

**U.S. Office of Personnel Management
Classification Appeal Decision
Under section 5112 of title 5, United States Code**

Appellant: [appellant's name]

Agency classification: Fire Protection Specialist
GS-0081-9

Organization: [department]
[unit]
[activity]
U.S. Department of the Air Force
[installation]

OPM decision: Fire Protection Specialist
GS-0081-9

OPM decision number: C-0081-09-04

Judith A. Davis for

Robert D. Hendler
Classification and Pay Claims
Program Manager
Merit System Audit and Compliance

2/14/2011

Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), 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 (Introduction)*, appendix 4, Section G (address provided in appendix 4, section H).

Since this decision changes the factor levels credited to the appealed position, the servicing human resources office must submit a compliance report containing the revised position description within 30 days to the U.S. Office of Personnel Management (OPM) office which accepted the appeal.

Decision sent to:

[appellant's name and address]

[servicing HR office name and address]

Chief, Civilian Force Policy
1040 AF Pentagon, AF-A1PC
Washington, DC 20330

Chief, Classification Appeals Adjudication Section
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Introduction

On August 27, 2010, the Dallas Oversight of OPM accepted a classification appeal from [appellant's name]. The appellant's position is currently classified as Fire Protection Specialist, GS-081-9, but [appellant] believes it should be classified at the GS-10 grade level. The position is located in the [department], [unit], [activity], U.S. Department of the Air Force (USAF), at [installation]. We received the complete agency's administrative report on September 28, 2010. We have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

Background and general issues

The appellant filed a classification appeal with the Department of Defense (DoD) Civilian Personnel Management Service (CPMS). Their June 16, 2010, decision determined the position was appropriately classified as GS-081-9. The appellant subsequently filed an appeal with OPM.

The appellant believes he is performing work similar to other USAF positions classified at the GS-10 grade level. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM position classification standards (PCS) and guidelines (5 U.S.C. 5106, 5107, and 5112). Other methods or factors of evaluation are not authorized for use in determining the classification of a position, such as comparison to positions which may or may not have been properly classified.

Like OPM, the USAF must classify positions based on comparison to OPM's PCSs and guidelines. Under 5 CFR 511.612, agencies are required to review their own classification decisions for identical, similar, or related positions to ensure consistency with OPM certificates. Consequently, USAF has primary responsibility for ensuring its positions are classified consistently with OPM appeal decisions. If the appellant believes his position is classified inconsistently with another, then he may pursue this matter by writing to the human resources office of his agency's headquarters. He should specify the precise organizational location, series, title, grade, and responsibilities of the positions in question. The agency should explain to him the differences between his position and the others, or classify those positions in accordance with this appeal decision.

Position information

The appellant's position, titled within the Flight as Assistant Chief (AC) of Emergency Operations and Safety, is assigned to the AFB's firefighting organization. The Fire Chief (GS-081-12) is responsible for the overall management of fire protection activities, which includes operating two fire stations with a combined staff of approximately [number] military and civilian employees. The Chief directly supervises the Flight's deputy chief and five AC positions including that of the appellant. Of the four other AC positions, two are occupied by military employees (i.e., AC for Operations and AC for Training) and two are occupied by civilian employees (i.e., AC for Operations and AC for Prevention) classified as GS-081-10 positions.

The Chief's official position description (PD) details the pertinent characteristics and potential hazards of the AFB, as follows:

...consists of the [number] square mile missile complex throughout [location], [location], and [location]. The daytime population of the support base consists of approximately [number] civilian, military, and military dependents. The majority of all base facilities are of combustible construction housing approximately [number] unaccompanied airmen, and facilities are of a historical nature containing priceless and one of a kind artifacts to include the museum. Complex facilities include a warehouse with fire areas in excess of [number] square feet, fire areas housing flammable, combustible, and hazardous commodities. Other facilities include large vehicle and missile maintenance facilities, retail sales, computer rooms, industrial repair shops, hobby shops, and medical facilities. Child care facilities and youth facilities contain up to [number] children per day, exceeding [number] child hours per month. Helicopter maintenance and munitions storage facilities present unique fire protection challenges due to physical size and storage of conventional and nuclear materials. Missile launch facilities also contain highly explosive, flammable and hyperbolic propellant fuels.

