

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

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

Appellant: [the appellant]

Agency classification: Petroleum Engineering Technician
GS-802-10

Organization: Oil and Gas Inspection and Enforcement
Compliance Team
Assistant District Manager's Team
[city] District Office
New Mexico State Office
Bureau of Land Management
Department of the Interior
[city, state]

OPM decision: Petroleum Engineering Technician
GS-802-10

OPM decision number: C-0802-10-03

/s/

Bonnie J. Brandon
Classification Appeals Officer

5/28/98

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:

[the appellant's name and
home address]

State Personnel Officer
New Mexico State Office
Bureau of Land Management
P.O. Box 27115
Santa Fe, NM 87502-0115

Director
National Human Resources Management Center
Bureau of Land Management
Denver Federal Center, Building 50
P.O. Box 25047
Denver, CO 80225-0047

Director of Personnel
Department of the Interior
Washington, DC 20240

Introduction

On April 22, 1997, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [the appellant]. The appealed position is presently assigned to the [city of appellant's duty office] Office, [location] District, New Mexico State Office, Bureau of Land Management (BLM), Department of the Interior, [city and state of appellant's duty station]. The position is currently classified as a Petroleum Engineering Technician, GS-802-10. The appellant requests that the position be classified as Oil and Gas Inspector, GS-1801-11, or as Petroleum Engineering Technician, GS-802-11. The appellant's position has recently been affected by a BLM classification consistency review of Oil and Gas Inspection and Production Accountability positions within the Bureau. The appellant's position was classified as an Oil and Gas Inspector, GS-1801-11. In May of 1996, the position was reclassified as a Petroleum Engineering Technician, GS-802-10. The appellant appealed this classification to the Department of the Interior, which sustained the series and grade of the position. We have accepted and decided this appeal under section 5112 of title 5, United States Code.

Position information

The appellant's position is one of ten Petroleum Engineering Technicians/Oil and Gas Inspectors in the [city of appellant's duty station] Office. This office is responsible for the inspection of oil and gas leases on Federal and Indian lands within the [city of district office] District, which includes the States of Kansas, Oklahoma, and Texas. The purpose of the work is to inspect oil and gas operations on Federal and Indian lands to assure compliance with approved plans, notices, operating regulations, and laws. The appellant has been certified by BLM as an Oil and Gas Inspector. The appellant performs several different kinds of inspections within his assigned geographical area of coverage. The drilling/workover inspections involve on-site work to inspect all phases of oil and gas drilling and workover operations. This includes witnessing casing and cementing operations and inspecting blowout prevention systems and equipment. Production inspections cover all phases of oil and gas production operations and facilities. This involves witnessing Lease Automatic Custody Transfer meter provings, gas meter calibrations, oil sales, and production tests; verifying the accuracy of site security diagrams; and analyzing flow line systems. Production verification inspections involve verifying production volumes, sales, and fuels used on leases and analyzing past production and operator records to resolve anomalies. Plugging and abandonment operations are characterized by uncertain downhole environmental conditions and require the appellant to address technical problems such as the loss of circulation, collapsed casing, or inadequate plug length. Environmental protection inspections include investigations of undesirable events, such as spills or production losses. Inspections of accident scenes are also conducted. When the appellant finds violations or noncompliance in the course of inspections, he obtains voluntary compliance when possible, or issues Incidents of Noncompliance (INC's) and assesses fines. When continued operations would result in immediate adverse conditions to the public, environment, or royalty income, the appellant may issue shut-in orders.

The position description (PD) of record, number 03869E, provides an accurate description of the major duties and responsibilities of the position. However, the PD contains some language that

misrepresents the nature and complexity of the appellant's actual work and could affect the accurate classification of the PD. Misleading statements from the PD are discussed later in this decision.

