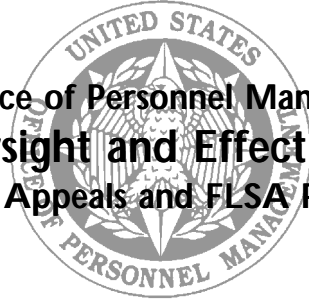


U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs



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: Utility Systems Repairer-Operator
WS-4742-7

Organization: [appellant's activity]
Federal Bureau of Prisons
Department of Justice
[geographic location]

OPM decision: Boiler Plant Operator
WG-5402-9

OPM decision number: C-5402-09-01

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

1/13/00

Date

As provided in section So-8 of the Operating Manual, Federal Wage System (FWS), 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 lowers the grade of the appealed position, it is to be effective no later than the beginning of the sixth pay period after the date of this decision, as permitted by 5 CFR 532.705(d). The servicing personnel office must submit a compliance report containing the corrected position description 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.

The personnel office must also determine if the appellant is entitled to grade or pay retention, or both, under 5 U.S.C. 5362 and 5363 and 5 CFR 536. If the appellant is entitled to grade retention, the two-year retention period begins on the date this decision is implemented.

Decision sent to:

[appellant's name and address]

[servicing human resource office]

Director of Personnel
JMD Personnel Staff
Department of Justice
1331 Pennsylvania Avenue, NW., Suite 1110
Washington, DC 20530

Introduction

On June 21, 1999, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a job grading appeal from [the appellant]. The appellant is employed in the power plant of the [activity] at the Federal Correctional Institution (FCI), South Central Region, Federal Bureau of Prisons, Department of Justice, in [geographic location].

The appellant had filed an appeal first with the Department of Justice where his job was found to be correctly evaluated as Utility Systems Repairer-Operator Supervisor, WS-4742-7. The appellant disagrees with the agency decision and believes his job should be evaluated as Utility Systems Repairer-Operator Supervisor, WS-4742-8. We have accepted the appeal as timely and have processed it under section 5346 of title 5, United States Code (U.S.C.).

The appellant believes that his current job has not been properly evaluated by his agency for three reasons: his job is graded lower than similar jobs at other Federal Correctional Institutions, his job description does not adequately address some of the work, and his supervisory responsibilities should be evaluated at a higher level. Each of these issues is fully discussed under the appropriate section headings of this decision.

General issues

The appellant stated that his job is graded inconsistently with other identical or similar jobs within the Bureau of Prisons. Although the appellant provided what appear to be descriptions of jobs at FCI's in Beckley, West Virginia, and Oxford, Wisconsin, he did not indicate why he believes his job is so similar to the others that they all should be classified the same. We are required by law to grade jobs solely by comparison of their current duties and responsibilities to appropriate OPM standards, guidelines (5 U.S.C. 5346), and instructions. Therefore, we have considered the appellant's statements only insofar as they are relevant to making that comparison.

Each agency has primary responsibility for ensuring that its positions are classified consistently with OPM appeal decisions and for consistency in applying the principle of equal pay for substantially equal work. If the appellant considers his job so similar to others that they all warrant the same classification, he may pursue the matter by writing to his agency's personnel headquarters. In doing so, he should specify the precise organizational location, classification, duties, and responsibilities of the jobs in question. If the jobs are found to be basically the same as his, the agency must correct the classification of the jobs to be consistent with this appeal decision. Otherwise, the agency should explain to the appellant the differences between his job and the others.

The job grading appeal process is an independent, third-party review which includes a determination as to the duties and responsibilities assigned by management and performed by the appellant. This review constitutes the proper application of the Job Grading Standards (JGS) to those duties and responsibilities. We have evaluated the work assigned by management and performed by the appellant according to these job grading requirements. In reaching our decision,

we have carefully reviewed the job description of record and other information provided by the appellant and his agency. On August 6, 1999, we conducted an on-site audit with the appellant and interviewed his current second-level supervisor. On August 17, 1999, we talked with the appellant's former immediate supervisor, who was recently transferred to another FCI, to obtain information about the appellant's job. After the on-site audit, we obtained additional information by telephone from the appellant, his second-level supervisor, and agency personnel officials.

