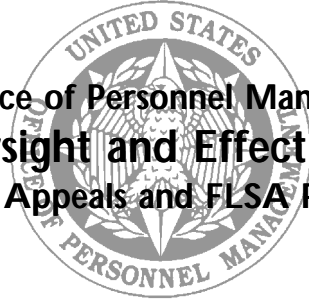


U.S. Office of Personnel Management  
Office of Merit Systems Oversight and Effectiveness  
Classification Appeals and FLSA Programs



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

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

**Appellant:** [appellant]

**Agency classification:** Mechanical Engineer, GS-830-12

**Organization:** [activity]  
Immigration and Naturalization Service  
U.S. Department of Justice  
[location]

**OPM decision:** Mechanical Engineer, GS-830-12

**OPM decision number:** C-0830-12-01

/s/ Bonnie J. Brandon

Bonnie J. Brandon  
Classification Appeals Officer

4/30/99

-  
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:**

[appellant's name and address]

[servicing personnel office]  
Immigration and Naturalization Service  
U.S. Department of Justice  
[location]

Chief, Classification and Compensation Policy  
Immigration and Naturalization Service  
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425 I Street, NW.  
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Director of Personnel  
Immigration and Naturalization Service  
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Director of Personnel  
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## **Introduction**

On December 3, 1998, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [the appellant]. His position is classified as Mechanical Engineer, GS-830-12. He believes that his position should be classified at the GS-13 grade level. He works in the [appellant's activity], Immigration and Naturalization Service (INS), U.S. Department of Justice, in [city, state]. We have accepted and decided this appeal under section 5112 of title 5, U.S. Code.

To help decide this appeal, a Dallas Oversight Division representative conducted a telephone audit of the appellant's position. The audit included interviews with the appellant and his immediate supervisor. In reaching our classification decision, we reviewed the audit findings and the information of record furnished by the appellant and his agency, including his official position description, number [number].

In his position classification appeal in 1998 to the Department of Justice, the appellant indicated that his position description did not adequately reflect his duties and responsibilities. The Department responded to this issue in its decision of November 13, 1998, and indicated that INS officials would be advised to review the appellant's position description and update it where necessary.

In his appeal to us, the appellant also indicates that he does not believe his current position description to be an adequate description of his duties and responsibilities. He indicates that he has been unable to satisfactorily resolve his concerns about his position description with his employing agency. His supervisor has provided a signed statement certifying that the appellant is performing the duties outlined in his position description.

Essentially, the appellant disagrees with his position description because he believes it does not sufficiently reflect the full degree of his responsibility for overall program management. However, during our fact-finding, we confirmed that, although he participates in program management decisions by making recommendations and proposals on a variety of issues, the authority to make final decisions on issues relating to program direction and funding is exercised by his supervisor or by staff at agency headquarters. His duties and responsibilities primarily relate to managing and coordinating engineering elements of building projects [within the geographic area covered by a large organization within his agency]. Accordingly, we find his official position description to be an accurate summary of his duties and responsibilities and to be adequate for classification purposes.

## **Position information**

The appellant is responsible for coordinating a full range of activities related to the design and construction of agency facilities. This work includes coordinating engineering designs, calculations, drawings, and specifications. In carrying out his duties and responsibilities, he serves as project manager of assigned projects, including all stages of planning and

implementation. He represents the interests of his organization when coordinating facility projects with other agency organizations and with (contracted) private architecture/engineering firms. He also provides expertise and advisory services to management and other staff on mechanical engineering features of building projects and related concerns.

### **Series determination**

The appellant's position is interdisciplinary, as it involves professional work related to mechanical engineering, civil engineering, electrical engineering, and architecture. The appellant is qualified for his position primarily based on his education and experience as a Mechanical Engineer, and therefore, we concur that his position is properly classified in the Mechanical Engineering Series, GS-830.

### **Title determination**

The title of Mechanical Engineer is the only title authorized for nonsupervisory positions classified in the GS-830 Series. Accordingly, the appellant's position is properly titled Mechanical Engineer.

### **Standard determination**

The appellant's position is properly graded using the Position Classification Standard for the Mechanical Engineering Series, GS-830. The GS-830 position classification standard is written in the Factor Evaluation System (FES) format, which uses nine factors. Each factor is evaluated separately and is assigned a point value consistent with factor level definitions described in the standard. The total number of points for all nine factors is converted to a grade by use of the standard's grade conversion table. Under the FES, each factor level description describes the minimum characteristics needed to receive credit for the described level. Therefore, if a position fails to meet the criteria in a factor level description in any significant aspect, it must be credited at the next lower level. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level.