Series determination

The Introduction to the Position Classification Standards defines the characteristics of work classifiable under the General Schedule. Professional work requires knowledge in a field of science or learning characteristically acquired through education or training equivalent to a bachelor's or higher degree. Professional occupational series follow a two-grade interval pattern. The appellant's work does not require extensive advisory, administrative, or research work based on established principles of a profession or science acquired through professional scientific or technical training equivalent to that of a bachelor's or higher degree.

Administrative work involves the exercise of analytical ability, judgment, discretion, and personal responsibility, and the application of a substantial body of knowledge of principles, concepts, and practices applicable to one or more fields of administration or management. Employees engaged in administrative work are concerned with analyzing, evaluating, modifying, and developing the basic programs, policies, and procedures which facilitate the work of Federal agencies and programs. They apply a knowledge of administrative analysis, theory, and principles in adapting practice to the unique requirements of a particular program. Administrative occupational series typically follow a two-grade interval pattern. The appellant's work is not administrative, since it does not involve or require analyzing, evaluating, modifying, and developing programs, policies, and procedures. Although the appellant uses independent judgment, the work does not require a high order of analytical ability. The technical decisions requiring judgment on the part of the appellant are based on detailed parameters established in various guidelines or precedents. The guidelines used by the appellant are extensive, but straightforward and applicable and do not require significant interpretation or adaptation to accomplish the work.

Clerical occupations involve structured work in support of office, business, or fiscal operations. Clerical work is performed in accordance with established policies, procedures, or techniques; and requires training, experience, or working knowledge related to the tasks to be performed. Clerical occupational series follow a one-grade interval pattern. The appellant's work is not in direct support of office, business, or fiscal operations, so the clerical group is inappropriate for the position.

Technical work is typically associated with and supportive of a professional or administrative field. It involves extensive practical knowledge, gained through experience and/or specific training less than that represented by college education. Technical employees carry out tasks, methods, procedures, and/or computations that are laid out either in published or oral instructions and covered by established precedents or guidelines. These procedures often require a high degree of technical skill, care, and precision. Technical work typically follows a one-grade interval pattern. The appellant's work is technical in nature. His work is supportive of BLM's Oil and Gas Inspection and Enforcement Program where the objective is to promote the legal, orderly, safe, and efficient exploration, development, and production of oil and gas. The appellant's work is supportive of and

associated with the professional field of petroleum engineering in meeting those objectives and ensuring compliance. The approved Application for Permit to Drill or Deepen (APD), developed by the petroleum engineers in collaboration with operators and other BLM specialists, serves as the roadmap for the appellant's work. The acceptable boundaries of the oil and gas operations are detailed in the applicable approved plans, regulations, and Onshore Orders. To perform the work, the appellant must have an extensive practical knowledge of the petroleum field. This knowledge is gained through specialized training covering production and drilling operations, cementing, gas measurement, and hydrogen sulfide gas; and from past oil and gas field experience the appellant brings to the position. The appellant carries out on-site inspections, procedures, and computations that are specified within a framework of established approved plans, regulations, policies, notices, and Onshore Orders.

The appellant's work is best covered by a technical classification series. The GS-802 Engineering Technician Series includes technical positions that primarily require application of a practical knowledge of (1) the methods and techniques of engineering, and (2) the construction, application, properties, operation, and limitations of engineering systems, processes, structures, machinery, devices, and materials. The positions do not require professional knowledge 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. This series includes positions performing nonprofessional technical work in functions such as research, development, design, evaluation, construction, inspection, production, application, standardization, test, or operation of engineering facilities, structures, systems, processes, equipment, devices, or materials. The functions involve the solution of technical problems that primarily require application of a practical knowledge of the methods and techniques by which materials, natural resources, and power are made useful.

The GS-802 series is appropriate for the appellant's position. Although a portion of the appellant's work (i.e., production verification) may be covered by another series, the paramount duties and knowledge requirements of the position fit within the GS-802 series. The appellant uses his knowledge of the processes, methods, and equipment used in the onshore exploration and development of oil and gas resources. Through on-site inspections, he ensures that oil and gas operations are in compliance with specific BLM approved plans and all applicable regulations and policies. The series requested by the appellant, the GS-1801 General Inspection, Investigation, and Compliance Series, is inappropriate for the position since this series covers administrative work.