Job information

The appellant is one of five employees at the FCI in Seagoville who are assigned to job description number [number]. Our on-site audit of the appellant's job revealed that the job description inaccurately portrays the appellant's actual work assignment in the following areas.

- Although the appellant occasionally is assigned a few (one or two) inmates to help him in his work, the appellant does not perform supervisory duties on a substantially full-time and continuing basis.
- The appellant's involvement with the FCI utility systems such as the air conditioning and refrigeration units, heating equipment, water supply systems, sewage collection and transfer, electricity generators, and electrical distribution is limited. For example, the appellant's maintenance and repair work for the sewage lift station consists of monitoring the utility to assure it is fully operational, repairing and/or replacing failed pumps and motors, and notifying the appropriate FCI journey level electrician of problems with the 480 volt electrical system.
- The appellant does not prepare blueprints. This work is now done by the facility's engineering technician.

The appellant's job description should be corrected so that it describes only the work actually assigned to and performed by the appellant.

The primary purpose of the appellant's job, according to the appellant and his supervisors, is to personally operate and perform operational maintenance on the facility's three large boilers. These boilers are powered by gas and/or diesel fuel; the steam produced by these boilers provides the heating and hot water for the facility and its laundry operation. When the appellant is working in the power plant, his job situation is somewhat shaped by the fact that the Bureau of Prisons' Facilities Operations Manual limits absences from the power plant to 30 minutes, except for institution emergencies.

On an irregular and noncontinuing basis, the appellant is assigned available inmates who possess gate passes to work outside the fence where the power plant is located. Security restrictions severely limit inmate assignment possibilities. Because the inmates are not fully-trained tradesmen, the appellant teaches them how to do the various operations, maintenance, and

troubleshooting needed. He also monitors their work. The lack of inmate availability for power plant work results in the appellant personally performing the boiler operation and operational maintenance work for approximately 90 percent of his time.

When the appellant is occasionally assigned inmates to assist him, his role is proscribed by the presence of the outside maintenance supervisor who makes shift assignments and specifies work orders which outline and prioritize the tasks to be performed. The appellant determines the equipment and materials necessary to perform the work and plans the inmates' daily assignments. When materials are not available, the appellant notifies his supervisor of what is needed to complete the work.

The appellant and his assigned inmates periodically monitor the air conditioning and refrigeration units, heating equipment, water supply systems, sewage collection and transfer, electricity generators, and electrical distribution. Gauges are checked, data are recorded, tests are completed, adjustments are made, and procedures are followed to assure full operation of the systems. If corrective action requires the services of a fully-qualified air conditioning mechanic or an electrician, the appellant notifies the appropriate journey level tradesman who makes the repairs. For example, the appellant assures during his shift that the air conditioning units and refrigeration units are operational. If they are not working satisfactorily, he or an inmate will check to see if the unit is turned on, if the unit is plugged in, or if the fuse has been blown and simply needs to be replaced. However, once it is determined that a fully-qualified air conditioning mechanic or electrician is needed, the appellant notifies the appropriate tradesman. He does not make the air conditioning or electrical repairs himself.

Since the appellant rotates shifts in the power plant, he occasionally is available to oversee or assist others in overseeing 20-30 inmates who work inside or outside the gate. These inmates perform routine automotive inspection and repair work and grounds maintenance work, e.g., mowing grass and weeding.