### **Grade determination**

The appellant disagrees, specifically, with his agency's evaluation of his position on Factors 1, 2, 4, 5, 8, and 9. In his appeal, he does not indicate disagreement with his agency's evaluation of Factors 3, 6, and 7. After evaluating the appellant's position, we concur with the agency's evaluation of Factors 3, 6, and 7, and, in our appeal decision, we limit our discussion to the evaluation of those factors contested by the appellant.

*Factor 1, Knowledge required by the position*

This factor measures the nature and extent of information or facts which the engineer must understand to perform acceptably and the nature and extent of the skills necessary to apply those knowledges.

The appellant's position meets Level 1-7. At this level, the engineer must possess professional knowledges and abilities relating to a wide range of duties and responsibilities. The engineer must also be able to modify standard practices in order to solve a variety of problems, to make significant departures from previous approaches to provide for specialized requirements of various projects, and to apply practices of related disciplines as they relate to various projects.

The appellant is responsible for managing projects relating to construction, enhancement, and maintenance for a wide variety of agency facilities, e.g., office buildings, barracks, mess halls, warehouses, fire stations, utility plants, repair shops, and border patrol stations. In order to perform his work, he must possess a professional and thorough knowledge of mechanical engineering concepts, principles, and practices (e.g., piping, controls, heat transfer, fluid mechanics, etc.) needed to prepare designs, specifications, and calculations. In order to coordinate engineering projects from planning to implementation stages, the appellant must use sound knowledge of practices in related disciplines including civil engineering, electrical engineering, and architecture.

The appellant's position does not fully meet Level 1-8. At this level, to perform acceptably in the position, the engineer is required to utilize expert knowledge to solve novel and obscure problems. At Level 1-8, the engineer uses expert knowledge to develop new approaches for use by other engineering specialists. For example, engineers at Level 1-8 may use their expert knowledge to provide services within a centralized engineering program, to serve as technical experts in that they are called upon by others to interpret and explain technical policy directives or programs, or to establish technical agency guidelines used by other engineers.

Although the appellant often must solve complicated problems, we found no evidence that his position requires him to develop new engineering approaches or to routinely solve problems described as novel or obscure. Conversely, consistent with Level 1-7 of this factor, his position requires knowledge of precedents and standard practices in various disciplines in order to select the best approaches when solving problems, e.g., technical problems concerning the piping of gas and water, difficulties with restoration of agency facilities, and modification of buildings to meet local environmental conditions. Although the appellant uses his knowledge of engineering to execute design, coordination, and construction of agency building projects, his work does not occur within the centralized engineering office of his agency that has responsibility for making the agency's policy and resource decisions. This authority is placed at the agency's headquarters level. Additionally, he does not use expert knowledge to prepare agency-wide guidelines for an engineering specialization.

For Factor 1, we assign Level 1-7 (1250 points).

### *Factor 2, Supervisory controls*

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the engineer's responsibility, and the review of completed work. Controls are exercised by the supervisor in the way assignments are made, instructions are given to the engineer, priorities and deadlines are set, and objectives and boundaries are defined. The engineer's responsibility depends on the extent to which the engineer is expected to develop the sequence and timing of various aspects of the work, to modify instructions, and to establish priorities and objectives.

The appellant's position meets and, in some aspects, exceeds Level 2-4. At this level, the supervisor controls overall objectives, priorities, and the resources available. The engineer and the supervisor consult one another to establish deadlines and the projects to be done. Engineers performing at this level, having expertise, independently plan and execute assignments, resolve most conflicts that arise, coordinate with others as necessary, and interpret policy on their own initiative in terms of established objectives. In some assignments, the engineer determines the methodology and the approach to be used. The engineer at Level 2-4 keeps the supervisor informed of progress, potentially controversial matters, and far-reaching implications. Completed work is reviewed by the supervisor only from the overall standpoint of feasibility, compatibility, and effectiveness.

