

Job Grading Appeal Decision
Under section 5346 of title 5, United States Code

Appellant: [appellant]

Agency classification: Maintenance Worker
WG-4749-08

Organization: [name] Lake Office
[name] Area Office
Operations Division
U.S. Army Engineer District, [city]
U.S. Army Corps of Engineers
[city and state]

OPM decision: Maintenance Worker
WG-4749-08

OPM decision number: C-4749-08-02

/s/ Robert D. Hendler

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

March 18, 2009

Date

As provided in section S7-8 of the *Operating Manual: Federal Wage System*, 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 and time limits specified in section 532.705(f) of title 5, Code of Federal Regulations (CFR). Addresses are provided in the *Introduction to the Position Classification Standards*, appendix 4, section H.

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Introduction

On April 23, 2008, the Dallas Oversight and Accountability Group of the U.S. Office of Personnel Management (OPM) accepted a job grading appeal from [appellant's name]. [name] is currently assigned to the [name] Lake Office; [name] Area Office; Operations Division; U.S. Army Engineer District, [city]; U.S. Army Corps of Engineers (USACE); in [city and state]. His job is currently graded as Maintenance Worker, WG-4749-8. He believes the agency's job grading appeal decision fails to explain how the duties he performs should not be graded at a higher level. We received the agency's administrative report (AAR) and the appellant's comments on that report on June 30, 2008. We have accepted and decided this appeal under section 5346 of title 5, United States Code (U.S.C.).

Background and general issues

The appellant previously occupied a maintenance worker job at the [second name] Lake Office in [different city and state]. On December 23, 2006, he requested a desk audit of his job from his supervisor and the Operations Division Chief. The organization reviewed his official job description (JD), number [number], dated December 8, 1980, and determined it failed to adequately describe the full range of duties and responsibilities being performed. On July 10, 2007, a new JD, number [number], was issued and the appellant and other maintenance workers within the [city name] District were assigned to the new JD.

The appellant transferred to his current maintenance worker job at the [name] Lake Office on December 1, 2007. He subsequently forwarded a job grading appeal to the Defense Civilian Personnel Management Service's (CPMS) Classification Appeals Adjudication Section on December 3, 2007. Their April 4, 2008, decision sustained the grading of the appellant's job.

The appellant requested backpay, if justified. The U.S. Comptroller General states an "...employee is entitled only to the salary of the position to which he is actually appointed, regardless of the duties performed. When an employee performs the duties of a higher grade level, no entitlement to the salary of the higher grade exists until such time as the individual is actually promoted... Consequently, backpay is not available as a remedy for misassignments to higher level duties or improper classifications (Decision Number B-232695, December 15, 1989)." Reaffirmed by the U.S. Supreme Court in *United States v. Testan* (424 U.S. 372 (1976)), the Court stated, "...the federal employee is entitled to receive only the salary of the position to which he was appointed, even though he may have performed the duties of another position or claim that he should have been placed in a higher grade."

The appellant takes issue with the actions of his agency and CPMS in reviewing the grading of his job. Because an OPM appeal decision sets aside any previous agency decision, the agency's job grading practices are not germane to the job-grading appeal process. The job grading appeal process does not extend to issues of criminal law or investigating the motivation of individuals as the appellant appears to believe. Whether the agency has violated its negotiated agreement with the union covering the appellant also is not germane to the job grading appeal process. Our responsibility is to determine the actual duties and responsibilities assigned by management and

performed by the appellant and grade those duties and responsibilities by application of published OPM job grading standards (JGS) (5 U.S.C. 5346).

Integral to the appellant's rationale is that the agency has falsified his JD since the agency appeal decision found he does not perform all the duties assigned. He also appears to believe the agency assigned certain duties to affect the grading of the job.

A JD is the official record of the major duties and responsibilities assigned to a job by an official with the authority to assign work. A job is the duties and responsibilities which make up the work performed by an employee. Appeal regulations permit OPM to investigate or audit a job (5 CFR 532.705(c)), and decide an appeal on the basis of the actual duties and responsibilities currently assigned by management and performed by the employee. An OPM appeal decision grades a real operating job, and not simply the JD.

The appellant's work is excluded from the General Schedule and is covered by the Federal Wage System (FWS). FWS job grading principles and practices are contained in the *Job Grading System for Trades and Labor Occupations* and the *Operating Manual Federal Wage System-Appropriated Fund*. As discussed in the aforementioned *Operating Manual*, S6-6, a JD meets established standards of adequacy if it contains sufficient information to allow proper grading when OPM JGSs are applied. We will address the appellant's concerns regarding JD accuracy later in this decision.

Job information

Lake [name], with its surface area of approximately 89,000 acres, is the largest in the [city name] District and the twelfth largest of the USACE's lakes. Formed by [name] Dam, the lake was built for flood control, hydroelectric power generation, and recreation. It attracts more than six million visitors annually with its extensive recreational facilities including campgrounds, boat ramps, picnic areas, playgrounds, marinas, fishing docks, hiking trails, and swimming areas. The appellant and one other employee occupying an identical additional job are responsible for independently performing a variety of maintenance, operation, and repair duties at the USACE-managed park sites and facilities. Their jobs are directly supervised by the Supervisory Natural Resources Manager, YF-401-02, who is responsible for overseeing the [name] Lake Office and its staff of two GS-11 natural resources specialists, seven GS-9 natural resources specialists, three GS-9 park rangers, and one GS-6 administrative support assistant.

