

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

Appellant: [Name of appellant]

Agency classification: Safety and Occupational
Health Specialist
GS-018-9

Organization: [Appellant's organization/location]
Veterans Affairs Medical Center
Veterans Health Administration
U.S. Department of Veterans Affairs

OPM decision: Safety and Occupational
Health Specialist
GS-018-9

OPM decision number: C-0018-09-03

signed

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

March 3, 2008

Date

As provided in section 511.612 of title 5, Code of Federal Regulations, 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:

[Name and address of appellant]

[Name and address of appellant's representative]

[Address of appellant's servicing human resources office]

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Introduction

On September 12, 2007, the San Francisco Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [name of appellant] and received the agency's complete administrative report on September 21, 2007. The appellant's position is currently classified as Safety and Occupational Health Specialist, GS-018-9, but he believes it should be graded at the GS-11 level. The appellant works in the [name and location of appellant's organization], Veterans Administration Medical Center (VAMC), Veterans Health Administration, U.S. Department of Veterans Affairs. 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 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 this 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 the 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 believes the position classification standard for the Safety and Occupational Health Management Series, GS-018, is outdated. However, the adequacy of grade-level criteria in OPM standards is not appealable (section 511.607 of title 5, Code of Federal Regulations).

The appellant mentions a dramatic increase in the number of buildings at the installation has increased the amount of safety related work he performs. However, the volume of work cannot be considered in determining the grade of a position (*The Classifier's Handbook*, chapter 5).

Position information

Both the appellant and his former first-level supervisor, who is now the appellant's second-level supervisor (Chief), [appellant's immediate organization], have certified to the accuracy of the appellant's official position description (PD) [number]. The position of the appellant's first-level supervisor is presently vacant.

The appellant provides coordination and assistance to managers and employees in all activities relating to occupational health, safety and fire protection. He assists the facility's Safety Officer (normally his immediate supervisor) in assessing the effectiveness of these programs by performing regular inspections of installation facilities, construction worksites, and off-site nursing and residential homes. He prepares inspection and survey reports of findings, to include recommendations and corrective actions, and investigates fires, potentially unsafe practices, personal injuries, and vehicle accidents at the installation. He also provides technical training to facility staff on various aspects of the safety and occupational health program, and serves on

committees which oversee the program at the medical center. All of these duties are performed in accordance with accepted safety and occupational health procedures and regulatory requirements established by internal policies and guidance and external safety and occupational health agencies.

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 second-level supervisor.

Series, title, and standard determination

The agency has classified the appellant's position in the Safety and Occupational Health Management Series, GS-018, titling it Safety and Occupational Health Specialist, and the appellant does not disagree. We concur with the agency's title and series determination. The GS-018 position classification standard (PCS) contains appropriate grading criteria for evaluating positions in this series, which we have applied below.

Grade determination

The GS-018 PCS uses the Factor Evaluation System (FES), which employs nine factors. Under the FES, each factor-level description in a PCS 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 a lower level. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level. Each factor level has a corresponding point value. The total points assigned are converted to a grade by use of the grade-conversion table in the PCS.

The appellant disagrees with his agency's assignment of Levels 1-6, 2-2, and 4-3 of the PCS. He agrees with the assignment of Levels 3-3, 5-3, 6-3, 7-3, 8-2, and 9-2. After careful review, we concur with his agency's assignment of the undisputed levels and thus have not addressed them separately in the discussion below. Our evaluation with respect to the three factors in dispute follows.

Factor 1, Knowledge required by the position

This factor measures the nature and extent of information or facts which the safety and occupational health specialist must understand to do acceptable work, such as steps, procedures, practices, rules, policies, theories, principles, and concepts, and the nature and extent of the skills needed to apply this knowledge.

At Level 1-6, the work requires knowledge of safety and occupational health principles, methods, and techniques permitting the independent performance of recurring assignments to control or eliminate unsafe physical conditions, equipment and machine hazards, and risks in human performance which may cause injury to persons or damage to property. It also requires

practical knowledge of the laws, regulations, policies, and procedures related to safety and occupational health to sufficiently interpret and explain the reasons and purposes for applying measures and procedures, minimizing or abating environmental hazards. At this level, normal safety risks encountered are covered by standard criteria; and control is achieved by application of conventional safety and occupational health methods. Classroom instruction responsibilities include preparing formal training materials and communicating standard safety and occupational health techniques and steps to participants. Literature search work requires review of standards and codes, publications on work processes, and current industrial problems.

At Level 1-7, the work requires knowledge of a wide range of safety and occupational health concepts, principles, practices, laws, and regulations applicable to the performance of complex administrative responsibilities which require the planning, organizing, directing, operating, and evaluation of a safety and occupational health program; **or** comprehensive knowledge of regulations, standards, procedures, methods, and techniques applicable to a broad range of safety and occupational health duties in one or more specific areas of safety and occupational health. In addition, work at this level also requires: (1) knowledge of standards, procedures, methods, and techniques applicable to construction projects including construction equipment, materials, and utility systems; (2) sound technical knowledge sufficient to analyze safety design features and specifications and develop new methods and procedures to identify or control hazardous construction processes and equipment usage; and (3) knowledge of psychological and physiological factors sufficient to evaluate the relationship of an individual to the working environment and to motivate individuals to perform in a safe manner.