After being assigned a project with broadly defined objectives, the appellant independently plans and carries out all phases and sequences of his work to meet those objectives within the resources allocated to him. In independently managing his assigned projects, he freely coordinates with other agency personnel both inside and outside his organization and with other individuals, such as contractors, state and local utility officials, and employees of the General Services Administration and the U.S. Army Corps of Engineers. He also independently interprets policies and guidance as needed to accomplish his work, without consulting his supervisor for confirmation or clarification. Typically, the appellant only keeps his supervisor informed of overall progress and of particularly important or controversial developments and implications. These aspects of his work are all consistent with the standard's description of Factor Level 2-4.

Some aspects of the supervision provided to the appellant exceed Level 2-4. For instance, the appellant is responsible for independently determining the methods he uses and the approaches he takes to accomplish his work not just in some assignments, but in most or all his assignments. His supervisor does not normally become involved in either deciding or approving work methods or even general approaches for meeting project objectives. Also, the appellant's supervisor does not normally review his work for feasibility or compatibility; rather, the supervisor normally reviews the appellant's work only for overall completion and compliance of his projects to bottom-line resource allocation. The supervisor provides no review of the technical engineering aspects of his work.

At Level 2-5, the engineer's supervisor provides administrative direction in terms of broadly defined missions and functions. The engineer at Level 2-5 works very independently. If the work

is reviewed at all, it is reviewed for fulfillment of program objectives, effect of influence on overall program, or contribution to the advancement of technology.

When evaluating supervisory controls, we found that the appellant's position does not fully meet the intent of Level 2-5. Although the appellant exercises great independence in planning and executing his work, and although his supervisor does not review technical aspects of his work, the appellant does not set overall program objectives. He independently manages the projects assigned to him by his supervisor, who controls resources and who is ultimately responsible for making sure that assigned projects are completed on time and within allocated funds. Through participation in various task groups, the appellant has input into, and thus influence on, program control decisions, but his position is not responsible for exercising substantial program control. This control occurs at the headquarters level of his organization.

For Factor 2, we assign Level 2-4 (450 points).

#### *Factor 4, Complexity*

This factor measures the nature and variety of tasks, steps, processes, methods, or activities in the work performed. It also measures the degree to which the engineer must vary the work, discern interrelationships and deviations, or develop new techniques, criteria, or information. The basic unit for measuring this factor is the "complex feature," defined by the standard as "an engineering problem, broadly defined, which requires (1) modification or adaptation of, or compromise with, standard guides, precedents, methods, or techniques; or (2) special considerations of planning, scheduling and coordinating."

The appellant's position meets Level 4-4. At this level of complexity, the engineer's assignments contain combinations of complex features. These combinations of complex features involve application of standard engineering practices to new situations, relating new situations to precedent situations, and adapting or making compromises with standard guidelines.

In order to plan and implement building projects, the appellant must perform a wide variety of activities related to determining facility requirements, designing and specifying mechanical features, coordinating construction, and reviewing completed building projects for compliance to specifications. The variety of assignments produces a combination of complex features that require the appellant to perform substantive analysis of alternatives and to address a variety of mechanical engineering issues, consistent with the standard's description for Level 4-4. To perform his work, the appellant primarily utilizes standard engineering practices, e.g., those relevant to improving sewage treatment systems, renovating buildings to meet current fire codes and Environmental Protection Agency standards, optimizing space configurations, and upgrading utility systems. To plan and coordinate building projects, the appellant relates the requirements of the situation to established precedents and, when necessary, modifies the methods used.

The appellant's position does not fully meet Level 4-5. At this level, the engineer's assignments are of such breadth, diversity, and intensity that they involve many, varied complex features. Work at this level requires the engineer to be especially versatile and innovative in making compromises with standard guides or devising new techniques or criteria. Assignments typically involve serious conflicts between engineering and management requirements. Although the appellant must be versatile to coordinate projects that involve a wide range of activities at various stages of development, his work does not normally involve a highly innovative use of guides and methods. Appropriate guides and standard methods applicable to his work are plentiful, and although he must use his judgement to select them and to adapt them when necessary, we found insufficient evidence to conclude that his work requires the degree of originality described in Level 4-5. Additionally, although he must solve problems involving conflicts between management and engineering requirements, these problems primarily concern dealing with managing projects within the confines of allocated resources, which the appellant neither determines nor controls. Resolution of problems primarily involves making well-reasoned decisions on design and implementation issues rather than having to resolve serious management issues that affect the agency's engineering program. This is a distinction between the appellant's project management work and the program management work that is performed at agency headquarters.