The PD also describes the possible danger to the AFB from hazardous materials (HazMat), as follows:

Storage of fuels in support of helicopter and vehicle operations as well as bulk storage of liquefied petroleum gas exceeding [number] gallons liquid or [number] million gallons of vapor supports a [number] story heat plant. A major east-west railroad system traverses the width of the installation carrying the standard variety of commercial and industrial cargo including flammable liquids and gases, highly toxic caustics, radioactive materials, Class A explosives, oxidizers and corrosives. [name] passes directly adjacent to the base in excess of four miles. There is movement of approximately [number] hazardous materials shipments per day along the [name] system. The fire department must also respond to accidents involving nuclear materials along this corridor.

Briefly, the appellant's position is responsible for managing the Flight's safety and emergency response programs to include HazMat, confined space, and other specialized rescue operations. His program and the related duties and responsibilities primarily stem from the compliance requirements established by the National Fire Protection Association (NFPA) 1500, the standard for fire department occupational safety and health programs; the Occupational Safety and Health Administration (OSHA); and supplemented by DoD and USAF guidelines. The appellant estimates spending 75 percent of his time in the office on program compliance work and 25 percent in the field on emergency response work. His office and field work will be discussed in detail later in the decision.

The appellant and immediate supervisor certified to the accuracy of the duties described in the official PD, number [number]. The appellant's PD and other material of record furnish much more information about his duties and responsibilities and how they are performed. The PD is adequate for classification purposes and we incorporate it by reference into this decision. To help decide this appeal, we conducted telephone audits with the appellant on December 8, 21,

and 23, 2010; in addition to a telephone interview with the immediate supervisor on December 21, 2010. In reaching our classification decision, we carefully considered all of the information gained from these interviews, as well as the written information furnished by the appellant and his agency.

Series and title determination

The agency assigned the appellant's position to the GS-081 Fire Protection and Prevention Series and titled it Fire Protection Specialist. The appellant does not disagree and, after careful review of the record, we concur.

Standard determination

The appellant believes his AC program management responsibilities warrant evaluation under the AC grade-level criteria in Part 1, Section 3, of the GS-081 PCS (i.e., graded at two grades below the fire chief). Since unofficial titles are commonly used within organizations to refer to positions performing certain types of work or exercising particular delegated responsibilities, the AC title itself is not determinative as to whether the AC grade-level criteria is appropriate for evaluating the appellant's position.

The GS-081 PCS explains that AC positions are established within organizations in a number of ways depending on local requirements. The PCS provides examples of typical AC work; the closest example to the appellant's position relates to being in charge of overall program management for inspections, training, HazMat handling, or other programs. However, a position may be classified by applying the AC criteria only if delegated both technical and program management responsibility.

The PCS does not define "program management" responsibility as it applies to AC positions. However, OPM classification guidance establishes that an AC position exercises primary responsibility for planning, developing, implementing, reviewing, and evaluating a program. Typical program management responsibility includes: planning and scheduling work to meet program goals and general objectives established at a higher organizational level, developing recommendations to higher-level management on the level and mix of resources (e.g., staff, money, space, and equipment) needed, coordinating program activities with staff offices and with line managers to achieve mutual objectives, systematically evaluating program activities and functions to measure the effectiveness of program efforts, modifying program methods and approaches, and assessing the applicability of program objectives and recommending changes.

In addition, a program presupposes work of sufficient magnitude so that the person responsible for it must manage it with the help of various other employees, as opposed to personally performing it. A program requires employees other than, or in addition to, the AC to carry out duties. Therefore, the need to assign, direct, and review the work of other employees is an important indicator of program management responsibility. Supervisory responsibility may be a strengthening factor, but this is neither necessary nor sufficient (absent the program requirements previously discussed) to credit an AC position with program responsibility.