Illustrative of work at Level 1-7 is the application of knowledge and skill sufficient to: (1) manage a safety and occupational health program with diverse but recognized hazards, achieving compliance with regulatory provisions and effectively communicating multiple safety and occupational health practices and procedures to staff and line personnel; or (2) modify or significantly depart from standard techniques in devising specialized operating practices concerned with accomplishing project safety and occupational health objectives.

The appellant's position meets Level 1-6. Like this level, he independently applies knowledge of safety and occupational health principles, methods, and techniques on recurring assignments to control or eliminate unsafe physical conditions and hazards which may injure persons or damage property. For example, he conducts fire and safety installation surveys to identify hazards or potential risks and assigns Occupational Safety and Health Administration (OSHA) priority ratings based on their assessed potential for harm at the facility. Like Level 1-6, he applies a practical knowledge of safety and occupational health laws and regulations to normal safety risks which are covered by standard criteria and conventional control measures. Such knowledge is applied in conducting inspections of nursing, residential, and assisted living homes to ensure compliance with the Life Safety Code; in reviewing factors surrounding fires, personal injuries and vehicle accidents to determine the causes; and in inspecting facility construction worksites for fire safety to ensure compliance with OSHA and Joint Commission on Accreditation of Healthcare Organizations (JCAHO) standards. Similar to Level 1-6, the results of his inspections and surveys are fully documented in reports to management staff explaining findings and the reasons and purposes for applying standard safety measures, and contain recommendations and corrective actions as appropriate to minimize or abate encountered

hazards. Like Level 1-6, he prepares formal training materials and presents instruction on standard safety and occupational health techniques and steps regarding fire prevention, emergency preparedness, accident prevention, respiratory fitness tests, and other occupational safety issues to supervisors and employees during staff meetings, new employee orientations, and special annual nurses' conferences held onsite at the installation.

The appellant's position does not meet Level 1-7. Unlike this level, he is not responsible for planning, organizing, directing, operating and evaluating the installation's safety and occupational health program. While he conducts surveys and inspections, and provides input to his supervisor on the status of various aspects of the safety program, his immediate supervisor is the hospital's designated safety and occupational health program manager and performs all those duties associated with program management. Unlike Level 1-7, the appellant's duties do not require he possess and apply a comprehensive knowledge of regulations, standards, procedures, methods, and techniques applicable to a broad range of safety and occupational health duties in one or more specific areas. While he is familiar with the safety aspects of construction procedures, in contrast to Level 1-7 he does not have to apply extensive knowledge of construction equipment, materials, and utility systems. Moreover, his duties do not require a level of technical knowledge sufficient to analyze safety design features and specifications, and develop new methods and procedures to identify and control hazardous construction processes and equipment usage. The record shows the types of construction projects and worksite inspections he performs involve applying conventional and accepted techniques and safety practices, rather than developing new methods to identify hazardous construction activities. In addition, in performing his other duties (e.g., safety and occupational health inspections, surveys, accident investigations) he is not required to modify or significantly depart from standard and accepted safety techniques or devise specialized operating practices to achieve project safety and occupational health objectives.

This factor is evaluated at Level 1-6, and 950 points are credited.

Factor 2, Supervisory controls

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the responsibility of the safety and occupational health specialist, and the review of completed work.

At Level 2-2, the supervisor or safety and occupational health manager indicates to the specialist generally what is to be done on a continuing or individual assignment, limitations, quality and quantity expected, deadlines, and priority of work. The supervisor provides additional, special instructions for new, difficult, or unusual assignments including new techniques to eliminate or control particular hazards. At this level, the specialist uses initiative in carrying out assignments structured to provide experience (in the full range of safety and occupational health work assigned to the appellant's organization), consulting with a higher graded specialist or supervisor when an unusual or unanticipated situation occurs. Completed work is reviewed to assure that methods used are technically correct and in compliance with instructions or accepted procedures.

At Level 2-3, the safety and occupational health manager makes assignments by defining objectives, priorities and deadlines, and provides assistance for unusual situations where previous precedents are unclear. The assigned duty is planned and performed within a framework of applicable instructions, policies, formal, and on-the-job training experiences and accepted safety and occupational health practices. Particular hazards, problems, and need for deviations in assignments are accommodated by applying accepted methods, standards, regulations, and practices. Completed work is reviewed for technical soundness of solutions achieved, appropriateness and conformity to policy and safety and occupational health program requirements. Specific methods or techniques used in achieving solutions are usually not reviewed in detail.