For Factor 4, we assign Level 4-4 (225 points).

*Factor 5, Scope and effect*

This factor measures the effect of the work both within and outside the organization. Elements considered in measuring this factor include the purpose, breadth, and depth of the work.

The appellant's position meets Level 5-4. At this level, the primary purpose of the engineer's work is to provide expertise by furnishing advisory, planning, or reviewing services on specific problems and projects. Typically, work at this level includes development of plans for major agency activities, and the work impacts a wide range or large segment of the agency's engineering program.

The appellant serves as project manager for an assortment of agency building projects, typically located [within the geographic area covered by a large organization of his agency]. These projects vary from small and simple, e.g., border patrol booths, to large and complex, e.g., multistory office buildings. Although his position is interdisciplinary in that he must have knowledge of several engineering fields and architecture, a primary purpose of his position is to provide expertise in the area of mechanical engineering as it applies to these specific building projects. As coordinator for large facility projects, his work includes developing plans for major activities for the entire region. This work clearly affects a large segment of his agency's engineering program.



The appellant's position does not fully meet Level 5-5. At this level, the primary purpose of the work is to resolve critical problems or to develop new approaches or methods for use by other engineers. At this level, in serving as a consultant or a project coordinator, the engineer's expertise covers a broad range of engineering activities and affects the work of other engineering experts both within and outside the agency. Work at this level affects the development of major aspects of the agency's engineering program.

Although the appellant works with other engineering experts and frequently collaborates with them to solve problems related to the building projects he manages, the primary purpose of his position is not to resolve critical problems or to develop new approaches, as described in Level 5-5. In performing his work, the appellant is much more likely to modify standard approaches and adapt them to specific situations or difficulties, e.g., circumstances related to or problems encountered with construction documents; sufficient detail in facility design; adherence to building codes; the need for special equipment, materials, or other features; negotiating building configurations with other program staff and private contractors. Although he is required to possess knowledge of several engineering and engineering related disciplines, his expertise is primarily utilized in the field of mechanical engineering as it applies to specific building projects. His position does not require expertise in a sufficiently broad range of engineering activities affecting the agency-wide program to meet the scope and effect described at this level. For example, the standard describes Level 5-5 scope and effect as providing expertise on mechanical systems at the agency headquarters level in the form of guide specifications, design criteria, and technical handbooks. The standard's example of scope and effect of this level further provides that the engineer's work impacts the work of other agency engineers, nationwide, and may also affect the work of engineers in other agencies and private industry. This description is not congruent with the scope and effect of the appellant's position.

For Factor 5, we assign Level 5-4 (225 points).

#### *Factor 8, Physical demands*

This factor covers the physical demands placed on the engineer by the position.

Although the appellant's work is largely sedentary in nature, as described in Level 8-1, visits to construction sites are sufficiently regular and recurrent to credit Level 8-2. These visits, conducted for the purpose of inspection, involve walking on improved and unimproved surfaces and may require some stooping and bending.

For Factor 8, we assign Level 8-2 (20 points).

#### *Factor 9, Work environment*

This factor measures the risks and discomforts imposed upon the engineer by the position's work environment.

Most of the appellant's work is performed in an office environment, as described in Level 9-1. However, visits to construction sites may involve some exposure to loud noises, moving construction equipment, and unpleasant weather conditions, e.g., heat, cold, precipitation, as described in Level 9-2.

For Factor 9, we assign Level 9-2 (20 points).

*Summary*

<b>Factor</b>	<b>Level</b>	<b>Points</b>
<b>1. Knowledge required</b>	1-7	1,250
<b>2. Supervisory controls</b>	2-4	450
<b>3. Guidelines</b>	3-4	450
<b>4. Complexity</b>	4-4	225
<b>5. Scope and effect</b>	5-4	225
<b>6. Personal contacts</b>	6-3	60
<b>7. Purpose of contacts</b>	7-3	120
<b>8. Physical demands</b>	8-2	20
<b>9. Work environment</b>	9-2	20
<b>TOTAL POINTS</b>		<b>2,820</b>

The total points assigned to the appellant's position equals 2,820. According to the standard's grade conversion table, positions with total point values between 2,755 and 3,150 are properly graded at GS-12.

**Decision**

The appellant's position is properly classified as Mechanical Engineer, GS-830-12.