

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

Appellant: [Appellant]

Agency classification: Firefighter (Hazardous Material
Technician)
GS-081-7

Organization: [Name]
[Organization]
[Organization]
[Name]
[Organization]
U.S. Department of the Air Force
[Location]

OPM decision: Firefighter (Hazardous Material
Technician)
GS-081-7

OPM decision number: C-0081-07-03

//Judith A. Davis for

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

3/22/2012

Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), this decision constitutes a classification 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 5 CFR 511.605, 511.613, and 511.614, as cited in the *Introduction to the Position Classification Standards (Introduction)*, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[Name]
[Address]

[Name]
[Address]
[Location]

[Name]
Civilian Personnel Office
Bldg. 1305, 3rd Floor
20 Schilling Circle
[Location]

Chief, Classification Appeals
Adjudication Section
Department of Defense
Defense Civilian Personnel Advisory Service
1400 Key Boulevard, Suite B-600
Arlington, Virginia 22209-5144

Chief, Civilian Force Policy
1040 AF Pentagon, AF-A1MR
Washington, DC 20330

Classification Oversight and Standardization
550 E Street East, Suite 1
Randolph Air Force Base, Texas 78150-4451

Introduction

On October 26, 2011, Philadelphia Oversight of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [Appellant]. The appellant's position is currently classified as a Firefighter (Hazardous Material Technician), GS-081-7, and is located in the [Name], [Organization], [Organization], [Name], [Organization], U.S. Department of the Air Force (USAF), in [Location]. The appellant believes his position should be classified as Lead Firefighter, GS-081-8. We received the complete agency administrative report on January 10, 2012, and have accepted and decided this appeal under section 5112(b) of title 5, United States Code (U.S.C.).

To help us decide the appeal, we conducted telephone interviews with the appellant and his immediate supervisor on February 29, 2012. In reaching our classification decision, we have carefully considered all of the information obtained from the interviews, as well as all other information of record provided by the appellant and his agency.

General issues

The appellant does agree his official AF Standard Core Personnel Document, also known as position description (PD) # [Number], dated March 18, 2011, accurately reflects his assigned duties and responsibilities, but believes his position should be classified as a GS-8 Lead Firefighter. His supervisor has certified to the accuracy of the appellant's PD. A PD is the official record of the major duties and responsibilities assigned to a position by an official with the authority to assign work. A position is the duties and responsibilities which make up the work performed by the employee. Classification appeal regulations permit OPM to investigate or audit a position and decide an appeal based on the actual duties and responsibilities currently assigned by management and performed by the employee. An OPM appeal decision classifies a real operating position and not simply the PD. This decision is based on the work currently assigned to and performed by the appellant. After careful review, we find the appellant's PD meets the standards of PD accuracy for classification purposes as discussed in section III.E of the *Introduction* and we incorporate it by reference into our decision.

In his classification appeal, the appellant states the only significant difference between his and the Lead Firefighter PD is the percentage of time he is required to perform Leader duties. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM position classification standards (PCSs) and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to OPM PCSs and guidelines is the exclusive method for classifying positions, we cannot compare the appellant's position to other positions, which may or may not be classified properly, as a basis for deciding this appeal.

Position information

[Organization/Location] serves primarily as the Headquarters of the USAF [Name], which also operates at other sites throughout the country, manages the development and acquisition of electronic command and control systems. These systems gather and analyze information on

potentially hostile forces, enabling commanders to make quick decisions and pass them on to their forces. They help to direct air-power to the right target at the right time.

The Fire Protection Flight performs firefighting and/or rescue services for all structures and aircraft; performs hazardous material responses and stabilization actions and confined space rescues; provides assistance on medical calls; and responds to emergency calls for all [Organization/Location] facilities (e.g. family housing and dormitories, commissary, schools, medical clinic, office buildings, and warehouses) which cover a one and one-half mile wide by one mile long area. They also provide mutual aid services under agreements with the surrounding towns of [Location], [Location], [Location], and [Location].

[Organization/Name] is authorized 46 positions, including six contract personnel. The operational firefighters are separated into seven groups each of which has a Lead Firefighter. Six groups have five members and one group has four. Three groups are assigned to work 24-hour workdays including weekends and holidays. Cycles for these groups vary, e.g., two days on and three days off. One Supervisory Firefighter is also assigned to cover each 24-hour workday. The Fire Chief, Deputy Fire Chief, Assistant Fire Chief of Training, Assistant Fire Chief of Fire Prevention, and the Fire Inspector typically work 7:30 A.M. to 4:30 P.M. Monday through Friday.