The appellant's duties were previously assigned to other AC positions as collateral responsibilities. The Chief subsequently created the appellant's AC position after the increasing NFPA compliance work made it difficult to perform these duties along with the ACs' other responsibilities. While the origin of the appellant's position is not relevant to determining if the AC grading criteria is appropriate for application, it does suggest carefully considering if the appellant's program is of the same breadth or depth as AC positions credited with program responsibility within the meaning of the PCS or if the work (with the essential function of ensuring the Flight's operations, training, and prevention activities comply with safety and health standards) is a component or sub-program, rather than its own separate program, of the Flight's existing core functions.

The appellant's position does not involve performing program work when only general, unspecific objectives are available. His tasks are largely driven by standards established by OSHA, NFPA, DoD, USAF, and others, which provide a framework for the Flight's safety and health programs and establish expectations for personal protective equipment (PPE), emergency operations, medical and physical requirements, facility safety, etc. The appellant completes and forwards to the Chief an annual NFPA 1500 report addressing the extent to which the Flight meets or does not meet the 378 action items identified. Although deciding whether a NFPA requirement is met is not always clear and requires making judgment calls, many of the tasks involve resolving clear-cut questions such as: has a fire department safety officer been appointed; are records on all job-related incidents maintained; and do facilities comply with all applicable health, safety, building, and fire codes. OSHA, NFPA, and other standards do not describe how the work is to be performed as that is at the appellant's discretion, but they do communicate what work is to be done.

The appellant regularly observes firefighters and inspects both fire stations to ensure operations and facilities meet all safety and health standards. He identifies and communicates all deficiencies to the appropriate supervisor or AC. His recommendations directly impact the safety and health of the Flight's staff, but this and other work does not constitute a systematic evaluation of program activities, modification of program approaches and methods, or assessment of the applicability of program objectives to recommend changes. The appellant's oversight- and inspection-type work involves performing tasks as required by program-related compliance standards. His work does not involve evaluating the program itself and if the program's approaches and methods are optimal for meeting the program's objectives.

The appellant also serves as backup for the Flight's primary credit cardholder, who is a military employee and often deployed. In this capacity, the appellant attends budget meetings and makes recommendations to the Chief on the Flight's purchase of tools, supplies, and equipment. His program work requires conducting research on various safety-regulated items to determine compliance with safety codes as well as affordability before making recommendations for the Chief's approval. The appellant occasionally requests assistance to complete immediate, short-term tasks (e.g., inventory of the Flight's HazMat substances, equipment, and response trailer), but such requests are generally granted based on the workload of available staff. This and other work, unlike AC program management criteria, does not require *developing* recommendations impacting the level and mix of staff, money, space, and equipment resources needed to manage program tasks.

The appellant's position involves coordinating work with other ACs. By coordinating with the AC for Training, the appellant ensures all firefighters complete training related to his program areas; observes and provides feedback to instructors; and occasionally provides program-related training on safety, HazMat, confined spaces, etc. In addition, his field work occasionally requires directing the work of other firefighters. After an emergency call is received, the appellant observes and ensures the firefighters are wearing the proper PPE, departing the fire station correctly, adhering to all traffic rules and laws, etc. On site, the appellant assists the Incident Commander (IC) directing the operations by observing the scene with the primary focus of evaluating any safety risks stemming from fire conditions, building stability, injury or fatigue, or HazMat conditions. He walks and observes the incident without interfering with on-going operations unless he identifies any unsafe operations requiring corrective actions. If warranted by the incident's size or severity, other employees may assist the appellant in observing any hazards or unacceptable risks to the firefighters. On those infrequent occasions, he assigns and directs the work of other individuals. Regardless, the need for additional employees to carry out the appellant's program-related compliance work, normally a strengthening factor, is weakened as it is neither a permanent nor persistent condition of his position. Therefore, we find the appellant's position does not meet the 'program management' criteria defined by OPM classification guidance, and the grade of his position may not be determined using the AC grade-level criteria addressed in the GS-081 PCS.

