

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



Atlanta Oversight Division
75 Spring Street, SW., Suite 972
Atlanta, GA 30303-3109

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

Appellants: [appellants' names]

Agency classification: Civil Engineering Technician
GS-802-9

Organization: Planning/Estimating/Work Control
Production Group
Maintenance Department
Navy Public Works Center
[city, state]

OPM decision: Civil Engineering Technician
GS-802-9

OPM decision number: C-0802-09-09

Kathy W. Day
Classification Appeals Officer

2/13/98

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:

[appellants' representative]

[name]

Director, Human Resources Office

Naval Base

[address]

Mr. William Duffy

Chief, Classification Branch

Field Advisory Services Division

Defense Civilian Personnel Management
Service

1400 Key Boulevard, Suite B-200

Arlington, VA 22209-5144

Mr. David Neerman

Director for Classification, Staffing and
Compensation (OCPM Code C20)

Office of Civilian Personnel Management

Department of the Navy

800 North Quincy Street

Arlington, VA 22203-1998

Introduction

On July 8, 1997, the Atlanta Oversight Division, Office of Personnel Management (OPM), accepted an appeal for the position of Civil Engineering Technician, GS-802-9, Planning/Estimating/Work Control, Production Group, Maintenance Department, Navy Public Works Center, [city, state]. The appellants are requesting that their position be changed to Civil Engineering Technician, GS-802-11.

The appeal has been accepted and processed under section 5112(b) of title 5, United States Code (U.S.C.). This is the final administrative decision on the classification of the position subject to discretionary review only under the limited conditions and time outlined in part 511, subpart F, of title 5, Code of Federal Regulations.

General issues

These appellants are part of a group appeal from engineering technicians at the Navy Public Works Center who perform work in various specializations. Information furnished with the group appeal compares their GS-9 positions with other engineering technician positions at the same location whom they believe are performing the equivalent work or below but are classified at a higher grade. Copies of position descriptions were provided for two Mechanical Engineering Technician, GS-802-11, positions; one Electrical Engineering Technician, GS-802-11, position; and one Electronics Engineering Technician, GS-856-11, position. Although the GS-11 position descriptions are certified by a management official, none have a classification certification or a position description number on the Optional Form 8. A certification by a management official certifies the accuracy of the position description which represents the official record of the duties and responsibilities assigned to a position. However, a classification certification indicates the position description has been placed in its proper class, title and grade in accordance with the OPM classification standards and guidelines by a person delegated classification authority. Since the GS-11 position descriptions lack a classification certification, the duties and responsibilities are not an official record of duties and responsibilities, have not been properly classified, and are neither reviewable nor appealable under the classification appeal process. Additionally, by law, we must classify positions solely by comparing their current 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 the appellants' position to others as a basis for deciding their appeal.

In reaching our classification decision, we have carefully reviewed all information furnished by the appellants, the appellants' representative, and the agency, including information obtained from telephone interviews with the appellants and their supervisor.

Position information

The appellants are assigned to Position Number 7J178. The appellants, supervisor, and agency have certified to the accuracy of the position description.

The appellants analyze project requests and determine the scope of proposals to ensure the needs of the customer are addressed. Based on site visits and discussions with the customers, the appellants

determine the condition of the projects, scope of the work, time frames, and unusual circumstances that may be encountered during work on assigned projects and recommend the most cost efficient method of construction. They prepare design sketches, cost estimates, detailed job plans, and material requirements involved in the maintenance, repair, new construction and rehabilitation/renovation of real property systems and equipment. The majority of their assignments involve structural work related to real property systems such as housing, offices, messing, recreational, utility, and miscellaneous buildings, although they also perform work in other areas as well. Supervision is provided by the Supervisory Facilities Maintenance Specialist, GS-1601-12, who assigns work through a Production Controller who reviews and prioritizes work requests received from customers. Unusual problems involving the projects are discussed with the supervisor. The appellants determine the technical requirements of the job plans, construction plans, methods, components and/or materials, and cost estimates. The supervisor provides minimal procedural or technical assistance and completed work is reviewed in terms of quality, timeliness, and adherence with instructions, guidelines, and policy.