Under Major Duties, the appellant's JD states it is used at multiple project lake/area offices and indicates the incumbent serves as a maintenance worker and facility maintenance inspector for the office and performs a variety of maintenance, operation, and inspection duties. These include making flood releases as determined by the [city] District office; repairing and maintaining the appurtenant structures and systems of the dam; inspecting maintenance, construction, and service contracts at the dam and other facilities; and participating in the annual inspections, as required. The maintenance staff worker maintains and repairs park facilities such as public restrooms, camp sites, picnic areas, park roads, etc. Maintenance skills include, but are not limited to, those needed to perform minor electrical and mechanical work, carpentry, painting, plumbing, masonry, and welding work.

The JD goes on to enumerate four duties. These include: Duty 1- Maintenance Worker (including mechanical, electrical, welding, carpentry, plumbing, painting, maintenance of water supply and sewage facilities, and operating heavy equipment); Duty 2 - Maintenance Inspector duties; Duty 3 - Dam Operation; and Duty 4 - Vehicle/Vessel Operation. Duty 1 is allocated 70 percent of the work time while the remaining three duties are each credited at 10 percent.

Briefly, mechanical duties as described in the JD in Duty 1 include installing, maintaining, and repairing equipment such as hydraulic gates and systems, gate hoist machinery, gear boxes, cranes, elevators, sump pumps, hangers, water system pumps, and stand-by generators. The employee bolts parts and accessories to foundations, installs and repairs foundations for machinery, and connects hydraulic lines, fuel lines, lubrication systems, and other power sources prior to operation.

Electrical duties include inspecting such items as circuit breakers and fuses for proper condition and size; replacing defective breakers. The employee tightens connections in circuit breakers, distribution panels, light switches, outlets, and light fixtures; and checks for overloaded circuits using appropriate meters. The employee installs, repairs, replaces and maintains such items as damaged or worn wiring, outlets, switches, light fixtures, outlets and switch plates, and like items. He or she works on 110V - 240V single-phase and 208V three-phase circuits in accordance with the District's policy on electrical work and reports to the supervisor on the need for additional electrical work involving major repair or higher voltage circuits (440V or greater).

Welding work includes welding similar metals to fabricate or repair equipment using gas welding, electric arc welding, or brazing.

Carpentry work includes constructing, installing, repairing, or modifying items and structures such as windows, doors, screens, roofs, siding and floors on toilets, gate houses, storage building, and similar structures. The employee may build small wooden structures such as picnic tables and shelters, set forms for concrete, framework, doors, finished paneling, etc.

Plumbing work includes installation, repair, replacement, and maintenance of pipes, faucets, union joints, drains, etc.

Painting includes painting a variety of surfaces such as wood, metal, and concrete, using standard methods; ensuring surfaces are properly prepared before applying paint; and using the appropriate materials and following specific directions for each.

Maintenance of Water Supply and Sewage Facilities is described as maintaining project water supply and sewage facilities by repairing or replacing pumps, valves, faucets, broken water lines, hand pumps, and hydrants; sets pressure gauges on water pumps and pressure tanks; and collects water samples for testing. The employee maintains drawings for locations of water and sewer lines, equipment, and related items and maintains a stock of spare parts and materials for operating and emergency needs.

Heavy Equipment Operation indicates operation of one or more types of equipment such as grader, dozer, and backhoe in construction of boat ramps, roads, campsite extensions, and related facilities.

Duty 2 describes studying contracts to determine work requirements, time requirements, specifications, etc., and conducting day-to-day inspections by observing contracted services such as janitorial, waste removal, grass mowing, paving, etc. Inspections include checking restrooms, sewer fields, dump stations, minor construction, etc., observing quality of work use of proper supplies, quality of materials, timeliness and compliance with safety regulations and policies.

Duty 3 describes collecting various weather readings from instruments and reporting to the District Office. The employee makes gate settings to regulate outflow of water in accordance with regulatory requirements; inspects dam and appurtenant structures and equipment using standard checklists; performing routine maintenance and repair and reporting major equipment malfunctions to supervisor.

Duty 4 describes operation of sedans, gasoline- or diesel-powered truck or tractor trailers, fork lifts, motor boats, work barges, etc.

The supervisor certified to the accuracy of the appellant's JD, number [number], in a June 10, 2008, memorandum. He states, "Although the PD may not address each and every activity/task by name or description, it does appear to be an accurate description of the general duties typically assigned to a maintenance worker at Lake [name]." The appellant also certified to the accuracy of his JD, but his June 30, 2008, AAR comments to OPM indicate his JD includes duties he no longer performs which he states includes "Lock and Dam Operations WG-5426, Maintenance Inspector, Water Treatment Plant Operating WG-5409, and Mechanical WG-5352."