The appellant's position meets Level 2-2. Like this level, the appellant's supervisor indicates generally what needs to be done on recurring assignments, including deadlines and priorities of work, and provides more specific instructions on new or especially difficult safety and occupational hazards. The appellant uses initiative in planning and carrying out his regular assignments (e.g., fire and safety surveys), consulting with the supervisor when unusual situations occur. The appellant's completed work is periodically reviewed to ensure the methods used are technically correct and in compliance with established safety and occupational health criteria.

The appellant's position does not meet Level 2-3. Although he works independently in carrying out recurring assignments, he receives closer initial guidance on work projects than described at Level 2-3. Unlike the higher level, when unusual safety situations or hazards occur he consults with the supervisor on approach to determine the most acceptable method or standard to apply. In addition, his completed work receives closer technical review than work described at Level 2-3 to ensure it complies with instructions and accepted safety and occupational health practices and procedures.

This factor is evaluated at Level 2-2, and 125 points are credited.

Factor 4, Complexity

This factor covers the nature, number, variety, and intricacy of tasks, steps, processes, or methods in the work performed; the difficulty in identifying what needs to be done; and the difficulty and originality involved in performing the work.

At Level 4-3, assignments consist of a variety of duties requiring the application of different safety and occupational health methods, techniques, and procedures to complete. Typically, the unsafe acts, hazardous environmental conditions, or safety and occupational health problems encountered are conventional in nature. At this level, safety and occupational health inspections include business firms with stable work processes and small storage facilities where hazardous materials are placed. Work assignments at this level require the identification of elements contributing to human and machine failure which may lead to injury or property damage. The degree of exposure to a hazard and the duration of such exposure experienced by individuals must be accurately assessed. Established methods, practices and procedures, requiring only minor changes, are selected and applied to control or eliminate potential or existing hazards.

At Level 4-4, assignments cover a wide range of work operations and environmental conditions involving a substantial number and diversity of hazards; or a wide variety of independent and continuing assignments in a specialized area of safety and occupational health which have exacting technical requirements. The safety and occupational health specialist evaluates a variety of complex, interrelated physical conditions, operating practices, hazardous human-machine interaction, and serious mishaps. At this level, assignments require analysis of unconventional safety and occupational health problems or circumstances, inconclusive facts or data and are characterized by the uncertainty of accepted control or abatement methods which are available for selection and use. The nature of the hazards is such that generally no single approach is adequate to control or eliminate a given problem; rather, the adaptation of proven safety and occupational health techniques is necessary. The work typically requires interpretation of a variety of occupational circumstances to adapt known control or protective measures to eliminate or minimize hazardous situations.

The appellant's position meets Level 4-3. Like Level 4-3, the appellant's assignments cover a range of work operations and environmental conditions requiring him to apply different safety and occupational health methods, techniques, and procedures to complete them. Typically, the unsafe acts, safety and occupational health problems, or hazardous environmental conditions encountered are low to normal safety risks. These include conducting fire and safety surveys to identify common hazards and assess risk potential; inspecting nursing and residential care homes to ensure compliance with the Life Safety Code; inspecting facility construction worksites for common hazards; and investigating fires, personal injuries, and vehicle accidents to determine factors and causes. Similar to Level 4-3, these installation and off-site inspections and surveys involve stable work processes, conventional hazardous materials, and identifying common elements contributing to human and machine failure which may lead to injury or property damage.

The appellant's position does not meet Level 4-4. Unlike this level, he is not confronted with a wide range of work operations and variety of complex and interrelated physical conditions which involve a substantial number and diversity of high-risk hazards. Unlike Level 4-4, the appellant does not deal with a broad spectrum of complex, interrelated conditions, including human-machine relationships which could result in serious mishaps. While he is responsible for identifying, evaluating, and controlling numerous conventional safety hazards, and ensuring agency compliance with safety standards and regulations, in contrast to Level 4-4 his assignments do not require analysis of unconventional safety and occupational health problems which present inconclusive facts or data characterized by uncertainty of accepted abatement or control methods. Unlike Level 4-4, the nature of hazards he encounters are generally dealt with through application of a single, standard and accepted approach to control or eliminate the problems; and there is no need to significantly adapt or interpret proven safety and occupational health techniques to resolve the issues.

This factor is evaluated at Level 4-3 and 150 points are credited.

Summary of FES factors

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. <i>Knowledge required by the position</i>	1-6	950
2. <i>Supervisory controls</i>	2-2	125
3. <i>Guidelines</i>	3-3	275
4. <i>Complexity</i>	4-3	150
5. <i>Scope and effect</i>	5-3	150
6. <i>Personal contacts</i>	6-3	60
7. <i>Purpose of contacts</i>	7-3	120
8. <i>Physical demands</i>	8-2	20
9. <i>Work environment</i>	9-2	<u>20</u>
<i>Total</i>		1870

A total of 1870 points falls in the GS-9 range (1855-2100) in accordance with the grade conversion table in the standard. Therefore, the appellant's position is graded at the GS-9 level.

Decision

The appellant's position is properly classified as Safety and Occupational Health Specialist, GS-018-9.