The GS-081 PCS describes two types of Fire Protection Specialist positions. Type A positions are responsible for developing plans, procedures, and standards for implementation at a number of operating fire departments in an organizational or geographic area. Type B positions, like the appellant's, exists within an operating fire department with full-time staff responsibility for one phase of the total fire protection and prevention program. As stated in the GS-081 PCS, Type B positions are best evaluated by application of the grade-level criteria in the classification standards for related occupations.

We find the appellant's work is best evaluated by application of the grading criteria in the PCS for Safety and Occupational Health Management Series, GS-018. The PCS covers positions that involve the management, administration, or operation of a safety and occupational health program or performance of administrative work concerned with safety and occupational health activities and includes the development, implementation, and evaluation of related program functions. Similar to the appellant's position, the primary objective of GS-018 work is the elimination or minimization of human injury and property and productivity losses.

Grade determination

The GS-018 PCS is written in the Factor Evaluation System (FES) format, under which factor levels and accompanying point values are assigned for each of the nine factors. The total is converted to a grade level by using the grade conversion table provided in the PCS. Under the FES, each factor-level description demonstrates the minimum characteristics needed to receive credit for the described level. 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 unless the deficiency is balanced by an equally important aspect which meets a higher level.

CPMS applied the grade-level criteria in the GS-018 PCS and credited the appellant's position at Levels 1-6, 2-4, 3-3, 4-3, 5-3, 6-3, 7-2, 8-1, and 9-1. The appellant's appeal rationale is that his position warrants evaluation at Levels 1-7, 2-5, 3-4, 4-4, 8-2, and 9-2. His initial request did not cite any disagreement with the agency's evaluation of either Factor 6 or 7, but the appellant later said during a telephone audit that higher levels should be assigned to those factors as well. We reviewed the agency's determination for Factor 5, concur, and have credited the position accordingly. Our evaluation will focus on the remaining factors contested by the appellant.

Factor 1, Knowledge Required by the Position

This factor measures the nature and extent of information or facts the employee must understand to do acceptable work (e.g., steps, procedures, practices, rules, policies, regulations, and principles) and the nature and extent of the skills needed to apply the 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. The employee must also have practical knowledge of the body of laws, regulations, policies, and procedures related to safety and occupational health to interpret and explain the reasons and purposes for applying measures and procedures, minimizing or abating environmental hazards. Examples of the application of knowledge at this level include: (1) the type of normal safety risks encountered are covered by standard criteria and control is achieved by application of conventional safety and occupational health methods; and (2) classroom instruction responsibilities include preparing formal training materials and communicating standard safety and occupational health techniques and steps to participants.

At Level 1-7, the work requires a comprehensive 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. Alternatively, this level requires 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. Specialists and managers at this level must have knowledge and skill sufficient to 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, and to 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. As at this level, his work requires knowledge of safety and health principles, methods, and techniques to complete recurring assignments related to controlling or eliminating unsafe physical conditions, equipment, and machine hazards, as well as risks in human performance which may cause injury to persons or damage to property. He

performs office work including, but not limited to, conducting spot checks at each fire station to observe firefighter operations and facilities; ensuring firefighters are maintaining, inspecting, and reporting issues related to care of uniforms, tools, equipment, and facilities; contacting appropriate individuals when repairs are needed; evaluating and occasionally providing training on program-related areas; ensuring firefighters successfully complete training as mandated by program requirements; maintaining and storing employee health folders; advising and coordinating with employees and others if an accident, injury, or illness occurs; researching manufacturing specifications to ensure Flight equipment is up to code and maintained properly; serving as chairperson for the biannual NFPA 1500 committee meeting to discuss Flight-related issues with other Flight, Squadron, and Wing personnel; and conducting inspections of the AFB's confined spaces, along with other members of the survey team (e.g., Wing safety and medical personnel), to ensure rescue procedures are established and adequate before workers make confined space entries. This work is characteristic of Level 1-6, requiring applying knowledge of safety-related laws, regulations, and procedures to perform recurring assignments by interpreting and explaining compliance measures (e.g., when identifying operational or facility deficiencies during spot inspections; recommending equipment by weighing specification, code requirement, and cost factors; etc.).