Standards determination

Engineering Technician Series, GS-802, June 1969.

Series determination

The agency placed the positions in the Engineering Technician Series, GS-802. The appellants do not contest the occupational series nor the title of their positions.

The GS-802 series includes technical positions that require primarily application of a practical knowledge of (a) the methods and techniques of engineering or architecture; and (b) the construction, application, properties, operation, and limitations of engineering systems, processes, structures, machinery, devices, and materials. The positions do not require professional knowledges and abilities for full performance, and therefore, do not require training equivalent in type and scope to that represented by the completion of a professional curriculum leading to a bachelor's degree in engineering or architecture. The positions are properly placed in the GS-802 series.

Title determination

The title Civil Engineering Technician applies to positions that involve work concerned with buildings, structures, dams, soil mechanics, tunnels, highways, water resources, bridges, airports, railways, and other phases of civil engineering. Since the appellants' work primarily involves development and preparation of project specifications and plans for work related to the structural maintenance, repair, new construction and rehabilitation/renovation of buildings all of which are covered by the civil engineering specialization, the positions are properly titled Civil Engineering Technician.

Grade determination

The grading criteria in the GS-802 standard is written in the narrative format. Grade levels are discussed in terms of two factors: (1) Nature of Assignment, and (2) Level of Responsibility. The position is evaluated as follows:

Nature of Assignment

This factor considers the scope and difficulty of the project, and the skills and knowledge required to complete the assignment.

At the GS-9 level, engineering technicians typically perform a variety of work relating to an area of specialization that requires the application of a considerable number of different basic but established methods, procedures, and techniques. Assignments usually involve independent responsibility for the planning and conduct of a block of work which is a complete conventional project of relatively limited scope, or a portion of a larger and more diverse project. Assignments require study, analysis, and consideration of several possible courses of action, techniques, general layouts, or designs, and selection of the most appropriate. This generally requires consideration of numerous precedents and some adaptation of previous plans or techniques. Often changes or deviations must be made during the progress of an assignment to incorporate additional factors requested after commencement of the project or to adjust to findings and conclusions which could not be predicted accurately in the original plans. The GS-9 assignments typically require coordination of several parts, each requiring independent analysis and solution. When phases or details of the project are performed by other groups or personnel outside the organizational unit, the technician reviews, analyzes, and integrates their work. In addition, assignments at this level require a good understanding of the effect that recommendations made or other results of the assignment may have on an item, system, or process and its end-use application.

Discussions with the appellants and the supervisor indicate that the work is assigned through a Production Controller who reviews incoming work requests, prioritizes them, and keeps the supervisor informed of any projects which may not be progressing as planned or have encountered problems. Once assigned a project, the appellants meet customers onsite to analyze the project request and assess the circumstances of the particular project. These meetings are essential as the customers generally know the desired outcome but lack the specific knowledge of the trades and of the codes, specifications, requirements, and standards that must be adhered to in accomplishing the work. The appellants are also provided an opportunity to determine the existence of conditions or situations which may negatively affect costs, timeliness, construction methods, etc., complicate the assignment, or require significant changes or modifications to the proposal submitted. They prepare preliminary field studies and concept drawings or sketches; recommend systems, materials and the most cost effective construction methods (contractor, Public Work Center (PWC) shops personnel, or naval self-help construction personnel); prepare preliminary cost estimates; and resolve technical problems regarding what the customer wants and what is feasible in terms of codes, requirements, materials, design, equipment, etc. They prepare an estimate of the total costs for labor and materials;

identify special conditions (testing, removal, disposal) required by the existence of asbestos, lead based paint, or other hazardous materials; and identify unexpected problems involving original construction methods and materials or previous renovations or modifications. Upon receiving customer approval of the project, the appellants develop job plans which include a complete description of work, specifications, and milestones; specify and requisition materials; sequence the phases of the project; coordinate the involvement of technicians from other specializations; plan quality assurance inspections and, where necessary, site cleanup and debris removal. The project is then given to the PWC shops, contractors or self-help personnel, and the appellants are responsible for the overall coordination of the work and resolving any problems that may arise between the beginning and completion of the project. They work with PWC shops personnel, contractors, vendors and suppliers, customers, and when necessary, engineer staff to ensure that the project is properly completed.