Standard and title determination

The GS-802 standard is used to grade the appellant's position. The standard instructs that the title of Petroleum Engineering Technician be used for positions involved in specialized work concerned with the discovery, development, production, and conservation of petroleum, natural gas, or helium. Therefore, the correct title for the appellant's position is Petroleum Engineering Technician.

Grade determination

The GS-802 standard defines grade levels under two criteria, nature of assignment and level of responsibility. The following is our evaluation of the appellant's position in terms of the two criteria.

Nature of Assignment

At the GS-09 level, engineering technicians typically perform a variety of work relating to the 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 planning and conducting 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. They generally require consideration of numerous precedents and some adaptation of previous plans or techniques. Assignments typically require coordination of several parts, each requiring independent analysis and solution, and 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.

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 which relate to the area of specialization; and (2) some knowledge of related scientific and engineering fields. Technicians at this level plan and accomplish complete projects or studies of conventional nature requiring the 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. 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 new ways of accomplishing objectives and in adapting existing equipment or current techniques to new uses.

The range, scope, and complexity of the appellant's work exceeds the GS-09 level. The appellant performs on-site inspections of a wide range of oil and gas operations and activities, including drilling and workover, production, plugging and abandonment, and undesirable events. His inspections deal with all phases of the drilling/workover and production operations and the complexities associated with these phases. Complexities include unforeseen downhole conditions encountered during drilling, drilling hazards that may lead to blowouts and fires, measurement systems combining production from several leases and formations, and different rig designs for each manufacturer. The appellant must be knowledgeable of various petroleum engineering processes, methods, and equipment, including drilling procedures, drill stem testing, well casing and cementing operations, well control equipment and procedures, complex mud handling equipment and procedures, and plugging operations. He must be knowledgeable of potentially hazardous materials and of the safety requirements and rules for

working around hazardous substances such as hydrogen sulfide, carbon dioxide, sulfur dioxide, ethylene glycol, benzene, lead, and mercury. The appellant is required to be knowledgeable of a considerable number of guidelines, including Onshore Oil and Gas Orders; title 43, Code of Federal Regulations, part 3160, and other related parts; Notices to Lessees; approved APD plans; Occupational Safety and Health Administration regulations; and policies, practices, and industry standards. The appellant works in field conditions which expose him to extreme weather, high frequency noises, high pressure equipment, moving machinery, poisonous gases, and toxic chemicals. He wears appropriate safety gear and equipment and exercises safety precautions when in the field.

The appellant independently plans and conducts the full range of inspections of large and small operations, applying very detailed and extensive regulations, guidelines, and approved plans. He determines whether or not various aspects of oil and gas operations are in compliance with the applicable guidelines. The appellant uses his technical judgment to determine if operations and equipment are within acceptable tolerances that are specified in the guidelines, to calculate system limits and capabilities and alternative methods which may differ from those specified in the approved plan, and to solve other technical problems in the field. He may grant some variances to the approved plan when problems are encountered during an operation. These variances are based upon established petroleum engineering practices, calculations, and methods. After such decisions are made, the appellant informs the petroleum engineer, who validates the appropriateness of the changes made to the previously approved methods. Although the appellant independently grants some variances to the approved plan, those changes which deviate too far from the approved plan or that are complex or controversial are referred to the petroleum engineers for decision or coordination. The appellant uses technical judgment in plugging operations where the casing does not test correctly, the well is not circulating properly, or the freshwater plug has slipped. When rigs or pipes are used that differ from those specified in the approved plan, he determines if they still meet established requirements. Inspections of blowout prevention systems may require the appellant to decide whether to shut down a high pressure well that starts building pressure too quickly. When violations are found during inspections, the appellant may try obtaining compliance by verbally discussing the matter with the operator. The appellant also obtains compliance by issuing and documenting INC's. Operators may appeal an INC to the State Director.

