

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



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

Classification Appeal Decision
Under Section 5103 of Title 5, United States Code

Appellant: [The appellant]

Agency classification: Electronics Mechanic
WG-2604-11

Organization: [The appellant's installation]
Department of Veterans Affairs

OPM decision: Covered by the Federal Wage System

OPM decision number: C-2604-11-02

Carlos A. Torrico
Classification Appeals Officer

May 3, 1999
Date

As provided in section S7-8 of the Operating Manual, Federal Wage System, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. There is no right of further appeal. This decision is subject to discretionary review only under conditions specified in section 532.705(f)

of title 5, Code of Federal Regulations (address provided in the Introduction to the Position Classification Standards, appendix 4, section H).

Decision sent to:

[The appellant's address]

[The appellant's servicing personnel office]

Deputy Assistant Secretary for Personnel
and Labor Relations
Department of Veterans Affairs
Washington, DC 20420

Introduction

On March 23, 1998, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [the appellant] whose job is currently classified as Electronics Mechanic, WG-2604-11. However, he believes that his job should be exempt from the Federal Wage System (FWS) and covered under the General Schedule (GS). Prior to appealing to OPM, [the appellant] filed an appeal with the U.S. Department of Veterans Affairs. In a decision to him dated March 4, 1998, the agency sustained the current classification of his job. The appellant works in the [the appellant's installation], Department of Veterans Affairs. The pay category aspect of this appeal has been accepted and adjudicated under the provisions of 5 U.S. Code 5103.

General issues

The appellant's supervisor has certified that the appellant's official job description (number 4070-0) is accurate. However, in his original appeal and subsequent letters, [the appellant] claims his job description is inaccurate; should not be excluded from the General Schedule and that the agency has not adequately justified their determination; and his job should be classified in the field of Electronics Engineering. The appellant and the agency have been unable to mutually resolve the issue of job description accuracy. In such cases it is OPM policy to decide the appeal based on the actual duties that management has assigned and the appellant performs.

In the case file the appellant makes various statements about his agency and its evaluation of his job. In adjudicating this appeal, our only concern is to make our own independent decision on the proper classification of his job. By law, we must make that decision solely by comparing his current duties and responsibilities to OPM standards and guidelines (5 U.S. Code 5346). Therefore, we have considered the appellant's statements only insofar as they are relevant to making that comparison. The appellant also makes reference to a number of assignments performed during the past six years. However 5 U.S. Code 5346 indicates that we can consider only current duties and responsibilities in classifying jobs. Precedent OPM decisions and guidelines show that in evaluating the appellant's job, current duties are considered those that have occurred in about the past year. Our decision is limited to whether or not the appellant's job is covered by the FWS and references to GS Position Classification Standards are confined to clarifying that determination.

This appeal decision is based on a careful review of all information submitted by the appellant and his agency, including his official job description, and telephone interviews with the appellant and his supervisor.

Job information

The appellant is one of three Electronics Mechanics, WG-2604-11, assigned to the [appellant's organization] and independently and exclusively performs a variety of duties relating to overhaul, installation, modification, maintenance and repair of a variety of non-clinical communication equipment (e.g., TV, VCR, video cameras and studio type equipment). To a lesser degree, the appellant performs similar overhaul, installation, modification, maintenance and repair tasks

related to a variety of miscellaneous, non-clinical electronic equipment or subsystems. Examples include autodoor sensors and actuators; electronic subsystems of ultraload refrigeration equipment; outpatient data card and telephone dialing equipment; electronic motor controls; and electronic appliances such as microwaves and date stamps. In addition, he utilizes a full range of tools and test devices related to such equipment. The appellant currently spends approximately 22% of official time in representational duties as the acting local union president.

Since the initiation of this appeal the appellant has had modifications made to his work assignments based on medical limitations, and decisions to contract out some previously performed electronics maintenance and repair work. However, the agency still believes that the job description (JD) is accurate, and when interviewed the supervisor identified how and what work he currently assigns to the appellant given the appellant's medical limitations and selective outsourcing.

The appellant's JD, results of our interviews, and other material of record provide more information about his duties and responsibilities and how they are carried out.

Pay System Evaluation

The Introduction to the Position Classification Standards (HRCO-6, January 1999 edition) provides official guidance on whether positions are covered by the General Schedule (GS) or Federal Wage System (FWS). Section IV of the Introduction indicates on page 20 that if a position clearly requires trades and crafts, or laboring experience and knowledge as a requirement for the performance of its primary duty, and this requirement is paramount, the position is under the FWS, regardless of its organizational location or the nature of the activity in which it exists. Section IV also explains 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. Thus the test in the appellant's case is whether his primary duty requires trades, crafts or laboring experience and knowledge and whether that requirement is an essential prerequisite needed to perform that primary duty.

As stated above and in his official job description, the appellant's primary responsibilities are the maintenance, repair, installation, modification and overhaul of various non-clinical electronic equipment and subsystems. Assignments are received by individual work orders and through contacts with various customers that are followed-up with specific work orders. Overhauls and modifications occur infrequently and are mostly limited to installing manufacturer provided upgrades. The appellant utilizes various electrical, electronic and video test and analysis equipment, such as analog multimeters, video head analyzers, integrated circuit analyzers, and various power supply meters. Regular and recurring work requires a knowledge of electronics and of electrical, mechanical, video and solid state circuitry.