As indicated, the appellant occupies a standard JD intended to cover maintenance work in any of the project or area offices within the District. The duties described are inclusive but may not be performed at all locations, depending on the local circumstances. To help decide the appeal, we conducted telephone audits with the appellant on September 12 and 17, 2008, and interviewed his immediate supervisor on September 10. We visited a local USACE project office and toured the dam and park facilities on January 7, 2009. We also interviewed the Area Engineer and the District's Safety Officer on January 8, 2009, and the author of the *District Policy on Electrical Work Performed by Hired Labor* on January 12. While the duties performed and percentages of time may vary depending on location, we find the JD includes the major duties and responsibilities of the job, is adequate for job grading purposes when supplemented with other information of record, and we hereby incorporate it into our decision. In reaching our decision, we have carefully reviewed all the information in the written record including that provided by the appellant and the agency as well as the information obtained in our interviews.

Occupational code and title determination

The JGS for the 4749 Maintenance Mechanic occupation covers nonsupervisory work involved in the maintenance and repair of grounds, exterior structures, buildings, and related fixtures and

utilities, requiring the use of a variety of trade practices associated with occupations such as carpentry, masonry, plumbing, electrical, air conditioning, cement work, painting, and other related trades. To be placed in this occupation, the two following elements must be met: (1) the work requires the application of more than one trade practice, and (2) the highest level of work is performed in at least two of the trades involved. The appellant's job meets both criteria, as explained below, and is properly covered by the 4749 occupation. Neither the appellant nor the agency disagrees.

Jobs in the 4749 occupation, at grades 8 and below, are titled *Maintenance Worker*. This is the proper title for the appellant's job based on the grade-level analysis in the **Grade determination** section of this decision.

The 4749 JGS provides guidance as to how maintenance mechanic occupations are graded, but does not provide individual grading criteria for the various occupations included. Consequently, we have graded each of the discrete trades involved in the appellant's work by reference to the relevant occupations' JGSs to determine the appellant's highest graded work.

Grade determination

The appellant performs work in several occupations as indicated earlier. The grade level of mixed jobs, like the appellant's, is determined by identifying duties that (1) involve the highest skill and qualification requirements for the job, and (2) are a regular and recurring part of the job. Determinations of the highest skill and qualification requirements are made through comparison of each type of work performed to the occupation's JGS.

The agency's April 4, 2008, decision evaluated the appellant's job duties as follows:

- Electrician, 2805-8
- Engineering Equipment Operating, 5716-8
- Plumbing, 4206-7
- Welding, 3703-8
- Carpentry, 4607-7
- Painting, 4102-7
- Motor Vehicle Operating, 5703-5

The appellant believes all the duties above warrant higher grade levels, but he specifically said his 2805, Electrician, and 3703, Welding, work is properly graded at the 10 level.

We reviewed the agency's evaluation of the appellant's 4102 Painting work, concurred, and credited the job accordingly. We will not discuss this work further as it clearly does not constitute the job's highest skill and qualification requirements nor does it occupy a significant portion of the appellant's time. Instead, the appellant estimates spending approximately 35 percent of his time performing electrical work, 25 percent on operating engineering equipment, 20 percent on plumbing work, and the remaining 20 percent evenly split between carpentry and welding work. Therefore, our evaluation will focus on these particular occupations in addition to his motor vehicle operating work.

Each occupational JGS evaluates work through four factors (i.e., *Skill and Knowledge, Responsibility, Physical Effort, and Working Conditions*). The factors provide a framework within which an occupation is structured as well as specifically applicable criteria for evaluating the level of work. Typical of many higher-graded trades and crafts jobs, the *Physical Effort* and *Working Conditions* factors are identical at all JGS-defined levels. These two factors generally have grade-level significance only for lower-graded jobs; e.g., heavier physical demands help distinguish between 3502, Laboring, work at grades 2 and 3. As a result, we will discuss these two factors only if relevant to the appellant's work evaluation.

Evaluation using the Electrician 2805, JGS

The 2805 JGS covers nonsupervisory work involved in the installation, maintenance, troubleshooting, and repair of electrical wiring systems, fixtures, controls, and equipment in industrial, institutional, office, and residential buildings, and on ships.

Skill and Knowledge

At the grade 8 level, electrical workers require knowledge of where fixtures, wiring, and controls such as light switches, circuit breakers, fuses, relays, and outlets are installed and how they operate. They have the ability to read and follow wiring diagrams specifying where wiring, fixtures, and controls are installed or are to be hooked up and show the type of wiring, fittings, and equipment installed or to be used. Grade 8 electrical workers have skill in removing and replacing fixtures and controls, and making repairs such as tightening connections, wrapping exposed wiring with insulating tape, and soldering loose wire leads to contact points.

At the grade 10 level, electricians require knowledge of the operation and installation of a variety of complete electrical systems and equipment. Grade 10 electricians have a greater knowledge than grade 8 workers about how various circuits, equipment, and controls operate, fit, and work together. They have the ability to interpret and apply the National Electrical Code, local codes, building plans, blueprints, wiring diagrams, and engineering drawings, and to use trade formulas to calculate common properties and length in single and multiple raceways, conduits, gutters, and cable trays. They are skilled at using hand tools; power tools such as cable pullers, hydraulic benders, and pipe threading machines; and a wide variety of test equipment.

