

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

Appellant: [Name of appellant]

Agency classification: Safety and Occupational Health Manager
GS-018-11

Organization: [Appellant's organization/location]
Air Force Reserve Command
Department of the Air Force

OPM decision: Safety and Occupational Health
Specialist
GS-018-11

OPM decision number: C-0018-11-04

/s/

Jeffrey E. Sumberg
Deputy Associate Director
Center for Merit System Accountability

September 12, 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).

Since this decision changes the classification of the appealed position, it is to be effective no later than the beginning of the fourth pay period after the date of this decision (5 CFR 511.702). As indicated in this decision, the appellant's position description (PD) or Core Personnel Document (CPD) is not accurate in that it discusses program management duties the appellant does not perform. Since PDs must meet the standard of adequacy addressed in Section III.E. of the *Introduction to the Position Classification Standards*, the appellant's CPD must be revised to reflect our findings. The servicing human resources office must submit a compliance report containing the corrected PD and a Standard Form 50 showing the personnel action taken. The report must be submitted 30 days from the effective date of the personnel action to the OPM office which accepted the appeal.

Decision sent to:

[Appellant's mailing address]

[Name and mailing address of appellant's representative]

[Address of appellant's servicing human resources office]

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Introduction

On February 25, 2008, the San Francisco Oversight and Accountability Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [name of appellant]. On March 10, 2008, we received the agency's complete administrative report. At the time of the initial appeal, the appellant's position was classified as Safety and Occupational Health Specialist, GS-018-11. However, effective March 16, 2008, the agency officially changed the title of the appellant's position to Safety and Occupational Health Manager as the appellant had previously requested in the original appeal to OPM. Given his current duties and responsibilities, the appellant believes his position should be upgraded to the GS-12 level. The appellant works in the [appellant's work organization and location], Air Force Reserve Command (AFRC), Department of the Air Force (AF). We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

General issues

Both the appellant and his supervisor have certified to the accuracy of the appellant's official, standard CPD [number]. However, we find the CPD is inaccurate because it references planning, directing, coordinating and evaluating activities relating to the "overall management" of a component of the safety program. As discussed later in this decision, the appellant is not responsible for managing the weapons safety "program," an element of the entire safety and occupational health program of the local command. Rather, his duties are limited to performing the day-to-day activities of weapons safety, rather than overall management of the program. Therefore, the appellant's CPD does not meet the standard of adequacy addressed in section III.E. of the *Introduction to the Position Classification Standards*, and the agency must correct the CPD to reflect our findings.

Position information

The appellant is responsible for the safety of weapons of the local command, and the installation's tenant commands, which is a component of the overall safety program at [name of appellant's installation]. The tenant commands include the Air National Guard, the Air Marine Operations Center and [name] Air Unit, both of which are under Department of Homeland Security, and the AF Audit Agency. There are also occasions when other units, both foreign and domestic, have a need to be on the installation. In such instances, the appellant is responsible for addressing the safety issues regarding weapons and ammunition including personal safety, handling, loading and unloading, storage, and other related matters.

The appellant serves as a technical subject-matter expert concerning all aspects of weapons safety. He performs periodic inspections, evaluations, and surveys of facilities, equipment, and operations, identifying deficiencies to established weapons safety standards, and writes reports of inspection findings containing recommendations for improvements. In this capacity, he applies a comprehensive knowledge of weapons safety regulations, procedures, methods, and techniques in order to assess unit compliance with safety regulations. He is also responsible for conducting scheduled and unscheduled safety investigations of accidents and hazardous conditions, and writes reports containing his findings, required actions, and recommendations. He drafts

specialized local instructions for weapons safety; reviews and develops explosive site plans and specifications for new construction and major building alternations; and develops and provides technical safety training/instruction to supervisors, employees, and/or unit explosive safety representatives on a wide range of safety and occupational health issues. He advises management staff on matters affecting weapons and explosives transportation, storage, handling and work processes, human-machine relationships, and environmental conditions which impact the safety and efficiency of personnel exposed to weapons and explosives.

In reaching our classification decision, we have carefully reviewed all information furnished by the appellant, his representative, and his agency, including the official CPD which, although inaccurate in referencing “overall program management,” we have nevertheless incorporated by reference into this decision. In addition, to help decide the appeal we conducted separate telephone interviews with the appellant and his supervisor, the command’s Chief of Safety.

Series, title, and standard determination

The agency classified the appellant’s position in the Safety and Occupational Health Management Series, GS-018, titling it Safety and Occupational Health Manager, and classified it by application of the GS-018 position classification standard (PCS). The appellant does not disagree with the series or title of his position. We concur with the agency’s series determination, but disagree with the title assigned to the appellant’s position.

