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Preface

This is the twenty-second issue of the *DIGEST OF SIGNIFICANT CLASSIFICATION DECISIONS AND OPINIONS (Digest)*. In it we present summaries of several decisions and opinions that we believe have Governmentwide applicability. The General Schedule Supervisory Guide (GSSG/Guide) continues to raise significant interpretive issues. To provide clarifying guidance that will ensure consistency of interpretation with respect to those issues, we are devoting a significant portion of *Digest 22* to articles on the GSSG and one on the recently released General Schedule Leader Grade Evaluation Guide (GSLGEG/Guide). Other articles cover a variety of General Schedule (GS) and pay category interpretive issues. The *Digest* is designed to aid classifiers in exercising their judgment; *Digest* items do not supersede or supplement classification standards and do not constitute “case law.”

Suggestions for improving future issues of the *Digest* may be made via E-mail to fedclass_appeals@opm.gov or fax at 202-606-2663, or by writing to the Director, Classification Appeals and FLSA Programs, U.S. Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415-0001. The telephone number is 202-606-2990.

Digest issues are also available on the U.S. Office of Personnel Management’s (OPM’s) website and electronic bulletin board. The website address is <http://www.opm.gov/classapp> ~~and the electronic bulletin board is OPM ONLINE. Using a modem, dial OPM ONLINE at 202-606-4800. Long distance telephone charges may apply.~~ [OPM ONLINE was discontinued July 1999. The *Digest* can also be found on OPM’s CD-ROM entitled General Schedule Position Classification and Federal Wage System Job Grading Standards, which is issued by OPM’s Classification Programs Division.]

This issue of the *Digest* was edited by Mr. Robert Hendler (Philadelphia Oversight Division). Contributions were provided by Mr. Hendler, Mr. Fred Boland (Chicago Oversight Division), Ms. Bonnie Brandon (Dallas Oversight Division), Ms. Kathy Day (Atlanta Oversight Division), Mr. Richard Quasney (Washington Oversight Division), and Mr. Carlos Torrico (San Francisco Oversight Division). Technical assistance was provided by the staff of the Classification Programs Division.

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Standard: [General Schedule Supervisory Guide](#)
(April 1998)

Factor: Factor 5, Difficulty of Typical Work
Directed

Issue: Alternative Method for Determining
Difficulty of Typical Work Directed

Identification of the Classification Issue

This issue arose in an OPM oversight division because of a request for advice and assistance. The position was as a second level supervisor division chief over two separate and distinct staff functions. Three of the four subordinate branches performed two-grade interval operations work. Each of the three branches had one staff year of supervisory and related work, one of GS-12 specialist work, seven staff years of GS-11 specialist work, and an additional three to four staff years of technician and clerical support work. The fourth branch performed program and policy development work. It had one staff year of supervisory and related work, six staff years of GS-12 specialist work, and three staff years of technician and clerical support work. The higher graded operating unit specialists were used to supplement the fourth branch's staff in conducting some program and policy development projects. Management claimed the focus of the division chief's position was overseeing the program and policy development projects. The issue was whether the alternative method for base level determination for second and higher level supervisors was applicable to the division chief position.

Resolution

The GSSG defines this factor as measuring "the difficulty and complexity of the basic work most typical of the organization(s) directed, as well as other line, staff, or contracted work for which the supervisor has technical or oversight responsibility." For many second and higher level supervisors, this work is that which best characterizes the nature of the mission oriented nonsupervisory work in the organization constituting 25 percent or more of the workload of the organization as defined in the GSSG. It recognizes that sometimes "heavy supervisory or managerial workload related to work above the base level may be present." In those cases, the GSSG permits using the "highest level of nonsupervisory work directed which requires at least 50 percent of the duty time of the supervisory position under evaluation" for this factor.

OPM found the alternative method was not appropriate for this position based on the presence and authority of intermediate levels of supervision and the limited number of staff years of higher graded work directed. As discussed in previous Digest cases (Digest No. 19, page 17, and Digest 20, page 15), the alternative method is not applicable for most second level and many higher level supervisors. First, the presence of and responsibilities of first and/or intervening level supervisors

must be considered in assessing whether 50 percent or more of the second or higher level supervisor's work time is devoted to overseeing work above the typical base level. The presence of a first level supervisor over the six staff years of program and policy staff work undermined the argument that the division chief spent 50 percent or more of the time overseeing that workload. OPM found that the program and policy work performed by the operating branch positions also had to be considered in this analysis. Even if an additional staff year of GS-12 level work from the operating units was dedicated to policy and program projects, the presence of the four subordinate supervisors had to be given appropriate weight in making this determination. Second, freedom from supervision inherent in the GS-12 level subordinate positions themselves undermined the likelihood that the division chief position devoted 50 percent of its time to overseeing the GS-12 workload. Third, OPM found that approximately 42 staff years of nonsupervisory work managed through four subordinate supervisors (assuming they performed supervisory duties 100 percent of the time) was not a "heavy supervisory or managerial workload" within the meaning of the GSSG.