The primary purpose of the appellant's electrical work is to repair and maintain electric equipment and systems. His work is similar to the grade 8 level in that it involves removing, replacing, tightening, splicing, soldering, and insulating defective wiring, controls, equipment, and fixtures on wiring, burnt out switches and relays, loose connections and fittings, and damaged light fixtures. Specific work assignments include inspecting circuit breakers and fuses for condition and size; tightening connections in breakers, distribution panels, light switches, outlets, and like items; and, if warranted, replacing worn or defective wiring, switches, relays, outlets, and breakers. As at the 8 level, the appellant uses diagnostic and troubleshooting knowledge and skills to identify and repair devices, and test circuits to see if they are complete after making repairs. This work requires using a variety of test equipment in isolating and diagnosing the problem area. Test equipment examples include an ammeter, voltmeter, meggers, circuit tracers, line detectors, and probes. The appellant also uses the typical tools of the

electrician's trade such as cable cutters, socket sets, conduit benders, saws, drills, hammers, etc. This work meets the 8 grade level.

The appellant's electrical work falls short of the grade 10 level. With duties clearly oriented towards a replacement or maintenance nature, the appellant's work involves maintenance and repair of light switches and fixtures for park facilities, electrical power access for campsites, repairing or replacing power pedestals damaged by vehicles or mowers, repairing or installing water heaters in shower areas, etc. Unlike the 10 level, the appellant's work does not require applying the full range of knowledge and skills in planning, laying out, modifying, and installing the routing, placement, and arrangement of industrial or similarly complex systems. Furthermore, in accordance with the District's policy on electrical work, the appellant performs work limited to 110 to 240 volts single-phase and 208 volt three-phase circuits. Jobs involving higher voltage circuits are referred to the supervisor for availability of powerhouse electricians or contractors. This factor is credited at the grade 8 level.

Responsibility

At the grade 8 level, a higher-graded worker or supervisor plans, lays out, and assigns work orally or through work orders and wiring diagrams. The grade 8 electrical worker selects tools, decides on methods and techniques to use, and carries out the work with little check during its progress. If unusual problems arise or if installation or repair of unfamiliar or complex industrial electrical systems is assigned, a supervisor or higher-graded worker provides advice and checks to see that completed work meets requirements.

At the grade 10 level, electricians complete installations, modifications, and repairs, and load and test systems, circuits, equipment, and controls with little or no check during the progress or upon completion of work. The supervisor checks overall work to see that it meets accepted trade standards and is completed in a timely manner.

The appellant's work meets the grade 8 level. Similar to this level, the appellant works independently in determining the layout, work sequences, and material requirements for each task. This requires reading and following wiring diagrams specifying where wires, fixtures, and controls are installed; measuring, cutting, and bending wire and conduit to specified lengths and angles; and using various tools such as screwdrivers, wire cutters, wire connectors, test equipment, etc. The appellant receives work assignments from his supervisor and through work orders, but he will report the need for major repairs to his supervisor.

The appellant's work does not meet the 10 level. Although functioning with little or no direct supervision, the appellant works in accordance with accepted trade practices and agency instructions. He does not lay out complex systems as expected at the higher level. This is not part of his organization's regular and recurring mission work. As a result, he does not deal with the variety of issues or exercise the greater judgment and independent action over work found at the 10 grade level. This factor is credited at the grade 8 level.

The appellant's electrical work is properly evaluated at the grade 8 level.

Evaluation using the Engineering Equipment Operating, 5716, JGS

The 5716 JGS is used to grade work involving the operation of gasoline or diesel powered engineering and construction equipment with wheeled or crawler type traction.

Skill and Knowledge

At grade 8, operators are required to know how to use the different sets of controls or operation of the equipment and attachments and be skilled in handling these controls, requiring good hand, foot, and eye coordination. Work is generally done on flat or rolling terrain, refuse dumps, and construction sites with simple terrain problems. The operators are required to have a basic knowledge of the soil and features of the terrain to determine the proper approach according to the condition of the surface and subsurface. The operators must be able to move the equipment about in confined areas.

At grade 10, operators have more skill than at the 8 level in order to grade surfaces to rough or fine specifications by adjusting attachments while the vehicle is in motion and on all types of terrain, including mountains and steep slopes, graded curves and shoulders, rocky or soft ground, hilly forests, and other similar rough terrain features. In addition to hand, foot, and eye coordination required at grade 8, good depth perception and a high degree of concentration are required to perform the operations necessary to grade the surface.

