

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

**Appellant:** [Name of appellant]

**Agency classification:** Lead Firefighter (Basic Life Support/  
Hazardous Materials Technician)  
GS-081-8

**Organization:** [Appellant's work organization/location]  
U.S. Marine Corps Base  
Department of the Navy

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

**OPM decision number:** C-0081-08-05

/signed/

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

May 6, 2009

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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).

**Decision sent to:**

[Appellant's name and mailing address]

[Address of appellant's servicing human resources office]

Department of the Navy  
United States Marine Corps

Director, Civilian Human Resources Office  
Headquarters U.S. Marine Corps  
2 Navy Annex  
Code HRHB  
Room 1213  
Washington, DC 20380

Director, Office of Civilian Human Resources  
Department of the Navy  
614 Sicard Street, SE, Suite 100  
Washington Navy Yard, DC 20374-5072

Director, Labor and Employee Relations Division  
Department of the Navy  
Office of Civilian Human Resources  
614 Sicard Street, SE, Suite 100  
Washington Navy Yard, DC 20374-5072

Principal Classifier  
Department of the Navy  
Human Resources Service Center – Northwest  
3230 N.W. Randall Way  
Silverdale, WA 98383-7952

Deputy Assistant Secretary of the Navy (Civilian Human Resources)  
Office of the Assistant Secretary (Manpower and Reserve Affairs)  
1000 Navy Pentagon  
Washington, DC 20350-1000

Chief, Classification Appeals  
Adjudication Section  
U.S. Department of Defense  
Civilian Personnel Management Service  
1400 Key Boulevard, Suite B-200  
Arlington, VA 22209-5144

## **Introduction**

On October 15, 2008, 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 February 12, 2009, we received the agency's complete administrative report. The appellant's position is currently classified as Lead Firefighter (Basic Life Support/Hazardous Materials Technician), GS-081-8, but he believes it should be graded at the GS-10 level based on the highest grade of work he contends he leads; the fact he sometimes leads his crew taking command in remote areas apart from the fire chief; and the increased scope of his leader responsibilities. The appellant works in [name of appellant's work organization/location], U.S. Marine Corps Base, 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 fact-finding 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 (PCS) 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 this 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.

## **Position information**

Both the appellant and his immediate supervisor (Supervisory Firefighter, YN-0081-01) have certified to the accuracy of the appellant's official position description (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 (Station No. 4) on the installation. He regularly leads the work of three to four firefighters, whose positions are classified as Firefighter (Basic Life Support/Hazardous Materials Technician), GS-081-7. Also assigned to his shift intermittently, or as needed due to staffing shortages, is one Firefighter (Paramedic), GS-081-9. The paramedic is assigned to maintain individual firefighting skill level and receive ongoing firefighting experience, and to ensure he or she is capable of operating all types of firefighting apparatus including driving engine company vehicles.

The appellant trains and leads his assigned group of firefighters in performing all aspects of fire prevention, suppression, and first response emergency services, e.g., basic life support. He leads the group in dealing with emergency incidents such as structural fires, wildland fires, aircraft crashes, and hazardous materials incidents. He also leads the crew in performing fire protection inspections, routine maintenance and minor repair of fire pumps, ladders, fire hoses, and in the operation, deployment and use of all assigned firefighting equipment, e.g., hose lays, ladders, fire engines. The appellant acts as onsite incident commander when responding to fire and emergency situations, including determining and documenting emergency care needs, assessing

possible hazardous contamination, and directing firefighting personnel at the scene in all operations.

If a Firefighter (Paramedic), GS-081-9, is assigned to his crew, the appellant directs the employee in the same manner and in the same activities as described above. When assigned to the appellant's crew and shift, the paramedic is not able to perform paramedic work involving intermediate/advanced life support or invasive procedures because the engine companies do not carry the necessary equipment or medical supplies to perform such tasks. When emergency situations occur on the appellant's shift requiring paramedic skill and knowledge, they are requested and dispatched to the site from one of four paramedic units located at particular fire stations on the installation. Upon arrival, these fully equipped paramedics perform advanced life support measures, invasive medical procedures, and transport victims to the hospital. Unless the appellant determines it necessary for the paramedic on his crew to join the dispatched paramedics in providing care (e.g., multi-vehicle accident with a paramedic unit delay), the paramedic continues to carry out his/her firefighting duties as assigned. The appellant is neither qualified nor certified to perform intermediate or advanced life support.

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, his former (recently retired) and current first-level supervisors, and with the Emergency Service Program Manager who supervises the paramedics at the installation.

### **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 (Basic Life Support/Hazardous Materials Technician), GS-081. The appellant does not disagree with the agency's selection of title and series, and we concur.

The appellant spends all of his work time leading firefighters and performing such work of the same kind and level as that done by 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").

The appellant specifically lists a number of duties and responsibilities he performs in leading his firefighter crew which he believes exceed those of a lead firefighter, and also notes he may be required to work at remote stations away from the location of the fire chief thus assuming command of the immediate emergency incident. However, we find the lead duties he lists fall within the scope of those addressed in Part I of the leader guide. In addition, as a designated leader delegated certain responsibilities for review and oversight of work performed by those led, he acts on behalf of the fire chief in responding to emergency situations regardless of the fire

chief's location. Therefore, his "command" responsibilities also fall within the breadth of leader duties.

### **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 supervisors indicate the appellant performs all of the above duties over his team when they are performing firefighting duties, 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 leader 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 leader guide.

Staffing logs for the appellant’s station covering the past six months show there are between three and four firefighter positions assigned to the appellant’s work team during his shift. The team normally consists of three or four Firefighters (Basic Life Support/Hazardous Materials Technician), GS-081-7. However, occasionally one of the three or four could be a Firefighter (Paramedic), GS-081-9. 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 the appellant is fully knowledgeable of the GS-081 occupation, and qualified to administer basic life support and perform as a hazardous materials technician as needed. However, he is not technically qualified and certified to perform the range of leader duties over the occasionally assigned GS-9 paramedics who, if called upon to perform intermediate or advanced life support duties, would receive no leadership from the appellant. For example, he is not qualified to instruct the paramedics in specific tasks and job techniques of advanced 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 advanced life support work. As previously stated, when a GS-9 paramedic is assigned to the appellant’s crew, it is for the purpose of maintaining firefighting skill level, including responding to hazardous materials situations, which would not exceed the GS-7 level. Their GS-9 grade level is based on and reflects the work of their other work assignments (i.e., advanced life support), rather than the work they actually perform when assigned to the appellant’s work team.

For the preceding reasons, the GS-9 paramedic position cannot be used as the base level (thus precluding assignment of GS-10 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-10 level, the record shows 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

We note the leader guide limits application of Part I to positions which lead single-grade interval work accomplished by one-grade interval positions at or below the GS-8 grade level. We find Part II of the leader guide is also not applicable to the appellant's position because the GS-9 position at issue in determining the base level of work led is not creditable under Part II since the appellant is not fully responsible for the grade-controlling paramedic work for the reasons previously discussed in this decision.

**Decision**

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