for his work at the University of [Location]. However, 5 U.S.C. 5112 indicates we can consider only current duties and responsibilities being performed in classifying positions. OPM guidelines and previous decisions show that in evaluating positions current duties are those that have occurred within the past 12 to 18 months. Therefore, we could not consider non-VA duties performed several years ago in deciding this appeal.

Position Information

The [Organization] is a tertiary care facility and a teaching hospital. It provides a full range of patient-care services with state-of-the art technology, as well as education and research. Comprehensive health care is provided through primary care, tertiary care, and long-term care in the areas of medicine, surgery, physical medicine and rehabilitation, neurology, spinal cord injury, mental health, oncology, dentistry, geriatrics, and extended care. The [Organization] consists of the main medical center located in [Location], with satellite clinics located in [Location] and [Location]. The medical center includes multi-disciplinary ambulatory facilities, 348 authorized hospital beds, and 132 nursing home beds including blind rehabilitation beds. There are also community-based outpatient clinics in [Location] and [Location] in the U.S. [Location] and [Location] and [Location] in [Location]. The [Organization] services a population of approximately 150,883 veterans in [Location] and in the U.S. [Location] according to 2000 U.S. Census figures. The [Organization] with its clinics in [Location] and U.S. [Location] is part of the [Name], a [Organization].

The [Organization] Dental Service is responsible for administering and conducting the [Name] through three sub-units: (1) the [Name], which plans, develops, and supervises the hospital residency programs in dentistry, evaluates the clinical performance of all dental residents, and fosters research and provides guidance to develop research proposals; (2) the [Name], which is staffed by Dental Laboratory Technicians, Dental Hygienists, and Dental Assistants; and (3) the [Name], which provides the professional services pertaining to the dental care, participates in training and continuing education programs, and engages in research activities as time permits. The Dental Auxiliary Staff Unit is responsible for repairing and fabricating prosthodontic appliances prescribed by the dentists. [Organization] Dental Service serves a unique patient population typical of all [Name]. As emphasized by the [Organization/Name], rehabilitating veteran patients with traumas sustained during war is significantly more difficult and complex than working with patients from the general population.

The appellant fabricates fixed or semi-fixed restorations, full or removable partial dentures, orthodontic appliances and/or dental splints and obturators. He selects appropriate porcelain or acrylic facings of proper shade, size, and shape. The construction of these appliances is often

complicated because of the unusual nature or intricacy of design required to overcome acute abnormalities. Examples of these appliances include: unique prostheses for trauma and cancer patients where oral tissue is mutilated or missing; removable, partial dentures and wrought wire buccal arm clasps for patients with severe loss of support due to diseases of the tissues surrounding and supporting the teeth; and making prostheses to accommodate root amputations and/or hemisections, where part of the tooth and root are sectioned and removed. The appellant occasionally submits articulated casts for partial denture framework fabrication to the [Name] Dental Laboratory in [Location], and upon receipt of the cast framework, adds saddle areas with the teeth and processes partial dentures as previously outlined. The work requires an in-depth knowledge of all dental laboratory theories, policies, practices, and procedures, which result in the application of seasoned judgment when consulting with patients, supervisors, dentists, staff dental specialists, trainees, and outside professionals. The appellant reports to a higher-graded laboratory technician who assigns and reviews the appellant's work.

The appellant is often called chair side during examinations by dentists and other professional dental specialists to observe dental abnormalities and provide treatment planning and suggestions. The appellant aids with the design of future implants to determine if the implant will be placed in a restorable site. While the dentist has the final say on treatment plans and the type of prostheses to be used, the appellant is expected to make recommendations which will be accepted and incorporated into treatment plans without significant modification.

The appellant and his supervisor emphasize they must maintain membership in professional organizations, such as the National Dental Laboratory, and maintain professional certifications. In order to do this, they constantly review professional publications and research to ensure they are aware of new developments in materials and techniques for their work. In addition, they must conduct an exhaustive literature review for every prosthesis they make to ensure they are using the most appropriate design and materials for each patient.

The appellant also provides on-the-job training and basic dental laboratory instructions to dental hygienists, dental assistants, summer aids, volunteer workers, dental residents, and lower-graded dental laboratory technicians. These individuals are assigned on an as-needed basis for training in terminology, morphology, and oral anatomy. The appellant is also responsible for designing and constructing teaching models of different prosthetic appliances to demonstrate how proper principles of construction are incorporated into the final product. Proper design and construction are illustrated in dentures and partials which allow for proper function, speech, and aesthetics.

Series, Title, and Standard Determination

The appellant does not question the series or title assigned to his position. We concur with the agency's determination the duties performed by the appellant and the knowledge required of his position are covered by the GS-683 series and are properly titled Dental Laboratory Technician. This series covers one-grade interval technical work in the fabrication and repair of dental prosthetic appliances on prescription of a dentist. This work requires a technical knowledge of dental anatomy and skill in the use of dental laboratory materials and equipment.

Grade Determination

The agency applied the Dental Laboratory Aid and Technician Series, GS-683, position classification standard (PCS) which provides grade-level criteria for nonsupervisory dental laboratory aids and dental laboratory technicians from GS-1 through GS-9 which are the nonsupervisory performance levels typical of the occupation as a whole. Two factors together provide the basis for classifying dental laboratory aid and technician positions: *Nature of the Assignment* and *Level of Responsibility*. To warrant a given level, the position must fully equate to the overall intent of the factor-level description.