Occupation, title, and standard determination

The primary purpose of the appellant's job is to personally perform operational and preventive maintenance work on the power plant boilers which are used to produce steam to heat and provide hot water for the institution. This kind of work is appropriately included in the WG-5402 Boiler Plant Operator occupation. The utility systems work performed by the appellant does not meet the criteria for coverage of the WG-4742 Utility Systems Repairer-Operator job grading standard. For a job to be assigned to this occupation, the grade level of work performed in utility repair **and** operation must be the same and the **combined** utility repair and operation must represent the highest grade level of work performed on the job. The standard further states that, if the highest level of work represents a single occupation, the job should be titled, coded, and graded according to the job grading standard for the occupation that represents the highest skill and qualification requirements for the predominant line of work. As indicated previously, the appellant's repair work on the other utility systems is at a lower level than the boiler operator operation and repair

work. The highest level of work that the appellant performs on a regular and recurring basis is appropriately classified as Boiler Plant Operator, WG-5402.

Neither supervision nor lead responsibilities are present in the appellant's job on a substantially full-time and continuing basis. Performing supervisory or leader duties on a substantially full-time and continuing basis is a stringent requirement for coverage of the FWS Job Grading Standard (JGS) for Supervisors or the FWS JGS for Leader. Substantially full-time means performing supervisory or leader duties to such an extent that, for all intents and purposes, it is considered to be comparable to full-time or 100 percent. Consequently, positions that perform supervisory or leader duties on less than a substantially full-time basis (i.e., less than 85 percent) do not meet the basic criteria for coverage and should not be evaluated under the FWS Job Grading Standard (JGS) for Supervisors or the related FWS JGS for Leader.

In summary, the appellant's job is assigned as Boiler Plant Operator, WG-5402, and is best graded by the FWS JGS for Boiler Plant Operator, WG-5402.

Grade determination

The WG-5402 job grading standard is used for grading nonsupervisory jobs concerned primarily with the operation and operational maintenance of single and multiple fuel water or fire tube boilers and associated auxiliary and pollution control equipment. These boilers operate at various pressures and temperatures in automatic or manual modes to produce steam or high temperature hot water to provide heat for buildings, to operate industrial and institutional facilities and equipment, and to generate electricity. The standard has a four-factor grade derivation criteria: skill and knowledge, responsibility, physical effort, and working conditions. Physical demands and working conditions are similarly credited at all levels in this JGS. Our assessment of each factor follows.

Skill and knowledge

The appellant's job exceeds the skill and knowledge described at grade 8 since the appellant does not *assist* boiler plant operators but *independently* operates, adjusts, stops, and maintains multiple fuel power boilers. The appellant's work does not fully reach the grade 10 level which anticipates operation of auxiliary and pollution control equipment such as electrical or steam driven pumps, forced and induced draft fans, air compressors, deaerating equipment, feed water heaters, coal pulverizers, automatic stokers, economizers, fuel heaters and delivery equipment, demineralizing systems, electrostatic precipitators and lime slurry systems. The grade 10 work requires the skill and knowledge to adjust fuel feeds and the volume and velocity of draft and other fire box variables to achieve maximum combustion efficiency, as well as a thorough knowledge of chemical and physical aspects of sulphur-containing fuels (e.g., oil, coal, lignite), the chemical reactions involved in combustion, and the relationship between fuel quality and combustion efficiency. The appellant's work requires knowledge of distribution systems, user requirements, casualty control procedures, and how to bypass a section of the system to maintain service; skill

in operating boilers from cold starts through normal operation and hot or emergency shutdowns; and skill in stabilizing boilers in a closed system when one boiler starts to go down while maintaining safe levels and efficient combustion.

The grade 10 level is predicated on operating boilers **and** associated pollution equipment. Our fact-finding revealed that both of the fuels (natural gas and diesel) that the institution uses do not entail operating the complex pollution control equipment described at the grade 10 level in the JGS. As a result, the full range of skill and knowledge to deal with demanding pollution control requirements found at the grade 10 level is not present in the appellant's job. The appellant's job does not fully meet the grade 10 level, but the work performed by the appellant substantially exceeds the grade 8 level described in the JGS.

The skill and knowledge required for the appellant's job is properly credited at the grade 9 level.

