

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

Appellant: [Name of appellant]

Agency classification: Lead Firefighter
GS-081-8

Organization: [Appellant's organization/location]
U.S. Department of the Navy

OPM decision: Lead Firefighter (Basic Life Support/
Hazardous Materials Technician)
GS-081-8

OPM decision number: C-0081-08-04

/s/

Jeffrey E. Sumberg
Deputy Associate Director
Center for Merit System Accountability

March 20, 2008

Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), this decision constitutes a 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 the *Introduction to the Position Classification Standards*, appendix 4, section G (address provided in 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 fourth pay period after the date of this 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 to the OPM office which accepted the appeal.

Decision sent to:

[Name and address of appellant]

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Introduction

On October 15, 2007, the San Francisco Oversight and Accountability Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [name of appellant]. On November 29, 2007, we received the agency's complete administrative report. The appellant's position is currently classified as Lead Firefighter, GS-081-8, but he believes it should be graded at the GS-9 level based on the highest grade of the work he leads. The appellant works in [name of appellant's work organization and location], U.S. Department of the Navy. We have accepted and decided this appeal under section 5112(b) of title 5, United States Code (U.S.C.).

General issues

The appellant makes various statements about the process used by his agency to evaluate and classify his position. In adjudicating this appeal, our responsibility is to make our own independent decision on the proper classification of this position. By law, we must make that decision solely by comparing his current duties and responsibilities to OPM position classification standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Therefore, we have considered the appellant's statements only insofar as they are relevant to making that comparison. Because our decision sets aside all previous agency decisions, the classification practices used by the appellant's agency in classifying his position are not germane to the classification appeal process.

The appellant mentions his personal qualifications (i.e., job skills) as one of the reasons his position should be upgraded. Personal qualifications are considered in classifying positions to the extent they are required to perform the current duties and responsibilities of an employee's position. Therefore, to the extent they are needed to perform his current duties and responsibilities we have considered them along with other information furnished by the appellant and his agency.

The appellant mentions that he sometimes serves as acting battalion chief in his supervisor's absence. However, duties performed in another employee's absence cannot be considered in determining the grade of a position (*The Classifier's Handbook*, chapter 5).

Position information

Both the appellant and his supervisor (Assistant Chief of Operations, Fire and Emergency Services) have certified to the accuracy of the appellant's official PD [number]. The appellant is a firefighter assigned to lead the work of a group of firefighters during his designated shift at his assigned fire station and installation. He leads three firefighters whose positions are classified as Firefighter (Basic Life Support/Hazardous Materials Technician), GS-081-7, and one developmental Firefighter (Basic Life Support/Hazardous Materials Technician), GS-081-6/7. Also assigned to his shift are three employees whose positions are classified as Firefighter (Intermediate Life Support), GS-081-8. The appellant provides comprehensive technical firefighting training to the employees on the principles, techniques, and methods related to fire suppression, fire protection and prevention, rescue and associated equipment and apparatus

employed. Additionally, he leads the group of firefighters in performing structural and shipboard firefighting, and dealing with fires caused by ordnance and fuels, and firefighting tasks associated with incidents in confined areas, application of basic life support techniques, and control and containment of various classes of hazardous materials. His duties include ensuring firefighters drive a firefighting vehicle to the scene of an incident, position the vehicle, and operate various pumps and equipment.

In reaching our classification decision, we have carefully reviewed all information furnished by the appellant and his agency, including the official PD which we find sufficient for purposes of classification and incorporate it by reference into this decision. In addition, to help decide the appeal we conducted separate telephone interviews with the appellant and his first-level supervisor.

Series, title, and standard determination

The agency has classified the appellant's position in the Fire Protection and Prevention Series, GS-0081, and determined it meets the coverage requirements to be designated as a lead position under the General Schedule Leader Grade Evaluation Guide (GSLGEG), Part I. Therefore, the agency titled the position as Lead Firefighter, GS-081. The appellant does not disagree with the agency's selection of title and series. Although we concur with the agency's selection of series, the title assigned by the agency does not fully comply with the titling instructions discussed in the GSLGEG which directs that positions covered by the guide are identified by prefixing the word "Lead" to the title of the position in which the leader is qualified and which reflects the work being performed by those led. As addressed later, the appellant primarily leads positions classified as Firefighter (Basic Life Support/Hazardous Materials Technician), GS-081. Therefore, the proper title and series of the appellant's position is Lead Firefighter (Basic Life Support/Hazardous Materials Technician), GS-081.

The appellant spends all of his work time leading firefighters and performing such work of the same kind and level as that done by most of the team led. As discussed later in this decision, the leader work is grade controlling. Therefore, we have evaluated the grade of the appellant's position below by application of the grading criteria in Part I of the GSLGEG (hereafter referred to as the "leader guide").