Typical of the variety of work projects the appellants have been assigned are:

- ▶ An emergency project involving the construction/setting up of temporary facilities to process military dependents, DOD civilian employees, and other nonmilitary personnel (4,000-5,000 people) displaced from the naval base at Guantanamo Bay, Cuba, by Haitian refugees. The required facilities included a welcome center, a check-in center, processing offices, animal holding areas/shelters, toilet facilities, storage, and miscellaneous support facilities with air conditioning and electrical power. The appellants played a role in ensuring these were in place and available for use when needed although the lead time was relatively short.
- ▶ A project at the Roosevelt Roads naval complex in Puerto Rico involving cost estimating and planning for the retrofitting of 190 buildings with an energy efficient electrical lighting systems. The focus of the work was determining the work required and cost involved with replacing outdated florescent tube/ballast systems with modern T-18 lamp/electronic ballast systems; replacing all incandescent based fixtures in BOQs with florescent based fixtures, and replacing all incandescent based emergency lighting systems with electronic systems. An additional factor involved was determining how to deal cost effectively with disposing of the PCB containing ballasts from the old system. It was determined that these would be packed in 55 gallon drums and shipped commercially to Cape Canaveral, Florida, for transshipment to Norfolk, Virginia. Once at Norfolk, the ballasts would be transferred to a civilian contractor for disposal. The estimated cost of the project would be \$2.5 million which was projected to be recovered in 5 years through reduced payments for electricity. Supervisory involvement was minimal as the project was far removed from the appellant's normal worksite.
- ▶ The total renovation of an office and lobby area on an upper floor of Building B at the installation. The work entailed removal and reinstallation of walls, doors and doorways, ceilings, floor coverings, and lighting systems; installation of a temporary lighting system; rerouting of electrical wiring; relocation of electrical receptacles and fire alarms; painting, etc. Complications included having to perform and complete the work in a short time frame with

minimal disturbance of occupants of the building who were still working and having to remove debris in large bags/cans using the elevator. The appellant was responsible for providing quality assurance during and following the project.

The appellants have years of experience in the building construction field and a wide range of trade knowledge related to building codes, fire codes, engineering standards, construction requirements and techniques, safety requirements, energy conservation techniques, and environmental requirements related to the proper handling of asbestos, lead based paints, and other hazardous materials. This experience allows them to apply sound engineering practices in carrying out assignments and accomplishing the work. The work routinely requires that modifications be made based on circumstances encountered during site visits, discussions with customers as to their expectations or wishes, and equipment and structural peculiarities of the buildings involved. Complicating the work performed by the appellants is the age of the facilities. Some of the facilities have historical significance and any modifications/repairs must reflect work of the period in which they were built. The supervisor stated that routine modifications of guidelines is normal for this type of work. The appellants are free to make the technical decisions regarding modifications, changes, substitution of materials, etc., necessary to accomplish the work. However, these modifications do not normally require a radical departure from established procedures or the development of a wide range of new or extremely complex procedures. Reference materials are available in the form of Navy/PWC directives, manufacturers' specifications and recommendations, national and local codes and standards for different disciplines, engineering drawings, sketches and files of similar projects. Where modifications or changes must be made, existing precedents are usually available and applicable, allowing the appellants to choose an appropriate means of accomplishing the work from these existing bodies of knowledge and their own experience.