As discussed in the general titling guidance of the GS-018 PCS, a position is titled Safety and Occupational Health Manager when duties and responsibilities include planning, directing, operating, and evaluating a safety and occupational health program for an entire agency or subordinate level, such as a bureau, command, regional, or district office or installation. The GS-018 PCS states management of a safety and occupational health program typically encompasses managing a fully developed program consisting of a broad range of sub-functions including planning, organizing, leading, controlling, and evaluating a safety and occupational health program as defined below:

- planning requires conceiving and developing safety and occupational health program elements;
- organizing involves the coordination of safety and occupational health activities through the development of appropriate organizational structures;
- leading entails initiating and interpreting program goals;
- controlling involves the setting of program priorities, review of the content of internal and external communications, and correction of program deficiencies; and
- evaluating involves the collection, analysis and utilization of data related to accidents, injury and property losses, and program accomplishment to determine areas where improvement is needed.

Inherent in program management is advising top management of appropriate measures and alternative courses of action which will achieve mission goals with minimum risk of injury to personnel and damage to property. This involves formal issuance of directives, regulations, and manuals concerning safety and occupation health program operations. Other responsibilities

associated with safety manager positions include appraising the degree of program compliance with applicable laws, rules and regulations, assessing achievements, and recommending new procedures.

The title Safety and Occupational Health Specialist is used for non-supervisory positions at the GS-12 grade level or below assigned a number of safety program elements (i.e., inspecting, investigating, recording, analyzing, reporting, training), or responsibility for providing administrative and technical services to management representatives and employees. Specialists work with supervisors, union officials, and safety and occupational health committees to eliminate or control hazardous operations or conditions. They must have knowledge of safety and occupational health methods, practices, principles, and procedures to perform effectively. Their work in the safety and occupational health area is also characterized by the need to develop educational material and techniques, and they often promote a wide variety of training activities designed to achieve awareness of safety hazards and corresponding preventive procedures.

Neither the scope of the appellant's assignments nor his degree of authority is indicative of Safety and Occupational Health Manager positions. The primary focus of his position is on carrying out the day-to-day activities necessary to ensure the local command and the installation's tenants are complying with both Department of Defense and AF regulations and procedures regarding weapons safety. Like a Safety and Occupational Health Specialist, he conducts inspections and surveys of units to identify hazards, detect risks, and develop abatement procedures to ensure compliance with weapons safety and occupational health standards; investigates accidents and reports findings; records and analyzes safety data to develop an accurate picture of the status of weapons safety, and makes recommendations to eliminate or minimize potential losses from injuries and illnesses; writes supplements to agency instructions for local application; reviews and develops explosive site plans and specifications for new construction or building alterations; develops and presents technical safety training and instruction to supervisors, employees and unit explosive representatives on a wide range of safety and occupational health issues; serves as an advisor to supervisors and employees on weapons safety issues; and prepares periodic reports for the command's Chief of Safety evaluating the status of weapons safety and related occupational health at the installation.

Unlike a Safety and Occupational Health Manager, the appellant does not have overall responsibility to plan, organize, direct, coordinate, operate, and evaluate the weapons safety program or the local command's overall safety and occupational health program. Those tasks are the sole responsibility of the Chief of Safety who manages and oversees all components of the overall local command's safety program, which is divided into three subject-matter areas covering ground, weapons, and flight safety. Although each area has a designated safety position to perform daily safety functions, the Chief of Safety is charged with directing, monitoring, and coordinating the entire safety program. The Chief of Safety reviews overall safety plans and individual subject-matter programs; reviews new or revised safety guidance, discussing the impact on operations with subordinate safety staff; determines the need for local supplements to higher level guidance; generally oversees implementation of the unit safety training program; coordinates new or revised safety guidance with affected unit organizations; reviews the results of assigned periodic inspections, evaluations, and surveys of facilities, equipment and operations, and approves recommendations regarding the best procedures for

controlling or eliminating hazards; establishes and monitors achievement of annual safety program goals, plans (e.g., program budget, training) and priorities; and initiates appropriate safety program improvements based on findings from reviews and formal reports.

Given the preceding analysis, we find the scope of the appellant's duties and responsibilities is typical of positions titled Safety and Occupational Health Specialist. The GS-018 PCS contains appropriate grading criteria for evaluating positions in that 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 3-3 and 5-3 of the PCS. He agrees with the assignment of Levels 1-7, 2-4, 4-4, 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 two factors in dispute follows.

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment needed to apply them.

At Level 3-3, the safety and occupational health specialist uses a variety of guidelines including Executive Orders, State and municipal codes, Occupational Safety and Health Administration (OSHA) standards, agency manuals, procurement contract clauses, safety council reports, national safety association publications, and manufacturing association criteria. The work assignment typically requires independent interpretation, evaluation, selection, and application of guidelines to specific situations including modifications and adaptations when necessary. In addition, judgment frequently must be exercised in applying standard hazard control or elimination practices to different situations.

