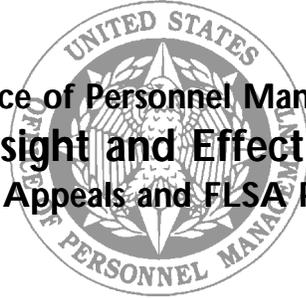


U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs



Dallas Oversight Division
1100 Commerce Street, Room 4C22
Dallas, TX 75242

Job Grading Appeal Decision
Under Section 5346 of Title 5, United States Code

Appellant: [appellant]

Agency classification: Engineering Equipment Operator
WG-5716-09

Organization: [name of district and forest]
U. S. Department of Agriculture
[geographic location]

OPM decision: Engineering Equipment Operator
WG-5716-10

OPM decision number: C-5716-10-01

/s/ Bonnie J. Brandon
Bonnie J. Brandon
Classification Appeals Officer

1/5/00
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).

Since this decision changes the classification of the appealed position, it is to be effective no later than the beginning of the first pay period that begins after the 60th day from the date the appellant filed an appeal with the agency (5 CFR 532.705(d)). The servicing personnel office must submit a compliance report containing the corrected job description and a Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the date of this decision.

Decision sent to:

[appellant's name and address]

[servicing personnel office]

Director
Office of Human Resources Management
U. S. Department of Agriculture
J. L. Whitten Building, Room 316W
1400 Independence Avenue, SW.
Washington, DC 20250-9600

Introduction

On August 9, 1999, the Dallas Oversight Division of the U. S. Office of Personnel Management (OPM) accepted a job grading appeal from [the appellant]. [The appellant] works in the [district, national forest], Forest Service, U. S. Department of Agriculture, [geographic location]. [The appellant's] job was upgraded to Engineering Equipment Operator, WG-5716-09, on January 31, 1999, as a result of a job review performed by his servicing personnel office. Believing his job should be graded at the WG-10 level, [the appellant] filed an appeal through [a specific regional office] of the Forest Service. The Region's decision of July 5, 1999, sustained the WG-09 grade. [The appellant] subsequently filed a job grading appeal with OPM. His appeal has been accepted as timely and decided under section 5346 of title 5, United States Code.

Job information

The primary purpose of the appellant's job is to operate a bulldozer for forest fire suppression. During periods when not involved in fire suppression activities, the appellant uses the bulldozer for watershed rehabilitation, road maintenance and obliteration, installation of cattle guards, and the piling of slash from timber projects. The appellant is responsible for routine maintenance of the bulldozer and transporting it to job sites with a truck tractor and tandem axle trailer. The appellant is also involved in other activities that do not involve operation of a bulldozer, such as making cattle guards and performing fleet safety inspections.

The job description of record provides an accurate and more detailed description of the major duties and responsibilities of the appealed job.

Occupation and title determination

The appellant's job involves performing work in several wage grade occupations. Guidance in Section III of the *Introduction to the Federal Wage System Job Grading System* states that jobs requiring the performance of work in two or more occupations are coded to the occupation that is most important for recruitment, selection, placement, promotion, or reduction-in-force purposes. This is ordinarily the occupation having the highest skill and knowledge requirements. The duties performed by the appellant that are most important in terms of recruitment and selection and that require the highest level of skill and qualifications (as explained in the following section on grade determination) are those involving bulldozer operation. The WG-5716 Engineering Equipment Operator occupation covers jobs that involve the operation of engineering and construction equipment, such as a bulldozer. The WG-5716 Job Grading Standard (JGS) for Engineering Equipment Operator prescribes the title *Engineering Equipment Operator*.

Grade determination

The grade of a mixed job, such as the appellant's, is based on duties that (1) involve the highest skill and qualifications of the job and (2) are a regular and recurring part of the job, even if the duties involved are not performed for a majority of the time. We compared the duties performed

by the appellant that do not involve operation of a bulldozer against applicable job grading standards and found that none of these duties exceed the WG-08 grade level. Since these duties do not represent the highest skill and qualifications requirements of the appealed job, we do not discuss them further in this decision.

The WG-5716 JGS for Engineering Equipment Operator is used to determine the grade of the appellant's bulldozer operation duties. The standard describes the work at the WG-08, 10, and 11 grade levels and uses four factors for determining grade level: skill and knowledge, responsibilities, physical effort, and working conditions. Our assessment of each factor follows.

Skill and knowledge

The appellant uses a bulldozer with four attachments (blade, rake, jaws, and ripper) to construct fire lines; excavate and backfill ground to install cattle guards; pile slash from timber projects; repair or maintain roads; and rehabilitate watershed areas to prevent soil erosion. These duties are performed in all types of terrain, to include densely-wooded forest, steep grades and drop-offs, confined areas, soft shoulders, hard ground, dirt, gravel, and rocky surfaces. The work requires knowledge of fire behavior, fuels, soils, and topography in order to operate the dozer safely and determine the erosion effects of weather and traffic. The appellant must be skilled in reading written schematics in order to grade to desired results. The appellant provides an example of a project he completed for [a certain university] in which he cut a new stream channel to rough grade and finished the channel with subsequent passes to specified requirements. The appellant repairs roads and water erosion control structures, such as rolling dips, that have been damaged by flooding or vehicular traffic. The appellant must follow stringent environmental controls when piling slash to prevent any signs that a dozer was present. These duties require skill in operating the dozer and its attachments without stopping and a high degree of physical coordination, visual acuity, and mental concentration.