In support of crediting Level 1-7 regarding his field work, the appellant states:

The performance of these duties can be very complex due to the nature of many different types of Emergency Responses that I have the responsibility for as the Safety Officer... The emergency responses vary from medical calls, vehicle accidents, structural fires, confined space, HAZMAT's, specialized rescues, wildland fires, water rescues and WMD incidents. Each of these incidents requires knowledge of laws and regulations of what can be done to help someone and what type of equipment can be used for the type of operation that has to be accomplished.

The Flight responded to [number] calls for assistance in 2009, the most current year with data available for the entire calendar year. As safety officer, the appellant responds to all except the most minor incidents occurring during his shift and to significant incidents (e.g., HazMat related) occurring outside his shift. He said incidents may take anywhere from 30 minutes to several or more days to resolve. On site, he and the IC develop the site safety plan which identifies hazards, PPE, work/rest schedule, type of communication, and other site characterization details. The plan is updated as the incident progresses and serves as the basis for the safety briefings given by the appellant. He monitors firefighters for such things as compliance with fire-ground operational procedures; adherence to work/rest schedules established by medical and bioenvironmental engineer staff; signs of fatigue, stress, or injury; and adequacy of PPE. The appellant notifies the IC immediately of any hazards or unacceptable risks. He has authority, though rarely used, to suspend or remove the IC from operations to protect the firefighters' safety.

Performing field work requires extensive knowledge of the various firefighting equipment, techniques, and procedures required by the incident (e.g., HazMat incidents require different PPEs and operational procedures from that of structural fire incidents). The work also requires sufficient knowledge of fire conditions, patterns, and severity in order to assist the IC. The

appellant is considered the Flight's expert on safety-related issues, but his work does not require the comprehensive knowledge of a wide range of safety and health concepts, principles, practices, laws, and regulations. His work significantly impacts the Flight's facilities and operations. Regardless of the variety of incidents, the appellant's area of concentration is limited to the fire department setting and the related OSHA, NFPA, and agency standards guiding that type of work.

The PCS provides numerous benchmark descriptions of positions assigned to Level 1-7, e.g., a manager at a military installation administering a fully developed safety program (planning, organizing, coordinating, directing, evaluating, and budgeting) for five tenant commands with warehousing, printing, steam plant, transportation, and equipment maintenance operations. Another Level 1-7 benchmark describes a specialist at the central office of a large regulatory and enforcement agency applying a wide range of construction safety criteria (NFPA, American Society for Testing and Material, American National Standards Institute, National Safety Council, and others) to develop national-level construction standards, guidelines, and regulations to eliminate or control hazards in the construction industry. While we recognize the appellant's position operates in a different environment, his single organization (the Flight), single function (firefighting operations) focus clearly does not meet the Level 1-7 description or benchmark illustrations. The appellant's single mission and function focus does not compare favorably with or require application of Level 1-7 knowledge required by positions with multi-organizational, multi-functional focus performing complex administrative responsibilities equal to developing national-level safety standards or planning, organizing, coordinating, directing, evaluating, and budgeting an installation-level safety program.

Level 1-6 is credited for 950 points.

Factor 2, Supervisory Controls

This factor covers the nature and extent of direct and indirect controls exercised by the supervisor, the employee's responsibility, and the degree to which work is reviewed by the supervisor.

At Level 2-3, the supervisor 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.

At Level 2-4, the supervisor sets the overall safety and occupational health objectives and management resources available to achieve the expected results. Program or specialized requirements and time constraints typically are developed in consultation with the supervisor. At this level, the employee typically has responsibility for independently planning and carrying out

a safety and occupational health program or a significant assignment and resolving most conflicts and hazardous situations. The work is coordinated with principal organizational representatives, and initiative must be taken to interpret safety and occupational health policy, standards, and regulations in terms of established objectives. The course of action to be taken or methods and techniques to be applied may also be determined by the employee. The supervisor is kept informed of progress, potentially controversial safety and occupational health matters, or far-reaching implications. Completed work such as reports of program accomplishments are received only from an overall standpoint in terms of compatibility with other activities, or effectiveness in meeting safety and occupational health objectives.