OPM contrasted these circumstances with that of a manager over a medium-sized field activity with 370 staff years of operating and program and policy development work performed for both internal and external purposes. The manager functioned as the third level supervisor over three operating divisions and as the second level supervisor over the program and policy development division assigned 70 staff years of work. The operating divisions performed a mixture of two-grade interval, high level technician, and clerical work. The heavy technician workload resulted in a GS-8 base level. Much of the work was routine, and the division heads were delegated broad authorities in managing their assigned workload. In contrast, the program and policy development division consisted of two branches, each of which used three team leaders to help guide the work. The program and policy development work produced a GS-11 base level. Many projects required coordination with other organizations and used cross-activity matrix managed work teams. Those teams drew personnel from within the activity and from related field activities of the agency.

OPM found the medium-size field activity had two separate and distinct missions. Each was managed differently. The delegation of responsibility and accountability to the operating division chiefs limited the activity head's day-to-day involvement in all but the most contentious operating program issues. Although the program and policy development work constituted a smaller portion of the activity workload, its externally oriented nature required continuous involvement by the activity head. The team-based work structure and limited subordinate supervisory workforce in that division provided a setting in which substantial ongoing managerial involvement by the activity head was likely and credible. Thus, OPM found that the activity head's position was evaluated properly under the alternative method for determining the difficulty of work directed.

Standard: [General Schedule Supervisory Guide](#)
(April 1998)

Factor: N/A

Issue: Coverage of the GSSG

Identification of the Classification Issue

This issue arose in an OPM oversight division's response to a request for technical guidance. The agency asked whether a position directing the work of two staff years of GS-11 level work performed by Federal civilian employees and approximately five staff years of contractor performed work would be covered by the GSSG. The functions performed by the contractor staff were substantially of the same kinds and levels as the work performed by the Federal employees. The position description of record showed that the employee spent 10 percent of the work time supervising the two **Federal** employees and approximately 25 percent of the time overseeing contractor performed work.

Resolution

The oversight division found the position was excluded from GSSG coverage. The Guide states that to be covered, a position must: (1) administratively and technically direct others; (2) spend at least 25 percent of the work time performing those functions; and (3) meet at least the lowest level of Factor 3 in the Guide based on supervising "Federal civilian employees, military or uniformed service employees, volunteers, or other *noncontractor* personnel." The GSSG also states positions with oversight responsibilities only over the work of private sector contractors are excluded from coverage of the Guide and are to be evaluated using the appropriate nonsupervisory standards or guides for the occupations involved.

The Guide is intended to measure the difficulty, complexity, and responsibility of work involved in the administrative and technical direction of others through the equivalent of an employer/employee relationship. Covered supervisors are expected to plan, schedule, and direct work operations; evaluate work performance and assure work meets standards of quantity and quality; and exercise other personnel management authorities. Controls over military service, uniformed service, and/or volunteer subordinates may be more limited than for Federal civilian employees, e.g., recommending rather than taking disciplinary action. However, delegated authorities and responsibilities equivalent to the lowest level of Factor 3 typically are exercised over these noncontractor workloads and meet GSSG coverage requirements.

OPM found the level of work performed by the two Federal civilian employees involved the relative freedom from supervision that precluded the position from meeting the threshold required for coverage, i.e., spending 25 percent of the time technically and administratively supervising

noncontractor work. Therefore, the GSSG could not be applied for grade level determination. The oversight division advised the agency that while the GSSG might be applied as the equivalent of a closely related standard for grade confirmation purposes, the position should be evaluated by application of an appropriate subject matter standard containing technical program management grading criteria.

Standard: [General Schedule Supervisory Guide](#)
(April 1998)

Factor: Factor 3, Supervisory and Managerial
Authority Exercised

Issue: Coverage of the GSSG

Identification of the Classification Issue

This issue arose in an OPM oversight division's adjudication of an appeal. The appellant supervised 12 employees: 7 indirectly through a subordinate supervisor, and 3 others indirectly through a designated team leader. The appellant believed his authority met Level 3-3b for two reasons. First, as required at Level 3-3b, he exercised nearly all the responsibilities described at Level 3-2c. Second, he believed that he exercised 12 of the 15 responsibilities listed under Level 3-3b. For example, he claimed that he exercised *responsibility* 1 under Level 3-3b, since he used a subordinate supervisor and a team leader to direct work.