We find the appellant's bulldozer operation duties reflect the skill and knowledge required at the WG-10 level. According to the JGS, operators at the WG-10 level must have sufficient skill to grade surfaces to rough or fine specifications by adjusting attachments while the vehicle is in motion and on all types of terrain. Operators at this level are required to have more than a basic knowledge of soil composition than expected at the lower grade level, as well as the purpose and limitations of a greater variety of attachments. The work requires good depth perception and a high degree of concentration. The JGS provides some examples of work at the WG-10 level: excavating, backfilling, grading, or leveling earth to rough specifications; moving earth on mountains and steep slopes or other rough surfaces; grading surfaces to exact specifications on flat or rolling terrain; adjusting attachments without stopping the equipment; steering and operating by using clutches, levers, brakes, and valves according to the slope or tilt; or operating close to buildings, trees, drop-offs, rocks, or other obstructions.

The Region assessed this factor at the WG-09 level because the appellant operates only one piece of equipment. The JGS, however, specifies that operators at the WG-10 level operate *one or more* pieces of equipment. It is the increased complexity of working in all types of terrain and the resulting difficulty of operating the equipment, not how many pieces of equipment are used, that differentiates the WG-10 level work from lower-level work. The appellant's watershed rehabilitation duties are fully comparable to the WG-10 level in that he uses the dozer to excavate, backfill, grade, or level earth to rough specifications on all types of terrain. According to a hydrologist who oversees watershed rehabilitation projects on the forest, the appellant's projects often involve grading to tolerances within inches. The stream channel project previously described involved closer tolerances and is comparable to the JGS example of grading to fine specifications on flat or rolling terrain.

The skill and knowledge required of the appellant's dozer operation duties are not comparable to work at the WG-11 level. Work at the WG-11 level involves working to fine specifications under the most difficult operating conditions. Operators fine grade slopes, inclines, ramps, curves, and excavations on rough and rocky terrain or in dense forest areas. None of the information in the record or that obtained during discussions with the appellant, his supervisor, or the hydrologist indicates the appellant works to exact specifications under such arduous conditions.

This factor is assessed at the WG-10 level.

Responsibilities

The appellant works under the general supervision of the District Fire Management Officer but is responsible for completing all tasks assigned without supervision. The appellant is responsible for the safe operation of the equipment while working on rough terrain. The appellant's level of responsibility is a precise match for the description in the JGS at the WG-10 level. Operators at the WG-10 level follow oral instructions or written work orders while working on such tasks as rough grading or fine surfacing on flat or rolling terrain. The work is performed without direct supervision, and the WG-10 operator is responsible for the safe operation of the equipment under more difficult circumstances than at the lower level.

The WG-11 level is not met inasmuch as the appellant is not responsible for accomplishing exact grading that must be accomplished in minimal time frames.

This factor is evaluated at the WG-10 level.

Physical effort

The appellant's job imposes heavy physical requirements in that constant movement is required in steering the dozer and adjusting the blade using hydraulic controls to achieve desired results on various types of terrain. The physical effort at the WG-10 level is characterized in the JGS by the operation of generally larger pieces of equipment and the requirement for more frequent

adjustments under more adverse operating conditions than at the next lower level. Even though the appellant operates a medium-sized dozer, the sensitive touch that must be applied in piling slash, the frequent adjustments that must be made when grading to specified requirements, and the need to maneuver the equipment on difficult terrain meet the strenuous physical effort at the WG-10 level.

We find no indication that the appellant must change the position of attachments frequently and rapidly as described at the WG-11 level.

This factor is assessed at the WG-10 level.

Working conditions

The appellant performs his dozer operation duties outside in all types of weather and on different types of terrain. The appellant is exposed to smoke, heat, noise, dust, dirt, falling trees, and fumes. The appellant is subjected to the possibility of the machinery overturning, severe vibration, and pounding. The working conditions at the WG-10 level as described in the JGS are somewhat more difficult than at the WG-08 level because of the operation of larger and more complicated equipment in more difficult circumstances which increases the exposure to injury, overturning, noise, and vibration. Again, even though the appellant operates a medium-sized dozer, the dangers inherent in working under such difficult circumstances as rough terrain, all types of weather, as well as the potential for injury while suppressing forest fires, warrants crediting this factor at the WG-10 level.

We do not find that the appellant must pay such close attention to attachments as to lessen his ability to concentrate and increase the likelihood of tipping or turning over, as envisioned at the WG-11 level.

This factor is evaluated at the WG-10 level.

Decision

All four factors are assessed at the WG-10 grade level based on application of the WG-5716 JGS. The appellant's job is properly classified as Engineering Equipment Operator, WG-5716-10.