The appellants are given their assignments along with major objectives, time frames, background information and guidance by the supervisor. The supervisor stated that he tracks the status of assigned projects and provides technical guidance on an occasional basis when problems are encountered with a project. He reviews completed work prior to it being released to PWC shops personnel. His involvement with the appellants contacts is generally limited to instances when there are major problems, such as delays or material problems, with a project. Following assignment of a project, the appellants are responsible for determining the technical requirements of the job. The appellants do not receive technical assistance from the supervisor in completing the assignment or in meetings or discussions with customers, vendors, suppliers, shop personnel or other technicians involved in the project. In those instances where technical assistance is required, the appellants consult with other technicians, an engineer or architect as appropriate.

Following assignment of the work to the appropriate work center, the appellants are responsible for coordinating the work of other personnel involved in the project and assuring that the final product conforms with all applicable codes, requirements, and standards. They are also responsible for meeting with customers during the execution of projects to resolve any job-related problems or concerns they may have. The supervisor is advised of project status and unusual problems or delays that may affect project costs or timeliness. Guidelines generally available to the appellants include

PWC and NAVFAC instructions and directives, design manuals, Engineering Performance Standards (EPS), R.S. Mean cost estimating data, technical directives, procedures, engineering drawings, sketches, specifications, manufacturers' specifications and recommendations, and precedents and files of previous projects. Also included are appropriate national, state or local building codes, standards and practices for the different trades, as well as fire protection and environmental requirements. All projects require the use and application of established engineering principles, methods, and techniques. These assignments are comparable to the GS-9 level.

At the GS-11 level, engineering technicians perform work of broad scope and complexity that requires application of (1) demonstrated ability to interpret, select, adapt, and apply many guidelines, precedents, and engineering principles and practices related to the area of specialization; and (2) some knowledge of related scientific and engineering fields. GS-11 technicians plan and accomplish complete projects or studies of a conventional nature requiring independent adaptation of a general fund of background data and information, and interpretation and use of precedents. They are typically confronted with a variety of complex problems in which considerable judgment is needed to make sound engineering compromises and decisions. Other related interests must often be considered, entailing frequent coordination with personnel in the fields concerned. There is a continuing requirement for contact work. Initiative, resourcefulness, and sound judgment are needed in planning and coordinating phases of assignments and in selecting which of several sound alternatives is to be used in arriving at acceptable engineering compromises. Ingenuity and creative thinking are required in devising ways of accomplishing objectives and in adapting existing equipment or current techniques to new uses.

By comparison, technicians at lower levels receive assignments which are usually segments or phases of the type independently carried out at grade GS-11 or which involve less complex systems and facilities requiring design adaptation. GS-9 technicians apply standard engineering methods and techniques whereas GS-11 technicians are typically required to be creative in devising ways to accomplish the work. Assignments typically found at the GS-11 level include: (1) Develops cost estimates for competitive bidding for a variety of multiple-use construction projects. Determines (a) construction operations and methods involved and the time required to complete each phase or feature, (b) various types and capacities of construction equipment required and cost of operation and maintenance, (c) material types and quantities, and (d) overhead, tax, and other costs; or, (2) Prepares designs and specifications for various utility systems such as heating, plumbing, air conditioning, ventilating, pumping, gas supply, and pneumatic control systems. Assignments characteristically involve utility systems for office buildings, pumping stations, and flood control facilities, where the complexity or nonconventional nature of the buildings and facilities entails design problems requiring considerable adaptation of precedents or design of features for which precedents are not directly applicable. Performs technical review of contractor-prepared designs and specifications for such systems.

The appellants do not meet the GS-11 level. Larger and more complex projects generally go to the Engineering Division. The appellants' assignments deal primarily with the civil aspects of conventional construction projects, design features, drawings and contract specifications for portions

or complete buildings or other facilities. Although the buildings on which the appellants work tend to be older and frequently may contain hazardous materials in varying levels, there are established national, local, and industrial codes and specifications, manufacturer recommendations, and engineering principles to which the appellants can refer. Additionally, in some cases, there may be files of previous work available which they can reference in order to help them accomplish their portion of the project. The appellants do not develop new procedures/systems as is envisioned at this level.