Resolution

At Level 3-3b, a supervisor must exercise all or nearly all of the supervisory responsibilities described at Level 3-2c and at least 8 of the 15 responsibilities listed under Level 3-3b.

The oversight division determined that the appellant exercised all ten of the responsibilities described at Level 3-2c. Nevertheless, it noted that he only exercised 3 of the 15 responsibilities listed under Level 3-3b. Specifically, the appellant exercised responsibilities 2, 13, and 14. For example, he carried out responsibilities 2 and 13 since, as a staff officer, he had significant responsibilities in dealing with officials of other units and in advising management officials of higher rank, and he approved expenses comparable to within-grade increases and employee travel.

However, the oversight division found that the appellant's position could not receive credit for the other 12 responsibilities listed under Level 3-3b, particularly those that involve the use of subordinate supervisors or team leaders (or a combination thereof) to direct work and manage employees, i.e., numbers 1, 3, 5, 6, and 8, for the reasons discussed below.

Responsibility 1 describes a supervisor who uses subordinate supervisors, team leaders, or comparable personnel to direct, coordinate, or oversee work. The appellant believed he met this criterion because he had one subordinate supervisor and a team leader in his organization. The GSSG uses the plural when speaking of subordinate supervisors and team leaders and in that respect *responsibility* 1 appeared to apply to the appellant's position. However, OPM interpretive guidance in previous appeal decisions has established that Level 3-3b is intended to credit only supervisors who direct at least two or three persons who are officially recognized as

subordinate supervisors, leaders, or comparable personnel. Further, the supervisor's organizational workload must be so large and its work so complex that it requires using two or more subordinate supervisors, team leaders, or comparable personnel to direct work. Absent such conditions, the mere presence of two or more supervisors or comparable personnel, by itself, is not enough to credit *responsibility* 1.

The oversight division found that although the appellant had subdivided his unit by program functions into very small sections and designated an employee to serve as a team leader over one of them, the organization's work as a whole was not sufficiently complex to justify the establishment of a quasi-supervisory team leader position. OPM noted that there were already two positions classified as supervisors (the appellant's and one other referenced above) in the appellant's unit, consisting of a total of only 11 nonsupervisory positions, thus yielding a narrow span of control of 1 supervisor to 5.5 employees. In addition, the designated team leader was assigned to oversee the work of three full performance level positions which, according to the classification standard for their occupational series, operate independently and need little or no direct supervision. The record showed that the team leader had never worked in the field he was assigned to oversee, and the agency questioned whether he would qualify for placement in a position in the series of the three positions he was assigned to lead. The oversight division pointed out that the team leader duties described in the position description of the team leader fell short of the minimum authorities and responsibilities required for coverage of Part II of the General Schedule Leader Grade Evaluation Guide. Given the current span of supervisory control, OPM was not persuaded that there was additional quasi-supervisory work present to consume a minimum of 25 percent of the work of another position. For the preceding reasons, OPM was not persuaded that the appellant's organization was sufficiently complex to use a third position to monitor and manage work. Additionally, because *responsibility* 1 requires the use of more than one subordinate supervisor to direct and oversee work, the appellant's position also failed to meet that requirement.

Since the appellant's position could not receive credit for *responsibility* 1, several other responsibilities listed under Level 3-3b that involve the use of subordinate supervisors or leaders could not be credited. Because only 3 of the 15 responsibilities under Level 3-3b were awarded to the position, Factor 3 was evaluated at Level 3-2, the highest level fully met.

Standard: [General Schedule Leader Grade Evaluation Guide](#), Part I (April 1998)

Factor: N/A

Issue: Using Other Than Full-time Employees in Applying Part I of the GSLGEG

Identification of the Classification Issue

This issue arose in an OPM oversight division's response to a request for technical guidance. An agency personnelist requested advice on how to use staff years of work performed by seasonal employees to decide if a full-time permanent GS employee's position could be classified as a work leader. In this situation, the permanent GS employee "led" only seasonal employees. There were no permanent employees assigned to the unit. Four seasonal employees worked during the summer and two in the winter. Each seasonal employee worked 1,040 hours a year. The agency personnelist asked if staff years could be used to determine full-time equivalency for coverage of the General Schedule Leader Grade Evaluation Guide (GSLGEG), Part I. In this case, the total number of work hours for the six seasonal employees could be calculated as the equivalent of three full-time positions (6,240 total seasonal hours ÷ 2,087 hours in a work year = 2.99 staff years).