When the 911 center receives a telephone call of an incident involving potentially hazardous materials, the appellant: conducts an incident survey to determine the materials involved and determines if specific hazardous materials have been released; predicts how a material and/or container will react under the circumstances and recommends mitigation actions; predicts the potential harm to people and the environment; develops an appropriate strategy for approaching the release site and containing the release; establishes control zones and decontamination processing areas; employs hazardous materials response procedures and equipment; evaluates the situational response and recommends potential alternatives; collaborates on post incident debriefings; prepares incident reports; and maintains and decontaminates the hazmat equipment and supplies.

When the appellant drives and operates firefighting vehicles such as pumpers, aerial ladder trucks, and Airport Rescue Firefighting vehicles he: drives to the scene of the fire following a pre-determined route or selecting an alternate, as needed, and positions the vehicle considering such factors as wind direction, sources of water, hazards from falling structures, etc; operates pumps, foam generators, boom and groundsweep nozzles, and other similar equipment; determines the proper water pressure and the number of lines and relays those requirements to the booster pumper; maneuvers the crash truck vehicle to keep the fire in optimum range while ensuring back flash will not occur; remains aware of levels in self-contained breathing apparatus and warns other firefighters when the tanks are close to empty; and trains other firefighters on driving vehicles and operating equipment.

When the appellant performs crash-rescue and firefighting duties involving air traffic or support operations, he works at airfields handling aircraft, e.g. bombers, cargo, passenger, carrying large volumes of fuel or highly flammable or explosive cargo. He performs stand-by duty during aircraft refueling and defueling, engine maintenance and testing, welding and burning on fueled

and/or armed aircraft, ammunition handling or other special circumstances; keeps up-to-date on changes in cockpit design, ordnance placement, and cabin layout; and operates or deactivates specialized mechanisms and systems such as hatch or canopy release mechanisms.

He performs structural firefighting duties at facilities that may be engaged in the production, storage, and testing of fuels, explosives, and gases capable of producing hazardous products. The appellant physically goes through structures to become familiar with their layout, fire hazards, and location of fixed fire protection systems for pre-fire planning; participates in controlling and extinguishing fires by operating hoses, ladders, and hydrants; and participates in regular training and exercises, as required.

The appellant performs rescue and first-aid duties to alleviate further injury and prepare victim(s) for transporting to a medical facility. He uses direct pressure and/or tourniquet to stop the bleeding, checks the windpipe for obstructions and performs cardiopulmonary resuscitation (CPR), and participates in regular training and exercises as required.

He performs maintenance on the firefighting equipment and fire station facilities. This includes performing functional tests and inspections, preventative maintenance on equipment, and housekeeping duties associated with the facilities.

In the absence of the regularly assigned Lead Firefighter, the appellant: directs/performs duties essential to saving lives and property in a variety of different settings to include structural, airfield rescue firefighting, rescue, and hazardous material abatement; participates in and conducts training according to his field of experience and certification; and prepares reports concerning emergency responses, training, inspection/ maintenance of equipment and/or other areas of responsibility.

The appellant performs a collateral duty by serving as the co-chair of the [Organization/Name] Fire Department Safety Committee with the Deputy Fire Chief. Meetings are held at least twice a year to discuss any health and/or safety issues, e.g. implementing newly established safety procedures. The appellant takes meeting notes and distributes them to the board members. He also conducts a monthly inspection of the fire station by following an established safety checklist, e.g. are smoke detectors working properly, and are exit signs visible. The checklist results are given to the Fire Chief for review. The appellant also serves as a member of the Base Safety Committee. Meetings are held twice a year and inspections are conducted once a year. He accompanies safety committee members around the firehouse during the inspection and is informed of any safety issues found. The appellant formulates a response and submits it to the Fire Chief for review prior to forwarding it to the Safety Committee for review and future monitoring of the issue.

The appellant stated the firefighter serving as chair of the [Organization/Location] Fire Department Safety Committee must be a "company officer" based on information in the National Fire Protection Association (NFPA) 1500 Standard on Fire Department Occupational Safety and Health Program. His supervisor stated the NFPA requires the chair to possess Fire Officer I, Fire Inspector I, Fire Instructor I, and Health and Safety for Fire Fighters certifications. His supervisor further stated there is no requirement for the chair to be an officer level firefighter.