The appellant's work meets the 8 level. Similar to the 8 level, the appellant operates one or more types of heavy equipment to perform limited construction, maintenance, or repair work. The lake office has a D-7 track loader, a D-4 skid loader, a Bob Cat, a backhoe, two dump trucks (a six and a sixteen yard), and a grader assigned. He uses the equipment, with its assortment of attachments, to push, pull, pile, load, level, and clear earth, gravel, or brush; dig trenches; back fill; or grade dirt roads. Usual tasks include refurbishing or rebuilding boat ramps, grading roads, leveling campsites, digging and backfilling trenches to drain ditches or to service and replace water, electrical, or sewage lines; remove trees; and occasionally planting flower beds. He also fills eroded areas on the culverts and dike areas around the dam and in the park. This work requires knowledge and skill at using the controls and the various attachments to operate equipment, as well as basic knowledge of the terrain features to help determine the safe and proper approach as dictated by the surface and subsurface. The appellant also performs basic preventive maintenance and minor repair on equipment (e.g., lubricating, cleaning, replacing parts, etc.). This is a match for the 8 level.

The appellant's work does not meet the grade 10 level. Unlike this level, the terrain where the appellant typically operates equipment is not equal to the severity intended in the JGS of mountains, hilly forests, and steep slopes. The appellant disagrees, providing pictures, as part of his AAR comments, to support his argument that he operates equipment on steep slopes and near buildings, drop-offs, trees, and other obstructions. Their presence, alone, would not automatically credit a job at the grade 10 level. Instead, it is by considering if and how the obstructions impact the job's responsibilities. When operating equipment, the appellant has to be attentive and careful in maneuvering on and around steeper slopes, or working in close proximity to buildings, drop-offs, and other obstacles. Considering the tasks he typically performs, as

described above, it is evident most of the appellant's work is performed on flat or rolling terrain rather than the mountains, hilly forests, and steep slopes described at the 10 level. Furthermore, we find the topography where the appellant performs these functions is not mountainous within the meaning of the 5716 JGS and does not entail the full range of conditions envisioned at the grade 10 level as would be found in and around mountain ranges in various sections of the United States. This factor is credited at the grade 8 level.

Responsibility

At grade 8, operators follow oral instructions or written work orders concerning the location of the job and the work to be done. The work is performed largely without direct supervision.

At grade 10, operators follow oral instructions or written work orders as described at grade 8. However, operators perform the more difficult tasks of rough grading the earth to the general contour desired as well as fine surfacing on flat or rolling terrain. Work is performed without direct supervision. The responsibility for the safe operation of the equipment and for seeing that the equipment is not damaged is greater because of the requirement to work on rough terrain.

The appellant's work meets the grade 8 level. Similar to this level, the appellant follows oral or written orders concerning the work to be done, and he performs the work mostly without supervision.

The appellant's work fails to meet the grade 10 level. His typical tasks include preliminary digging to locate, repair, and replace underground water, sewage, electrical, and sprinkler system lines; leveling campsites and parking lots; repairing sidewalks; removing trees; building or replacing berms; and planting flower beds. This work, unlike the 10 level, does not require regularly working on rough terrain where circumstances make safe operation of the equipment more difficult. This factor is credited at the grade 8 level.

The appellant's engineering equipment operating work is properly evaluated at the grade 8 level.

Evaluation using the Plumbing, 4206, JGS

This JGS is used to grade nonsupervisory work involved in installation, modification, and repair of utility, supply, and disposal systems, fixtures, fittings, and equipment such as sewage, water, gas, and oil lines, compressed air, vacuum, and acid systems, water closets, water heaters, hydrants, valves, and pumps.

Skill and Knowledge

At grade 7, plumbing workers apply knowledge of standard plumbing methods and techniques. They are skilled at removing, cleaning, reinstalling, or replacing joints and fixtures, in addition to skill at hooking up equipment like water heaters and disposal units to installed systems. Workers at this level apply basic math skills to use tools and equipment.

At grade 9, plumbers apply knowledge of how various supply, disposal, and utility systems and equipment, such as water and gas systems, fire sprinkler equipment, and water closets, are installed and operated. They have the ability to plan and lay out the installation and modification of various systems and equipment; e.g., the routing, openings, slant, and level of gas and water lines, and the location and arrangement of water closets, sinks, and fire sprinkler equipment.

The appellant's plumbing work meets the grade 7 level. Briefly, each of the lake's 10 Class A parks include at least one waterborne toilet with four to six shower stalls, one urinal, three toilets, and a 60- to 80-gallon hot water tank with a two-pump sewer lift station to drain sewage into a lagoon. The appellant's duties include repairing, replacing, or maintaining these facilities along with over 500 water hydrants and 100 miles of water pipeline with mains approximately six inches in diameter. Like the 7 grade level, he performs work as part of a regular maintenance schedule or when problems occur. The work involves routine and preventative maintenance and repair work on existing and relatively non-complex systems. This requires using a variety of hand and power tools common to plumbers such as wrenches, tapes, pipe wrenches, hacksaws, pipe threaders and cutters, packing and caulking irons, plumb bobs, toilet ("closet") augers, rules, reamers, etc., in addition to the picks and shovels used to break up dirt and concrete for digging and filling ditches when working on underground water and sewer lines.