Nature of Assignment

This factor measures the relative difficulty of the work in terms of the nature of the duties assigned and the knowledges and skills required. Work assignments range in difficulty from simple repetitive tasks requiring no special knowledges or skills to assignments requiring the application of an intensive knowledge of normal and abnormal dental anatomy; oral and related maxillofacial structure and function; the properties and methods of working metal alloys, acrylic resins, porcelain, and other dental laboratory materials; the ability to visualize the structure, function, and appearance of completed oral prosthesis; and ability to work to very exacting specifications and extremely close tolerances in fabricating highly complex or unique oral prosthetic appliance.

GS-8 dental laboratory technicians construct porcelain or acrylic fixed or semi-fixed bridge restorations, full or removable partial dentures, orthodontic appliances, or dental splints and obturators when the construction of the appliance is complicated because of the unusual nature or intricacy of the design required to overcome acute abnormalities. They must apply a thorough technical knowledge of both normal and abnormal oral anatomy and dentition as these affect the design, fabrication, function, and esthetics of the dental prosthesis being constructed. They must be able to visualize the relationships of the parts to the whole at each step in the construction process and remain constantly alert to those elements of design and construction which are essential to the fit and function of the finished appliance.

In contrast, GS-9 dental laboratory technicians participate in the design and fabrication of very complex dental or intra-oral maxillofacial appliances, participate in research to improve the design of such appliances, or test materials to be used in their construction. Such assignments require a very thorough knowledge of oral anatomy, tooth morphology and dentition, a thorough knowledge of laboratory materials, tools, and equipment, and a very high degree of skill in their use. Assignments at the GS-9 level are distinguished from those at the GS-8 level in that GS-9 dental laboratory technicians must have developed and demonstrated a degree of expertise in all aspects of the work which results in their being consulted by dentists regarding difficult design and construction problems, and in the dentist's acceptance of the value and validity of their suggestions and recommendations. It also results in their being assigned unusually novel and intricate dental prostheses and relied upon to carry out all aspects of their fabrication independently.

Characteristic of the GS-8 grade level, the appellant performs total fabrication of fixed or semi-fixed restorations, full or removable partial dentures, orthodontic appliances, and/or dental

splints and obturators. The construction of these appliances is often complicated because of the unusual nature or intricacy of design required to overcome acute abnormalities. While the appellant frequently participates in the design of unusually novel and intricate dental prostheses, he is not relied upon to carry out all aspects of their fabrication independently as is required to support the GS-9 grade level. The appellant's supervisor is charged with this responsibility. The supervisor's PD, which has been certified as current and accurate by a competent management authority, states the supervisor is involved directly in the design and fabrication of very complex intra-oral maxillofacial prostheses in which the severe nature of the dental abnormalities require working to extremely close tolerances and with a high degree of precision and is responsible for reviewing the work of the appellant. This review precludes crediting the appellant with full independence as described at the GS-9 grade level in the PCS. In addition, the appellant does not participate in research to improve the design of intra-oral maxillofacial appliances or test materials to be used in their construction. As the appellant explains, his research work consists of reviewing existing professional literature to determine the most appropriate design and materials for prostheses. However, he does not participate in research to design or improve the design of such appliances as required for crediting this aspect of the GS-9 grade level. While some sub-units in the Dental Service have research as part of their mission, the appellant's sub-unit, the [Name], does not. Therefore, this factor is properly credited at the GS-8 grade level.

Level of Responsibility

This factor measures employee's responsibilities in relation to his or her assignment. It includes the supervisory controls exercised over the work and the nature of the employee's responsibilities for fabricating dental prostheses. Supervisory controls over the work vary from close and direct supervision with each assigned task to general instructions and spot checks of completed work. Personal work contacts are not a significant element in most positions in this occupation.

At the GS-8 grade level, dental laboratory technicians engage in fabricating acrylic or porcelain crowns, bridges, or facings, work with a minimum of supervision. Typically, the dentist or a dental laboratory technician of higher grade makes work assignments and inspects completed work for precision, workmanship, and conformity with the prescription. While the supervisor is available for consultation should unusual problems arise, dental laboratory technicians at this grade level are expected to resolve the majority of such problems independently.

At the GS-9 grade level, dental laboratory technicians work under the supervision of oral surgeons, prosthodontists, or other dentists who make work assignments and discuss the requirements of the case, but who rely on the dental laboratory technician to be ingenious and creative in resolving the construction problems involved. They resolve difficult design and construction problems. Their advice is sought and given weight in planning and carrying out clinical or surgical procedures.

Characteristic of the GS-8 grade level, the appellant works under the supervision of a higher-graded dental laboratory technician. While the appellant often works closely with dentists, often being called chair side to make recommendations which are accepted and incorporated into the patients' treatment plans, it is his supervisor who assigns, reviews, and is ultimately responsible

for work. In addition, while the appellant resolves the majority of problems independently, he consults with his supervisor or the dentists should an unusual problem arise. Therefore, this factor is properly graded at the GS-8 grade level.

Summary

The nature of the appellant's assignment and his level of responsibility are both evaluated at the GS-8 level. Therefore, we find the work properly classified at the GS-8 grade level.

Decision

The appellant's position is properly classified as Dental Laboratory Technician, GS-683-8.