The appellant's work does not meet the full intent of the GS-11 grade level. The work does not require the level of interpretation and adaptation of guidelines, principles, and practices which is characteristic of this higher level. Although extensive, the guidelines used by the appellant are straightforward, applicable, and very detailed and specific to the operations and activities under inspection. The appellant is not required to decipher the meaning and intent of the guidelines or to adapt well-established petroleum engineering principles and practices in conducting his work. The nature of the appellant's guidelines is misrepresented in the PD sections of Supervisory Controls, Guidelines, and Purpose of Contacts.

Because the nature of the appellant's work exceeds the GS-09 level and does not meet the full intent of the GS-11 level, the GS-10 grade level is appropriate.

Level of Responsibility

At the GS-09 level, the supervisor outlines requirements, provides information on any related work being performed, and furnishes general instructions 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 and gives more detailed instructions when distinctly new criteria or new techniques are involved. The supervisor observes the work of the GS-09 technician 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 are primarily to resolve mutual problems and coordinate the work with that of personnel in related activities. Some contacts are made with agencies for whom work is done and with contractors and engineer firms. The contacts are made to clear up doubtful points, advise as to discrepancies found in meeting contract terms, consider recommendations for acceptable substitutes, and promote adherence to agency standards. Contacts outside the agency are usually arranged under supervisory guidance.

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 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. By comparison, technicians at lower grade levels receive advice and guidance on the application of nonstandard methods and techniques or in the solution of complex problems requiring significant deviations from established practice. Technicians at the GS-11 level customarily make contacts in the course of their work with the same groups of individuals as do technicians 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.

The appellant's level of responsibility exceeds the GS-09 grade level. The guidance given by the supervisor and the controls over the appellant are less restrictive than that described at the GS-09 level. The appellant's supervisor, a Supervisory Petroleum Engineering Technician, outlines the general scope of the Inspection and Enforcement Program and assigns work in terms of the prioritized assignments to be accomplished for a given period. Some of the work, such as plugging and drilling operations, cannot be anticipated in advance. The appellant is responsible for independently planning and conducting this work as it occurs. The appellant carries out his work independently by planning, gathering information, figuring calculations, coordinating with BLM and other agency personnel, and preparing concluding reports containing data which is documented on

standard 3160 forms and entered into a computer database. When complex or controversial situations arise, the appellant consults with the supervisor, the petroleum engineers in the Tulsa District Office, or other BLM officials within the State Office. This aspect of the appellant's work is misrepresented in the Purpose of Contacts section of the PD. The supervisor reviews the appellant's completed inspection reports for technical adequacy and conformance with established policies and practices. The appellant has work contacts with BLM engineers, geologists, and environmental personnel; oil and gas operators; Indian tribes; State agencies; State Oil and Gas Commissions; private surface owners; the public; and Federal agencies such as the Bureau of Indian Affairs, Fish and Wildlife Service, Army Corps of Engineers, and Forest Service. These contacts are for the purpose of gathering and exchanging information and for coordinating work which involves land or issues under the jurisdiction of several parties. The appellant's contacts with operators are for the purpose of explaining technical requirements, obtaining compliance, and promoting cooperation.

The appellant's level of responsibility does not meet the full intent of the GS-11 grade level. The review of the appellant's work and the structured work environment are more controlled than that described at the GS-11 level. The work prioritized and assigned by the supervisor and that generated by the activities of oil and gas operators constitutes a fairly structured work environment which is more restrictive than at the GS-11 level. The supervisor gives the appellant's completed work a closer review than is characteristic of the GS-11 level.

Because the appellant's level of responsibility exceeds the GS-09 level and does not meet the full intent of the GS-11 level, the GS-10 grade level is appropriate.

Summary

Both the nature of the appellant's assignments and the level of his responsibility meet and do not exceed the GS-10 grade level.

Decision

The appellant's position is properly classified as Petroleum Engineering Technician, GS-802-10.