Series determination

The appellant does not question the series or use of the Position Classification Standard (PCS) for Fire Protection and Prevention Series, GS-081, with a specialty as a hazardous material technician to evaluate his position and, based on a review of the record, we concur.

Title and standard determination

He believes the title of his position should be changed to Lead Firefighter based on the following rationale: the required Fire Officer I, Fire Instructor I, and Fire Inspector I certifications and the training needed to maintain them listed in his PD; the only significant difference between his PD and the Lead Firefighter PD is the percentage of time assigned leader duties; serves as a Lead Firefighter when assigned as the Crew Chief on the Rescue and Aircraft Rescue Firefighting vehicles; serves in the role of the Incident Commander on-scene for all medical emergencies when assigned as the Crew Chief on the Rescue vehicle by providing direct supervision over all responders – firefighters, contract emergency medical technicians (EMT), and security forces personnel; investigates, directs, and leads all firefighters entering the structure during structural emergencies when assigned as the Crew Chief on the Rescue vehicle. He states he performed Lead Firefighter duties 30 percent of the time from November 30, 2010 to November 5, 2011 during 41 out of 136 shifts worked.

The appellant's PD lists the Fire Officer I, Fire Instructor I, and Fire Inspector I certifications as required for his position. The record shows these certifications are the basic requirements needed for the appellant to perform Leader duties. The PD includes the following statement: "The performance of these duties will be in the absence of the regularly assigned Lead Firefighter." The Leader duties listed in the PD and which the appellant agrees he performs are technical in nature. They do not include the administrative functions contained in the Lead Firefighter PD which includes all of the technical and administrative leader duties listed in Part I of the General Schedule Leader Grade Evaluation Guide (GSLGEG).

The GS-081 PCS directs users to the GSLGEG to evaluate the grade level of work leader positions. Part I of the GSLGEG is used to classify positions of work leaders who, as a regular and recurring part of their assignments, lead three or more employees in clerical or other one-grade interval occupations in the General Schedule (GS) in accomplishing work. Work leaders also perform work that is usually of the same kind and level as that done by the employees led. Leaders are responsible to their supervisors for ensuring the work assignments of other employees of the team are carried out by performing a range of duties such as:

- Distributing and balancing the workload, assuring timely accomplishment of workload, and assuring enough work is distributed to keep the team busy;
- Monitoring status and progress of work, making daily adjustments as necessary, and obtaining assistance on problems which may arise;
- Estimating and reporting on expected time of completion of work, maintaining records of work and preparing production reports as requested;

- Instructing employees in specific tasks and job techniques, and making available written instructions, reference materials and supplies;
- Giving on-the-job training to new employees in accordance with established procedures and practices;
- Maintaining current knowledge and answering questions on procedures, policies, directives, etc., and obtaining needed information or decisions from the supervisor on problems that occur;
- Checking work in progress or spot checking work, reviewing completed work to see that supervisor's instructions on work sequence, procedures, methods and deadlines have been met;
- Amending or rejecting work not meeting established standards, referring to supervisor questions or matters not covered by standards and problems in meeting performance standards;
- Monitoring working conditions such as seating, ventilation, lighting, safety;
- Approving leave for a few hours or for emergencies;
- Informing employees of available services and employee activities;
- Resolving simple, informal complaints of employees and referring others to the supervisor;
- Reporting to supervisor on performance, progress and training needs of employees, and on behavior problems; and
- Providing information to supervisor as requested concerning promotions, reassignments, recognition of outstanding performance, and personnel needs.