The appellant feels that his assignments and knowledge requirements are General Schedule (GS) in nature primarily because of his application of non-trades and crafts electronics knowledge and theory to his work. In addition to the Introduction to the Position Classification Standards, specific

guidance for electronics-related occupations has addressed pay system determinations. The Introduction to the Electronic Equipment Installation and Maintenance Family, WG-2600 (HRCD-6, January 1999 edition), makes reference to the similarities in knowledge, skills and abilities between skilled trade's mechanics and technicians and provides comparative criteria. The WG-2600 Introduction states on page 4 that "the differences between the electronics mechanics and technicians are 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."

The appellant's predominant assignments of repair, maintenance, and installation are comparable to those specifically discussed in the work situation examples beginning on page 4 of the WG-2600 Introduction. The appellant's repair work "includes detecting and diagnosing malfunctions, tearing down equipment, repairing or replacing parts or components, and aligning and calibrating and testing the modified or repaired equipment." The appellant's maintenance work "includes periodic servicing to assure reliable operating conditions and to extend service life, inspecting and testing equipment for compliance with specific standards of performance, calibrating and aligning the system, diagnosing and correcting malfunctions, removing malfunctioning systems from service, and doing bench repairs necessary to restore the equipment to the prescribed operation standards and tolerances, and, sometimes, certifying the equipment is operating properly." Like the work example, the appellant installs "electronic equipment in accordance with plans, specifications, and detailed instructions" or reinstalls a repaired or modified system. Such work includes arranging and interconnecting equipment, testing installation for compliance with standards and tolerances, and calibrating and tuning systems. The performance of such repair, maintenance and installation functions are paramount requirements of trades and crafts positions.

By contrast, the WG-2600 Introduction (page 4) indicates that GS technicians may perform similar repair, maintenance, and installation work in connection with the paramount requirement for performance of engineering functions and competence in nonprofessional engineering such as (1) "developing and designing test and repair equipment, analyzing present repair practices and developing procedural instructions for use by others on methods and steps of equipment repair, or conducting engineering evaluations of the adequacy of such things as the test and calibration equipment used in making repairs, (2) developing maintenance standards and procedures for use by others, including 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, (3) 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 modification of the equipment to adapt to novel site characteristics, frequently requiring engineering competence. Such engineering functions are inconsistent with the [appellant's organization] organizational responsibilities and the appellant's assigned duties. The appellant's repair, maintenance and installation duties require the use of electronics principles and theory to follow and understand equipment design concepts, component purpose and operations, for the *primary purpose* of correcting malfunctions and maintaining optimum performance by application of trades and crafts knowledge and experience. In contrast, a GS technician uses electronics principles and theory to solve practical engineering problems. Based on the above, we find that the appellant's primary

duty requires essential, prerequisite knowledge of trades and crafts and that these are paramount. Therefore, his position is not covered under the General Schedule.

Page 20 of the Introduction to the Position Classification Standards prescribes five factors to use in the event that positions warrant a borderline determination: (a) the nature of work products or services of the organization, (b) working relationships with other positions in the organization, (c) normal lines of career progression, (d) equitable pay relationships with other positions in the immediate organization, and (e) management's intent, or purpose, in creating the position. While the appellant's position is clearly covered by the Federal Wage System (FWS) using the general criteria in the Introduction to the Position Classification Standards, as supplemented by the WG-2600 Introduction, it may be helpful to also compare it to the borderline factors.

With respect to factor (b), the appellant provided evidence of a working relationship with GS positions outside his immediate organization. The appellant served as a "technical advisor" on the establishment and operation of the facility's close circuit television system. As previously discussed, changes in the appellant's assignments due to medical limitations and outsourcing have reduced this level of contacts. However, evidence pertaining to the remaining factors points toward trade, craft or manual-labor knowledge and experience as being paramount in importance for the performance of the appellant's primary duty. For example, the record indicates that the nature of the work product or services of the [appellant's organization] is the "maintenance and repair of electrical power systems, lighting, signal systems, nurse call systems, non-clinical electronics and electrical repairs to equipment." The record also indicates that, with the exception of the GS [position of unit chief], the normal line of career progression for all other supervisory, lead and nonsupervisory positions has been through jobs covered by the FWS. Within the appellant's immediate organization, all electronics maintenance and repair positions are Wage Grade. Therefore we judge that the pay relationship in the immediate organization is equitable. Finally, the record provides ample evidence that management's intent and purpose in creating the appellant's position was to utilize trade and crafts knowledge and experience in the non-clinical electronics maintenance, repair and installation functions. The record shows that such knowledge and experience are paramount and required for successful performance of various non-clinical electronics maintenance and repair functions.

The preceding paragraph shows that the weight of the borderline factors in the appellant's position generally points toward trade, craft and manual-labor knowledge and experience as being of paramount importance in performing the primary duty of the appellant's position. Therefore, in accordance with the guidance on page 20 of the Introduction, even if the appellant's job were borderline, it would be properly covered by the Federal Wage System

Summary

We have shown that the primary duty of the appellant's job requires trades or craft experience and knowledge. We have also shown that such knowledge and experience reflects the paramount, or

the essential, prerequisite knowledge, skills and abilities needed to perform his primary duty. Our analysis of “borderline” positions also points toward trade, craft or manual labor knowledge and experience being of paramount importance in the performance of the appellant’s primary duty. Therefore, we conclude that his job is under the Federal Wage System.

Decision

The appellant’s position is properly covered by the Federal Wage System.