GS-10 level assignments are not specifically described in the standard. The appellants' assignments do not in any way regularly exceed those described at the GS-9 level. Therefore, their assignments cannot properly be classified at the GS-10 level.

GS-9 is assigned for Nature of Assignment.

Level of Responsibility

This factor considers the nature and purpose of person-to-person work relationships, and the supervision received in terms of intensity of review of work and of guidance received during the course of the work cycle.

At the GS-9 level, the supervisor provides information on any related work being performed and furnishes general instruction as to the scope of objectives, time limitations, priorities, and similar aspects. The supervisor is available for consultation and advice where significant deviations from standard engineering practices must be made. The supervisor observes the work for progress and for coordination with work performed by other employees or other sections and for adherence to completion and cost schedules. Standard methods employed are seldom reviewed, but review is made for adequacy and for conformance with established policies, precedents and sound engineering concepts and usage. Personal work contacts typically are more frequent and demanding and are primarily to resolve mutual problems and coordinate the work with that of personnel in related activities. Some contacts are made with using agencies for whom work is done and with contractors and architecture-engineer firms. The contacts are made to clear up doubtful points, to advise as to discrepancies found in meeting contract terms, to consider recommendations for acceptable substitutes, and to promote adherence to agency standards and concepts of good engineering.

Comparable to the GS-9 level, the appellants operate in an independent manner with very little technical guidance or supervision. However, technical advice and guidance is readily available whenever unusual or controversial problems or policy questions are encountered during the course of a project. The appellants have regular contact with customers, other engineering technicians, engineers, suppliers, vendors, civilian and military managers or officers, and contractors. These contacts are to gather and provide information, define the scope of the requested work, resolve problems, clarify policy issues, etc.

At the GS-11 level, technicians have considerable freedom in planning work and carrying out assignments. The supervisor makes assignments in terms of the major objectives, providing background information and advice on specific unusual problems which are anticipated or on matters requiring coordination with other groups. Unusual or controversial problems, or policy questions arising in the course of a project, may be discussed with the supervisor, but technical supervisory assistance is infrequently sought or required. The supervisor is usually informally advised regarding progress but there is little review during progress of typical assignments. Completed work in the form of recommendations, plans, designs, reports, or correspondence is reviewed for general adequacy, conformity to purpose of the assignment, and sound engineering judgment. Contacts in the course of his work are with the same groups of individuals at lower grade levels and the purpose of the contacts is similar. Because of the increased scope of GS-11 assignments, these contacts tend to become more extensive than at lower levels. Contacts with contractors and other personnel regarding complex engineering and administrative problems are carried out without close supervision. However, the technician generally discusses with the supervisor the approach to be taken.

Although the appellants work independently under general supervision, the intent of the GS-11 level is not met. They may recommend a course of action, but they seek technical advice on unusual problems and policy issues. The GS-11 level of responsibility assumes that the employee is performing assignments equivalent to the GS-11 level and would, therefore, have responsibility for adapting a general font of knowledge and interpreting precedents to handle complex assignments requiring the exercise of considerable judgment. In comparison, the appellants are responsible for applying conventional engineering practices, techniques, and knowledge of the codes, specifications, and regulations to their projects. They exercise some judgment in determining the applicability of the specifications, codes, and engineering principles applicable to the specific project, but consult with the supervisor on difficult problems or unusual situations. This level of responsibility does not fully meet the intent of the GS-11 level.

The GS-10 level is not specifically described in the standard. To be appropriately classified at the GS-10 level, the technician's Level of Responsibility would have to regularly and clearly exceed the level described at grade GS-9. The appellants' position does not regularly require them to perform at a level that exceeds the GS-9 level.

GS-9 is assigned for Level of Responsibility.

Summary

Both factors are evaluated at the GS-9 level.

Decision

This position is properly classified as Civil Engineering Technician, GS-802-9.