The appellant's plumbing work falls short of the grade 9 level. For example, he is not expected to plan and lay out the routing, placement, slant, fall, and proper location of plumbing systems and equipment to ensure the system is functioning correctly, is in compliance with local building codes, etc. The appellant determines the tools, equipment, and supplies necessary for each task. Regardless, the difference between the grade 7 and 9 levels lies primarily in the greater knowledge of operating various systems and how they are placed, slanted, and sloped. Unlike the grade 9 level, the appellant's work does not require this knowledge or ability to plan and lay out the installation of various systems and equipment. This factor is credited at the grade 7 level.

Responsibility

At grade 7, plumbing workers are assigned work orally or through work orders and sketches providing specific information on the work to be performed. They install equipment, such as water heaters and disposal units, and replace sections of pipe and tile by following previously used routes, openings, hangers, and levels and reconnecting equipment units to already-installed systems.

At grade 9, plumbers are assigned work orally, and through work orders, building plans, and blueprints. The supervisor checks the plumber's overall work for accepted trade standards. The plumbers complete installations, modifications, and repairs with little or no check during their progress or upon completion.

The appellant's work meets the grade 7 level. Typical tasks include testing for leaks; clearing stoppages in drain pipes; disassembling and repairing damaged sections; rebuilding water heaters and shower valves; flushing the valve system; or repairing and replacing toilets, faucets, sinks, shower stalls, tiles, showerheads, etc. The appellant's AAR comments incorporated several pictures of the lake's existing plumbing facilities (e.g., of a pipe chase, flush valve, shower stall,

control valve, hot water tank, urinal, sink, commode, etc.). Since the lake hosts more than six million visitors annually, the appellant regularly inspects, repairs, and maintains these USACE-managed plumbing facilities. Like the grade 7 level, this work may involve replacing the equipment already in place, such as water heaters and sections of pipe and tile, by following previously used routes, openings, hangers, and levels, and then re-connecting units to already-installed systems.

We understand the appellant works from blueprints, work orders, sketches, plumbing guides, and manufacturers' instructions to independently plan and complete plumbing repairs, maintenance, and modifications. He also determines if parts/fixtures should be repaired or replaced with new ones (with the supervisor maintaining funding control), and obtains necessary replacement parts including unions, traps, and elbows. The supervisor may advise the appellant on the style of a replacement toilet, urinal, sink, shower, hot water tank, or hand dryer. However, his work does not involve complete installations (i.e., the planning and laying out of the routing, placement, slant, fall, and proper location of plumbing systems), modifications, and repairs anticipated at the grade 9 level. This factor is credited at the grade 7 level.

The appellant's plumbing work is properly evaluated at the grade 7 level.

Evaluation using the Welding, 3703, JGS

This JGS covers nonsupervisory work of welding metals and alloys. It requires a knowledge of electric, gas, and other welding processes and the skill to apply these processes in manufacturing, repairing, modifying rebuilding, and assembling metal parts, equipment, and structures.

Skill and Knowledge

At grade 8, welding workers apply skill and knowledge in setting up and operating various electric resistance welding machines, or to use one or more manual welding processes to weld parts made of commonly used metals. Welding workers ensure proper spacing, pressures, and heat cycles when operating electric resistance welding machines. At the grade 8 level, welding workers apply skill in using jigs and fixtures and in clamping pieces together to assemble and set-up the parts to be welded.

At grade 10, welders apply skill and knowledge of a wider range of manual welding processes and make more difficult welds. For example, the welders use gas welding torch processes such as oxyacetylene, oxyhydrogen, and other industrial gases. The arc processes used involve methods such as gas metal-arc, gas tungsten-arc, gas carbon-arc, plasma-arc, and atomic hydrogen welding. Welders at this level apply knowledge of welding standards and how various metals and alloys react to different welding processes and techniques. They weld metal parts and structures varying in size, shape, and thickness from very thin to very thick requiring multiple welding passes, and weld dissimilar metals such as copper to steel.

The appellant's welding work meets the grade 8 level. The appellant said he completes an average of two to four welding jobs a month. Similar to this level, this work includes items such as making repairs on security gates and fences, playground equipment, backhoe buckets, etc. He

also uses MAPP gas, a liquefied petroleum gas mixed with methylacetylene-propadiene, to solder copper plumbing pipes. Like the grade 8 level, this work requires practical knowledge and skill in using manual welding processes (e.g., shielded metal arc welding) and semi-automatic and automatic processes (e.g., metal inert gas welding) to weld commonly used metals. In oxy-fuel cutting, the appellant wields a torch to heat and cut through metals. He controls the torch or electrode when welding manually to prevent burning of metals and to obtain the desired penetration and dimensions.

The appellant believes his position warrants a higher grade level, in part, because he welds in difficult positions. The grade 10 level discusses welding in flat, horizontal, vertical, and overhead positions. Even so, welding in a variety of positions will not, alone, warrant crediting the appellant's work at a higher level. Rather, it is the combination of knowledge, skills, and responsibilities required by the job. In this instance, we found the appellant's work does not involve the knowledge and skills associated with the 10 level; e.g., his work does not typically involve welding dissimilar metals such as copper to steel as specifically discussed in the published JGS. Additionally, his work does not involve making difficult welds requiring meeting close tolerance, strength, and other like requirements. This factor is credited at the grade 8 level.