Grade determination

Part I of the leader guide is used to classify and determine the grade level of positions of work leaders who, as a regular and recurring part of their assignment, lead three or more employees in clerical or other one-grade interval occupations in the General Schedule (GS) in accomplishing work. Work leaders also perform work usually of the same kind and level as performed by the team led. As discussed in the Coverage section of Part I of the guide, leaders are responsible to their supervisors for ensuring the work assignments of other employees of the team are carried out by performing a range of duties such as:

- Distributes and balances the workload among employees, assures timely accomplishment of the assigned workload, and assures each employee has enough work to keep busy;
- Monitors the status and progress of work, and makes day-to-day adjustments in accordance with established priorities;
- Estimates and reports on expected time of completion of work, and maintains records of work accomplishments and time expended and prepares production reports, as requested;
- Instructs employees in specific tasks and job techniques and make available written instructions, reference materials and supplies;
- Gives on-the-job training to new employees in accordance with established procedures and practices;
- Maintains a current knowledge and answers questions of other employees on procedures, policies, directives, etc., and obtains needed information or decisions from supervisor on problems that come up;
- Checks on work in progress or spot checks work, reviews completed work to see the supervisor's instructions on work sequence, procedures, methods, and deadlines have been met;
- Amends or rejects work not meeting established standards, refers to supervisor questions or matters not covered by standards and problem in meeting performance standards;
- Monitors working conditions, such as ventilation, lighting, safety, etc.;
- Informs employees of available services and employee activities;
- Resolves, simple, informal complaints of employees and refers others to supervisor;
- Reports to supervisor on performance, progress and training needs of employees, and on behavior problems; and
- Provides information to supervisor, as requested, concerning promotions, reassignment, recognition of outstanding performance, and personnel needs.

Information provided in the agency administrative report and interviews with both the appellant and his supervisor indicate the appellant performs all of the above duties over some, but not all of the team's employees, as discussed below on a regular and recurring basis.

Under Part I of the leader guide, leader positions are classified one GS grade above the highest level of non-supervisory work led. In determining the base level of work led, the grade to be used *usually* is the grade of the highest level employee in the team. However, the guide instructs care should be taken to ensure this grade reflects the level of the non-supervisory work actually led. The leader guide notes: (a) The grades of employees assigned to a work team may reflect the level of their other work assignments rather than the work they do when they serve as members of the work team. (b) The highest level employee assigned to the team may do work in an occupation in which the leader is not fully qualified, and the level of such work should be used to grade the leader job only where the leader, although not fully qualified, has enough knowledge of the occupation to lead the work involved (e.g., pass on instructions from the supervisor, explain work methods, check work, and report to the supervisor on work status or causes of work delays). (c) The highest level employee, although assigned to the team, may receive little or no leadership from the leader in performing his work (e.g., where the employee is an "expert" in the work, or performs above the normal full performance level of the

occupation) In this case, the grade of the highest level employee does not reflect the level of the non-supervisory work actually led and should not be used as the base level. Thus, in classifying one-grade interval leader jobs, we may consider only work where the leader performs substantially the full range of leader duties described under the Coverage section of Part I of the guide.

The record shows there are seven firefighter positions assigned to the appellant's work team during his shift at the fire station. The team consists of three Firefighters (Basic Life Support/Hazardous Materials Technician), GS-081-7; one developmental Firefighter (Basic Life Support/Hazardous Materials Technician), GS-081-6/7; and three Firefighters (Intermediate Life Support), GS-081-8. As the Lead Firefighter, the appellant is responsible to his supervisor for performing the range of leader duties previously described under the Coverage section of Part I of the leader guide. We find that the appellant has enough knowledge of the GS-081 occupation and the two specialties of the GS-7 and GS-6 firefighter positions led that he can perform the full scope of leader duties over them. However, he is not technically qualified and certified to perform the range of leader duties over the GS-8 firefighters who receive no leadership from the appellant in performing their intermediate life support duties. For example, he is not qualified to instruct the GS-8 firefighters in specific tasks and job techniques of intermediate life support, provide on-the-job training, maintain knowledge and answer questions on procedures, check work in progress and review completed work for compliance with instructions and procedures, and amend or reject intermediate life support work.

For the preceding reasons, the GS-8 positions cannot be used as the base level (thus precluding assignment of GS-9 for the appellant's leader duties); and we find GS-7 is the highest level of non-supervisory work led. Moreover, although the appellant believes his work should be considered at the GS-9 level, the record shows that his personally performed work does not exceed the GS-7 level. Therefore, by application of the leader guide the appellant's position is graded one grade above the GS-7 base level, resulting in a final grade of GS-8

Decision

The appellant's position is properly classified as Lead Firefighter (Basic Life Support/Hazardous Materials Technician), GS-081-8.