At Level 3-4, available guidelines tend to lack specificity for many applications such as departmental or agency policies, recent developmental results, and findings and approaches of nationally recognized safety and occupational health organizations. These guidelines also are often insufficient to resolve highly complex or unusual work problems such as determining the potential hazard of detonating various experimental explosive devices in a research and development environment. The safety and occupational health specialist must modify and extend accepted principles and practices in the development of solutions to problems where available precedents are not directly applicable. Experienced judgment and initiative are

required to evaluate new trends for policy development or for further inquiry and study leading to new methods for eliminating or controlling serious hazards to life and property.

The appellant's position meets Level 3-3. Like that level, available guidelines include Department of Defense directives, Air Force and [name of appellant's installation] instructions, agency directives, manuals and policies, OSHA standards, Department of Transportation standards, publications of the American National Standards Institute, National Institute of Occupational Safety and Health, and National Fire Protection Association, and other recognized standards. Comparable to Level 3-3, he independently interprets and applies these guidelines to specific weapons safety situations, and must modify, adapt, and supplement them to local circumstances as necessary. Judgment is needed in applying standard hazard control or elimination practices to differing situations, e.g., determining safe methods for use of ground burst simulators for exercises, and air show pyrotechnics.

The appellant's position does not meet Level 3-4. Unlike that level, his guidelines are more definitive and specific than those described at Level 3-4. Because he is not faced with the kinds of highly complex or unusual work problems described at the higher level (e.g., use of experimental explosive devices in a research environment), there is no need to significantly modify or extend accepted practices or principles. In addition, his guidelines are sufficient to enable him to write local weapons safety supplemental directives and resolve most problems encountered. Contrary to the appellant's statements, we do not find [name of appellant's installation] and its tenants present weapons safety issues which are unconventional or unique within the meaning of the GS-018 PCS. In contrast to Level 3-4, he is not involved in evaluating new trends for policy development or further inquiry and study leading to new procedures for eliminating or controlling serious hazards to life and property.

This factor is assigned Level 3-3 and 275 points are credited.

Factor 5, Scope and effect

This factor covers the relationship between the nature of the work; i.e., the purpose, breadth, and depth of the assignment, and the effect of the work products or services both within and outside the organization.

At Level 5-3, the work involves the evaluation and analysis of safety and occupational health problems, conditions, and administrative practices affecting work operations and environmental conditions. Work efforts affect the quality of surveys and inspections conducted, the adequacy of techniques applied to control or eliminate hazards and the physical safety and occupational health of employees and the general public.

At Level 5-4, the purpose of the work is to assess the effectiveness of specific programs, projects, or functions. The safety and occupational health specialist plans alternative courses of specialized action to resolve hazardous conditions and unsafe working practices. The work often involves the development of safety and occupational health criteria and procedures for major agency activities. Work products impact on: (1) a wide range of agency safety and occupational

health programs; or (2) safety and occupational health programs of large, private sector establishments.

The appellant's position meets Level 5-3. Like that level, he is responsible for conducting inspections and surveys concerning weapons safety to identify and analyze how specific activities affect work operations and environmental conditions at the installation. The scope of his work impacts the quality of his inspections, surveys, and the degree and level of data analysis, for identifying, controlling or eliminating safety and occupational health problems potentially affecting employees.

The appellant's position does not meet Level 5-4. While the primary focus of his work is weapons safety, which is one component of the command's overall safety program, unlike Level 5-4 his work does not involve the development of safety and occupational health criteria and procedures for major AF activities. On the contrary, his work efforts are limited to one element of the unit's safety program. In contrast to Level 5-4, his accident investigations, inspections and surveys, particularly those concerning the spacing, storage, handling, and transport of weapons and explosives, do not affect a wide range of the agency's safety and occupational health programs. The appellant's elevating of issues to the Headquarters, AFRC and Air Force Safety Center pointed to by the appellant in his rationale for this factor indicates these higher-level organizations retain control of and oversee the correction of issues typical of Level 5-4.

This factor is evaluated at Level 5-3 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>	1-7	1250
2. <i>Supervisory controls</i>	2-4	450
3. <i>Guidelines</i>	3-3	275
4. <i>Complexity</i>	4-4	225
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>		2570

A total of 2570 points falls in the GS-11 range (2355–2750) in accordance with the grade conversion table in the PCS. Therefore, the appellant's position is graded at the GS-11 level.

Decision

The appellant's position is properly classified as Safety and Occupational Health Specialist, GS-018-11.