The agency credited the appellant's position at Level 2-4. However, we find the position meets Level 2-3. Similar to Level 2-3, the Chief sets program expectations for the appellant, who independently plans, coordinates, and carries out the successive steps in his daily work. He normally resolves work problems or issues based on consideration of accepted safety and health requirements, formal and on-the-job training, and local standard operating procedures (SOP). The Chief, though he does not review the specific work methods used in completing assignments, reviews the appellant's work products (e.g., yearly NFPA 1500 reports, his portion of the after-incident action reports, and minutes from the biannual NFPA committee meetings) for conformity to program-related requirements as expected at Level 2-3.

The appellant's position operates with more technical independence in deciding the course of action and the techniques to apply than that normally expected at Level 2-3. To the extent possible, the PCS requires evaluating positions by considering benchmark illustrations. The PCS links Level 2-4 positions to situations where the supervisor sets general objectives and makes assignments, and the employee independently prepares and carries out program activities by coordinating with principal installation supervisors and interpreting headquarters-level policies and regulations in the performance of duties. This requires considering the appellant's degree of supervision within the context of the complexity, difficulty, and knowledge required in performing the work.

Unlike Level 2-4, the appellant's work involves performing specific tasks required by OSHA, NFPA, and other agency standards to support the Flight and its firefighting operations. The work requires communicating deficiencies and corrective actions, but his position's location within the Flight as well as his role as an AC means his instructions are generally accepted without resistance by Flight employees. The appellant does not perform work including, or equivalent to, coordinating work with principal installation supervisors (or comparable individuals), negotiating for compliance with program-related standards, or any other benchmarks describing the level of complexity and difficulty expected at Level 2-4. Since Level 2-4 is not met, FES principles preclude consideration of or the crediting of Level 2-5 as proposed by the appellant.

Level 2-3 is credited for 275 points.

Factor 3, Guidelines

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

At Level 3-3, the employee applies public laws, Executive Orders, State and municipal codes, OSHA standards, agency manuals, national safety association publications, and manufacturing association criteria. Work assignments typically require independent interpretation, evaluation, selection and application of guidelines to specific situations including modifications and adaptations when necessary.

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 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 employee 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 this level, his work involves interpreting, selecting, and applying provisions established by OSHA, NFPA, USAF, DoD, and other guidelines. The appellant uses his experienced judgment to modify and adapt guidelines if Flight employees encounter situations where guidelines do not fit. For example, he adapted local SOPs to cover incidents involving alternative fueled vehicles which require, unlike conventional fueled vehicles, considering impact of the battery pack and high voltage components on mobility, flammability, reactivity, and other factors. The appellant conducted Web site searches for technical guidance on fire attack methods developed by or communicated through fire departments, manufacturers, national safety associations, etc., applicable to the situations faced by the Flight. This is characteristic of Level 3-3.

In his rationale, the appellant states:

Everyday something new is being created or designed that affects first responders in emergency incidents so it is vitally important that I keep up with the new trends so that my safety policies and procedures keep this department and any other persons involved in an incident safe.

However, unlike Level 3-4, the appellant's work does not require applying often insufficient guidelines to resolve highly complex or unusual work problems. The PCS characterizes *highly complex* as comparable to employees, in a research and development setting, determining the potential hazard of detonating various experimental explosive devices. In contrast, the appellant adapts and modifies the Flight's local SOPs by conducting Web site research to collect information on methods and techniques developed by others, deciding which methods are appropriate to adopt locally, and communicating this information to staff. The appellant modifies local procedures, but he is not responsible for modifying and extending accepted practices with the goal of developing solutions to problems where precedents are not applicable as expected at Level 3-4.

Level 3-3 is credited for 275 points.

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, work includes various 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. Work assignments require the identification of elements contributing to human and machine failure which may lead to injury or property damage. 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 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 that have exacting technical requirements. At this level, the employee evaluates a variety of complex, interrelated physical conditions, operating practices, hazardous human-machine interaction, and serious mishaps. 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 that 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, necessitating the adaptation of proven safety and occupational health techniques.