Responsibility

At grade 8, welding workers perform work on the basis of written or oral instructions from the supervisor, and blueprints, sketches, and work orders clearly showing what is to be done. Work is spot-checked during its progress, with the supervisor advising on unusual problems and checking the overall work for adequacy.

At grade 10, welders perform more difficult welds including those in hard to reach places that must meet close tolerance, strength, and other requirements. The work is done with little or no in-progress check with final products reviewed to see that completed welds are free from cracks, slag, or other defects, and meet specifications and accepted trade standards.

The appellant's work meets the grade 8 level. Similar to this level, his work originates from his supervisor, other lake staff, or from his own observation. He determines the welding techniques to be used, assembles and sets up the parts to be welded, and follows conventional shop practices. The appellant's work is neither inspected in progress nor subject to review upon completion. This limited oversight of the appellant's work reflects a more limited supervision than that anticipated at the grade 8 level. However, because the appellant does not perform the full range of grade 10 welding work as discussed previously, he does not deal with the variety of issues and does not exercise the greater judgment and independent action over work found at the grade 10 level. This factor is credited at the grade 8 level.

The appellant's welding work is properly evaluated at the grade 8 level.

Evaluation using the Carpentry, 4607, JGS

The 4607 JGS covers work in constructing, altering, maintaining, and repairing buildings, structures, partitions, panels, tool cabinets, work benches, and other items using wood, wood substitutes, and composite building materials. This work requires knowledge of construction and repair techniques; type, grade, and working characteristics of the materials such as strength and applications, and skill in operation of hand and power tools and equipment.

Skill and Knowledge

At grade 7, carpentry workers have a working knowledge of woodworking techniques and basic shop mathematics, and are skilled in using measuring tapes, squares, levels, and other carpentry tools to plan, lay out, measure, cut, construct and install materials according to dimensional requirements and specifications. They are skilled in using and operating a variety of hand and power tools. They are able to work from sketches, work orders, basic blueprints, and instructions which are complete in terms of type of job required and materials and methods to be used. At this level, workers may construct or repair frame structures, decking, partitions, shelving, doors, siding, etc. The finished appearance of work products is not the primary consideration.

At grade 9, carpenters have a thorough knowledge of wood and wood substitute materials, and construction techniques. They are also able to interpret complex instructions, sketches, blueprints, and building codes. They use advanced shop mathematics to plan, compute, and lay out more complex and exact projects with features such as arcs, tangents, and circles. Carpenters at this level are skilled in setting up and operating the full range of industrial woodworking and related machinery. At this level, workers may construct and repair a wide variety of items such as rafters, concrete forms, walls, staircases, door and window frames, interior and exterior trim, book cases, equipment cabinets and items requiring precise fits and dimensions.

The appellant's carpentry work meets the grade 7 level. As is typical of this level, his current tasks include primarily the repair of doors, frames, and latches; picnic and group shelter roofs and tables; gatehouses; storage buildings; etc. The appellant indicated many of the picnic shelters and tables at the lake area are metal rather than wooden. He uses a variety of tools and equipment (e.g., table saw, band saw, radial miter saw, drill press, chop saw, etc.) and works with a variety of materials. Similar to the grade 7 level, his work requires interpreting drawings and specifications as described by work order requests.

The appellant indicated that during his employment with the Corps, he has built such things as gate shacks, storage rooms, bathrooms, kitchens, camp pads, shops and office rooms, remodeled a project office, and installed new roofs. We understand, in the past, maintenance workers completed a greater variety of construction and/or facility remodeling projects. However, the grading of jobs is based on the current duties and responsibilities assigned by management and performed by the employee (5 U.S.C. 5346(c)(1)). With reduced staffing levels, most of this more complex work is now contracted out with the lake's staff primarily limited to completing more basic repairs, comparable to the grade 7 level, and generally not involving complicated techniques, precise fit, finished appearance, etc. expected at the grade 9 level.

The appellant completes carpentry projects as a hobby, and he may personally possess the knowledge and skills required to perform higher level work. The appellant said the Lake's carpentry shop includes a variety of industrial woodworking tools, as listed above, and also a sander and router with common bits to create functional and decorative joining techniques including dovetail, rabbeting, half lap, and miter joints. He believes this equipment is indicative of knowledge and skills beyond the grade 7 level. Nonetheless, the appellant's carpentry work at the lake falls short of that described at the grade 9 level. That work, with its distinct emphasis on function over form, requires less shaping and contouring and is generally less polished, less intricate, and less precise than that expected at the higher level. The simplicity of carpentry projects is not a product of the appellant's skill level, but rather a result of the Lake's rustic, park environment. This factor is credited at the grade 7 level.

Responsibility

At grade 7, carpentry workers perform work under general supervision with assignments received orally or through work orders, sketches, or basic blueprints. They select the proper tools to be used and determine methods and techniques based on established practices or specific instructions from the supervisor or a higher-graded worker. Work is spot-checked in progress and checked upon completion to ensure requirements have been met in terms of fit, dimension, structural integrity, and other required objectives.