Fire Protection Flight daily shift schedules from November 10, 2010 to November 10, 2011, show the appellant was assigned as the Crew Chief 18 times on the Rescue vehicle, 21 times on the Aircraft Rescue Firefighting vehicle, three times on the HAZMAT vehicle, and three times on the Structural vehicle (the pumper). Only the pumper vehicle allows for a crew of four (crew chief, driver, lineman, and plugman) with the Crew Chief directing the work of the other crew members. This allows the Crew Chief to meet the requirements of Part 1 of the GSLGEG, i.e., leading the work of three or more employees. The other vehicles allow only for a total of two crew members (crew chief and driver). The appellant states the three times he was assigned as the Crew Chief on the HAZMAT vehicle he was originally assigned as the Crew Chief on the pumper but it was out of service for repairs. He further states the four crew members were split between the HAZMAT and Tanker vehicles. The appellant's supervisor explained in each instance the Crew Chief of the Tanker vehicle assumed the Leader role over the crew members of both vehicles. In one instance it was another GS-7, Firefighter and in the other instances it was Lead Firefighters. His supervisor further stated a Lead Firefighter is always assigned to the Crew Chief position but not every Crew Chief is a Lead Firefighter. The record shows the appellant had the opportunity to serve in a full Leader capacity three times during the period in question; i.e., when he was assigned as the Crew Chief on the pumper vehicle.

With regard to the appellant's role concerning medical emergencies, the record shows the Rescue vehicle is dispatched to the scene and the crew members work in a support role. Since they arrive first on the scene, they provide first responder care services to the victim(s), e.g. administer CPR as needed, check windpipe for obstructions, and stop any bleeding. Once the medical personnel arrive, they take over care of the victim(s) and follow their established

procedures. Security forces personnel do not automatically dispatch to the scene. They are sent if they are needed for crowd control or to divert traffic from the scene and follow their established procedures. The role of the Crew Chief is to ensure the safety of the scene and report to the 911 Dispatcher via radio what is happening at the scene. The Supervisory Firefighter on-duty will listen in and determine if additional vehicles and/or resources are needed. The record shows there is no Incident Commander at a medical emergency call unless the incident escalates, e.g. the dispatcher was not initially notified a car accident occurred. In that case, the Supervisory Firefighter is dispatched to the scene and serves as the Incident Commander. Thus, the appellant's assertions regarding his Incident Commander and Lead roles for this function are not supported by the record.

When a structural emergency call, e.g. a fire alarm activation or a vehicle crash, is received, the Rescue vehicle, pumper vehicle, and Supervisory Firefighter are dispatched to the scene. The Supervisory Firefighter serves as the Incident Commander but the Crew Chief of the Rescue vehicle will enter the structure, along with the other crew member and relay to the Supervisory Firefighter what is happening. The Crew Chief may provide recommendations on what additional vehicles and/or resources are needed to combat the incident, but the decision lies with the Incident Commander. The record shows the Crew Chief may lead the other crew member and investigate what is occurring inside the structure, but all the decisions are made by the Incident Commander who remains outside the structure and is responsible for controlling the operations being performed at the scene.

Fundamental to the appellant's rationale is that he is performing leader duties a sufficient portion of work time; i.e., 25 percent or more, for that work to control the classification of his position. The GS-081 PCS, by reference to OPM's *Digest of Significant Classification Decisions and Opinions*, Digest 18, page 1, explains firefighter work is similar to the emergency work of other occupations because firefighters are trained for duties and functions they do not regularly perform, and must be ready to react appropriately applying full proficiency in the essential knowledge and skills of their assigned duties to handle a variety of circumstances that may occur at a moment's notice. The focus of emergency work is on readiness, so firefighters receive credit for maintaining readiness. Work credited to meet the 25 percent mixed grade criteria must be directly associated with the essential reason for the position's existence, i.e. firefighter emergency response work, and may include a combination of time spent: (a) actually performing the primary work of the position; (b) preparing for, and maintaining proficiency to be ready to perform the work at any time, including drills, simulations and refresher training; and (c) serving in a particular designated capacity in a readiness status, e.g. time served on a work shift as designated driver/operator, EMS or HAZMAT technician. Time spent by the appellant performing Leader duties would be creditable, and possibly grade controlling, under the criteria as stated in (a) above, assuming they were also the highest grade duties assigned to the position, regular and recurring, and performed at least 25 percent of the time.

As discussed previously, the record does not support the appellant's assertion that he performed Lead Firefighter duties during 41 shifts or 30 percent of the time during the November 30, 2010 to November 5, 2011 time frame. Thus, his position fails to meet the coverage requirements of the GSLGEG, may not be evaluated one grade higher than the work he asserts he leads; i.e., GS-8 based on leading GS-7 work, and may not be titled as Lead Firefighter.

Decision

The appellant's position is properly classified as a Fire Fighter (Hazardous Material Technician), GS-081-7.