The appellant's position meets Level 4-3. As at this level, he applies different safety and health methods, techniques, and procedures to a variety of conventional office and field work assignments. His work involves eliminating, to the extent possible, hazards with potential to cause injury or death to firefighters by ensuring the Flight's operations, facilities, equipment, etc. comply with all program-related rules and regulations. For example, the appellant researches manufacturer's specifications, publications, and other technical materials before making purchase recommendations best suited to the Flight's needs. This and other work, involving making decisions regarding what needs to be done based on an assessment of issues, is characteristic of Level 4-3.

The appellant states the uniqueness of each emergency call requires constant analysis to determine the appropriate approach, which he cites as a complicating factor supporting credit of his position to Level 4-4. He provided written input to the classifier adjudicating his CPMS appeal, and he forwarded these responses as part of his appeal request to OPM. The input describes his safety officer responsibilities during a HazMat incident including developing, implementing, and updating the site safety plan; ensuring firefighters work safely and appropriately within designated zones; verifying the IC adheres to recommended work and rest cycles; checking that firefighters use appropriate PPE; and coordinating with medical staff to

ensure firefighters and others receive required care. He states: "...the responsibilities I have listed above are in general, very similar to the responsibilities that I have at all types of Emergencies with a few differences due to the uniqueness of each incident." The appellant, for example, states he checks that firefighters are wearing the correct suit or gear which varies depending on incident type. Dealing with different emergency incidents requires considering the incident type and operational procedures to be followed by the firefighters on-the-ground. However, this does not materially impact the range, sequence, or substance of the appellant's duties. Unlike Level 4-4, the appellant's work assignments focus on the Flight's firefighting operations and do not cover a wide range of work operations involving a substantial number and diversity of hazards. The appellant's work is generally covered by NFPA, OSHA, agency, and local standards, and does not require analysis of unconventional problems or issues involving the uncertainty of the availability of guidelines; his work concerns complying with, not modifying, proven safety and health standards and techniques.

Level 4-3 is credited for 150 points.

Factor 6, Personal Contacts

This factor includes face-to-face contacts and telephone and radio dialogue with persons not in the supervisory chain.

The agency credited the appellant's position at Level 6-3, but we found the position meets Level 6-2. Similar to Level 6-2, the appellant's regular and recurring contacts are typically with USAF employees inside and outside the immediate Flight organization, are routine, and occur within a structured setting.

The appellant's position does not meet Level 6-3. His regular and recurring contacts are, in addition to Flight employees at all organizational levels, with Squadron and Wing safety, medical, and bioengineering staff; personnel from fire departments with mutual aid agreements; repair and service personnel; medical staff; etc. In contrast to Level 6-3, his regular and recurring contacts are not of a non-routine nature and with a variety of individuals (e.g., managers, administrative law and Federal judges, and professionals from other agencies or outside organizations). Contacts at Level 6-3 also include individuals such as managerial representatives of privately owned businesses, contractors and consultants, university professors, State and local government officials, representatives of professional societies and national safety associations, safety engineers, and safety and occupational health specialists from private establishments.

Level 6-2 is credited for 25 points.

Factor 7, Purpose of Contacts

This factor covers the purpose of personal contacts, which ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives.

The purpose of the appellant's contacts meets Level 7-2. Similar to Level 7-2, the purpose of the appellant's contacts is to resolve safety and health problems by planning and coordinating activities with Flight supervisors and employees to control or eliminate hazards to firefighters. As at Level 7-2, he typically works with individuals who share the same common goal and are generally cooperative.

The purpose of the appellant's position does not meet Level 7-3 where the purpose is to influence, motivate, and encourage unwilling, skeptical, and often uncooperative individuals to adopt or comply with safety and health standards, practices, procedures, or contractual agreements. Working with Flight employees in complying with safety and health standards, base counterparts in correcting safety issues identified by periodic inspections, medical personnel in coordinating care when a firefighter is injured, and others do not require influencing, motivating, and encouraging unwilling, skeptical, and often uncooperative individuals on a regular and recurring basis as expected at Level 7-3.