At grade 9, carpenters lay out work, determine material and equipment needs, and plan and accomplish a wide range of work sequences ranging from basic repairs to complex project segments with minimal supervision or review of work in progress. They accomplish all phases of work independently including work requiring close tolerances, precise fit, and a finished appearance. Review of work is primarily for compliance with building codes, objectives, timeliness, and workmanship quality.

The appellant's work meets the grade 7 level. As is typical of this level, the appellant lays out his own work, determining what materials and equipment are needed. This requires interpreting drawings, blueprints, or specifications as indicated by the work request. He will then measure and cut materials to the required lengths and dimensions, and planes and sands finished work whenever necessary.

In contrast with the 9 grade level, the appellant's carpentry work is more straightforward than that expected at the higher level. For example, he is not responsible for working with the demands of an end user, requiring he independently sketch and lay out proposed projects, plan and complete work sequences, and finish work projects where exact joints and minimal margins of error are critical to satisfy end users. This factor is credited at the grade 7 level.

The appellant's carpentry work is properly evaluated at the grade 7 level.

Evaluation using the Motor Vehicle Operator, 5703, JGS

The 5703 JGS covers work in the operation of gasoline, diesel, or electric powered wheeled vehicles to haul cargo and fuel, transport passengers, or tow or recover equipment. It describes work ranging from grade 4 to the grade 8 level.

The appellant's **Vehicle/Vessel Operation** duties (Duty 4) include operating pick-up trucks, a one-ton flat bed truck, track and skid loaders, Bob Cat, and two dump trucks in performing his work. The dump trucks, with a gross weight capacity of 38,000 and 52,000 pounds, are operated primarily along with the backhoe while plumbing work is done to repair water and sewer lines within the lake area and to move sand, gravel, fill material and rip rap. He may on occasion, use a dump truck with a trailer to transport the front end loader to nearby lakes for use at that location. This is not considered regular and recurring work and will not be considered in the grading of this work.

The agency evaluated the appellant's work in this occupation at the grade 5 level. We concur for that portion of his work involved in driving pickup trucks. However, their evaluation did not consider his operation of the dump trucks discussed in the evaluation of his engineering equipment work.

Skill and Knowledge

At the grade 7 level, drivers operate such vehicles as platform trucks, fuel trucks, dump trucks, and trash removal trucks with approximate gross weights ranging from more than 26,000 pounds up to 32,000 pounds. These require knowledge to operate larger and longer vehicles than those at lower grade levels; have heavier loads to secure and control; have air brakes and are more susceptible to sliding and tipping; and are difficult to maneuver. Drivers must have skill and knowledge to operate over a variety of roads including interstate highways, narrow country roads, and on steep winding grades; and knowledge of routes which may be legally driven because of size and weight restrictions and overpass clearances.

The grade 8 level describes operating straight-in-line trucks with a gross vehicle weight of more than 32,000 pounds, and trucks with semi- and full trailers, and motor coaches. These require greater skill and knowledge in operation because of limited maneuverability, more than one body and two braking systems, or are oversized and carry large groups of people. Drivers of truck and trailer combinations must have skill to determine turning radius; backing the trailer into loading docks, between other trailers, and in narrow congested parting spaces; and applying the dual braking systems, especially on steep winding grades without causing the trailer to jack knife. Drivers at this level also require knowledge to load, arrange, and secure the cargo.

As indicated in the earlier discussion of the Engineering Equipment Operator work, the appellant drives the assigned dump trucks primarily in connection with operation of a backhoe in completion of his plumbing work and moving fill material around the dam areas. These trucks have a gross weight capacity of 33,000 and 52,000 pounds, respectively. This driving is primarily around the park areas and while the weight capacity is present, the other aspects of

difficulty do not fully meet the grade 8 level. The assignments involving operation of the dump truck alone do not approach the grade 8 level. This factor is credited at the grade 7.

Responsibility

At the grade 7 level, drivers receive instructions as to type of vehicle, destination, purpose of the trip, and any special information important to the trip. Drivers accomplish their assignments with considerable independence and are responsible for safe operation of the vehicle and equipment. At the grade 8 level, responsibility is greater because the size and type of the vehicle operated increases the tendency of the trailer to sway and the driver to lose control.

Like at the grade 7 level, the appellant completes his assignments with considerable independence. He will discuss with the supervisor as to areas which may need fill, but completes the work on his own. This factor is credited at the grade 7 level.

By comparison with the 5703 JGS, the work is graded at the 7 level.

Conclusion

The appellant's work is evaluated as follows:

- Electrician, 2805-8
- Engineering Equipment Operating, 5716-8
- Plumbing, 4206-7
- Welding, 3703-8
- Carpentry, 4607-7
- Painting, 4102-7
- Motor Vehicle Operating, 5703-7

The highest level of regular and recurring work being performed is graded at the 8 level. Therefore, the job is properly graded at the 8 level.

Decision

The appellant's job is properly graded as Maintenance Worker, WG-4749-8.