Responsibility

At the grade 10 level, boiler plant operators work within established instructions which may include special facility procedures to be followed during emergencies, equipment failure, or system malfunction. They are familiar with the total plant layout, including drawings and circuit diagrams of the boilers and auxiliary and pollution control equipment, in order to locate problems and determine appropriate action necessary to maintain adequate steam of high temperature hot water production. As compared to the predetermined methods and procedures at the grade 8 level, grade 10 boiler plant operators make more independent decisions and judgments (e.g., pollution and combustion control adjustments, troubleshooting techniques, equipment maintenance and repair) and take immediate action to prevent interruptions of plant operations and report emergencies or dangerous conditions. Technical assistance on difficult or unusual problems is usually available from the supervisor or a higher-grade employee, and work is checked occasionally through observation of operational efficiency, production reports, and adherence to established operating techniques and procedures.

While the appellant is responsible for monitoring and dealing with complete boiler plant operations as at the grade 10 level, the system which he operates does not have the pollution control equipment and the attendant decision-making requirements intended at the grade 10 level. Since the appellant's responsibility level exceeds the grade 8 but does not fully meet the grade 10 level, grade 9 is properly credited.

Physical effort

The appellant's physical effort is typical of that anticipated at the grade 8 and grade 10 levels where boiler plant workers frequently work in confined areas in and around boilers and support equipment (i.e., auxiliary control equipment). The work requires moderate to strenuous effort and long periods of walking, standing, climbing, bending, and crouching. Workers frequently lift and carry boiler parts and chemical supplies weighing up to 40 pounds unassisted.

Occasionally they lift and carry items weighing over 40 pounds with assistance of other workers or weight handling equipment.

Since physical effort is the same at both the grade 8 and 10, this factor has no significant impact on the overall grade level worth of the appellant's job.

Working conditions

The appellant's working conditions are typical of the grade 8 and grade 10 boiler plant workers who work indoors and occasionally work outside for short periods of time where they are subject to prevailing weather conditions. Like workers at these grade levels, the appellant is exposed to high temperatures, constant noise, rotating machinery, soot, dirt, grease, chemicals, oil, and fumes in the work area. In addition to working on catwalks, the appellant is subject to cuts and abrasions from the use of tools and equipment and burns from acids, caustics, hot water, steam, and contact with piping and boilers.

Since working conditions are the same at both the grade 8 and 10, this factor has no significant impact on the overall grade level worth of the appellant's job.

Special additional responsibilities

The WG-5402 JGS describes special circumstances which warrant additional grade credit for functioning as the "operator in charge" on second and third shifts and on weekends. The following conditions must be *fully* met to warrant the crediting of an additional grade.

1. The operator at the full performance level must be assigned shift responsibility on a regular and recurring basis. Only one operator on a shift can be assigned this responsibility.
2. The operator follows written instructions supplied by the supervisor or by the "operator in charge" on the previous shift.
3. The "operator in charge" typically performs duties which are more responsible and require a slightly higher level of skill and knowledge than the full performance level operators who are on duty where a supervisor is available. This includes a thorough knowledge of the entire utility system and the user requirements to locate problems and initiate immediate corrective action.
4. In the absence of written contingency procedures, the "operator in charge" has responsibility to decide whether to shut down the operation or attempt to bypass problems until corrective action has been completed if the equipment still in operation can handle the load.

5. The “operator in charge” has responsibility to determine what work must be done and has the authority to approve overtime or call in necessary maintenance personnel. The operator is responsible for relaying instructions to the next shift operator including problems encountered and actions taken.

Although conditions 1 through 4 are clearly present in the appellant’s job, the fifth condition is only partially met in that the appellant does not have the authority to approve overtime or to call in necessary maintenance personnel. This authority is reserved for the facility manager. Because the appellant’s job does not *fully* meet all five conditions, no additional credit is warranted for “operator in charge” duties and responsibilities.

Summary

Since the *Skill and knowledge* and *Responsibility* factors exceed the grade 8 level but do not fully meet the grade 10 level, the appellant’s job is properly classified as Boiler Plant Operator, WG-5402-9.

Decision

The appellant’s job is properly classified as Boiler Plant Operator, WG-5402-9.