Level 7-2 is credited for 50 points.

Factor 8, Physical Demands

This factor covers the requirements and physical demands placed on the employee by the work assignment. This includes physical characteristics and abilities, as well as the extent of physical exertion involved in the work.

The agency credited the appellant's position at Level 8-1, but we found the position meets but does not exceed Level 8-2 where work requires regular and recurring physical exertion related to frequent inspections and surveys requiring considerable standing, walking, climbing, bending, crouching, stretching, reaching, or similar movements. There may be occasional need to lift and carry moderately heavy objects. We considered the appellant's duties and responsibilities, his official PD, and the qualification requirements for the GS-081 series to credit his position at Level 8-2. The appellant's work (as safety officer at emergency incidents, conducting confined space surveys, and inventorying of HazMat substances and equipment) requires long periods of walking, standing, bending, crouching, and occasional lifting and carrying of heavy objects as expected at Level 8-2.

The appellant occupies a GS-081 position and, like other Flight firefighters, is required to pass an annual medical examination to determine fitness for physically arduous work. In addition, his official PD, although not explicitly describing the physical demands of the work, makes various statements (e.g., "Such duties can result in extreme physical, mental, and emotional stress.") and shows the agency determined the appealed position meets criteria for rigorous positions entitled to special provisions covering early retirement of firefighters. The physical demands of the work, requiring consideration in the recruitment and retention of the position, meet but do not exceed Level 8-2.

Level 8-2 is credited for 20 points.

Factor 9, Work Environment

This factor considers the risks and discomforts in the employee's physical surroundings. Additionally, any safety regulations related to the work assigned are considered.

The agency credited the appellant's position at Level 9-1. We note the appellant, in written input to the CPMS classifier, states:

I am a program manager/assistant chief who has a work station in an office where I spend the majority (90% or greater) of my time planning, coordinating, developing, the major areas of my job description, Compliance with NFPA standard 1500 and associated standards for Safety/Health, Hazardous Materials response and mitigation, and Confined space rescue.

This description appears to match Level 9-1, where work is usually performed in an office setting with occasional exposure to the risks and hazards of work environments and conditions requiring special safety precautions and clothing.

However, we find the appellant's position meets but does not exceed Level 9-2, where work involves regular and recurring exposure to hazardous, unpleasantness, and discomforts comparable to moving machine parts, shielded radiation sources, irritant chemicals, acid fumes, physical stresses, high noise levels, adverse weather conditions, and high temperatures from steam lines. This level provides that protective equipment and clothing may be needed including hard hat, metatarsal shoes, ear muffs or plugs, goggles, respirators, and gloves. Of the [number] incident calls received by the Flight in 2009, the appellant normally responded to all except the most minor calls occurring during his shift and also to the significant incident calls occurring outside his shift. The appellant estimates spending approximately 25 percent of his time responding to emergency calls. The Chief concurs, but he said percentages vary due to the Flight's type of work. The appellant's field work, although it does not involve the same proximity or intensity to the incident as onsite firefighters, entails similar exposure to hazards, unpleasantness, and discomforts typical of GS-081 work like high noise levels, high temperatures from fires, HazMat substances and fumes, and other adverse conditions. Other work includes inventorying HazMat substances and inspecting the base's confined spaces (e.g., in sewer lift stations, pipe chases, and communications vaults), which also exposes the appellant to unpleasantness and discomforts typical of Level 9-2.

Level 9-2 is credited for 20 points.

Summary

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Knowledge Required by the Position	1-6	950
2. Supervisory Controls	2-3	275
3. Guidelines	3-3	275
4. Complexity	4-3	150
5. Scope and Effect	5-3	150
6. Personal Contacts	6-2	25
7. Purpose of Personal Contacts	7-2	50
8. Physical Demands	8-2	20
9. Work Environment	9-2	<u>20</u>
<i>Total</i>		1,915

A total of 1,915 points falls within the GS-9 range (1,855 to 2,100) on the grade conversion table in the PCS.

Decision

The position is properly classified as Fire Protection Specialist, GS-0081-9.