Resolution

As affirmed in discussions with OPM's Classification Programs Division, hours-of-work calculations are not to be used to equate less-than-full-time employees, e.g., seasonal employees, to full-time equivalency for purposes of determining if a position meets the coverage criteria of the GSLGEG. Part I does not specifically state that seasonal employees are not to be considered in such cases. The intent, however, is that a work leader must spend 25 percent or more of his or her work time leading three or more **full-time** employees on a regular and recurring basis. This is because GSLGEG criteria are intended to evaluate the difficulty and responsibility of executing a broad range of leader duties performed over a continuing group of employees. Further, if counting hours of work were permitted for coverage determinations, an agency might find itself in the position of having to consider overtime hours in its staff-year calculations to determine full-time equivalency when such additional hours of work do not add materially to the difficulty and complexity of leader work. Therefore, while leading less-than-full-time employees may be considered in evaluating leader work, that work may not be considered in determining basic GSLGEG coverage.

Standard: [Facility Management Series, GS-1640](#)
(June 1973)

Factor: All

Issues: Applying the Standard in a Host-Tenant Environment and Crediting Contractor and Other Indirectly Controlled Work

Identification of the Classification Issue

These issues arose in an OPM oversight division's adjudication of an appeal. The appellant occupied a Supervisory General Supply Specialist, GS-2001-10, position in a medical clinic on a military post supporting a large military population. The position functioned as Chief, Supplies and Services. This included providing facility support services to 18 buildings housing medical, dental, and veterinary services. In applying the GS-1640 standard, the agency had evaluated the Management and Personal factors at the GS-9 level and Technical factors at the GS-7 level, and credited the GS-1640 work as a whole at the GS-8 level. At issue were the impacts of the supporting Public Works Departments (DPW's) and the limited size of the directly supervised trades staff in applying the GS-1640 standard to the position.

Resolution

The position provided facility support services to 18 buildings including an ambulatory care center (almost 61,000 square feet), originally built as a 20-bed hospital. Other larger buildings included a dental clinic (18,745 square feet), a building providing preventive medicine and other services (17,548 square feet), a smaller medical clinic (16,198 square feet), and a building occupied by the Logistics Division (15,843 square feet). The remaining buildings ranged in size from slightly less than 900 to approximately 4,500 square feet. The facilities totaled approximately 170,000 square feet and were scattered throughout the post. The clinic operated 24 vehicles, including 2 ambulances, all of which were serviced under a support agreement with the post. The clinic staff included approximately 150 military employees, 220 civilians, 30 to 35 volunteers, and 25 contractor health care providers. About two-thirds of both military and civilian employees were engaged in direct patient care. The clinic provided outpatient specialty care and clinical services, including same day surgery performed under other than general anesthesia; immediate care (including ambulance service); pediatrics; obstetrics and gynecology; podiatry; audiology; pathology (primarily blood work); diagnostic radiology; optometry; community nursing; occupational health; behavioral health (outpatient counseling and screening services); physical therapy; orthopedics; and pharmacy. The clinic provided typical diagnostic services, e.g., radiology performed x-rays, but did not have CAT scan or MRI capability. Podiatry performed surgical procedures at the local hospital. Childbirths also took place at the local hospital. The pharmacy provided service to military retirees in the area and dispensed commercially formulated

drugs. There were some extended clinic services, e.g., same day surgery not requiring general anesthesia.

The dental clinic operated approximately 57 chairs. The staff consisted of approximately 75 to 80 employees, including the full time equivalent of 19.5 dentists, approximately 10 dental hygienists, between 2 and 3 dental laboratory technicians, approximately 18 dental assistants, and 10 secretarial/receptionist support staff. Five of the six contract workers were dentists. The clinic provided comprehensive dental care to the 10,000 military personnel assigned to the post and provided reservist mobilization mission and emergency services. Dental laboratory work was full range, but limited in volume since a great deal was sent out to a central laboratory at another post.

The veterinary activity provided services throughout approximately five states, performing such functions as inspecting food at processing plants and military facilities. The activity provided comprehensive veterinary service to the six military working dogs and strays found on the post. Military members' animals received outpatient preventive care. The staff consisted of 12 enlisted personnel who performed animal technician and food inspection duties, a veterinarian (Officer in Charge), and three nonappropriated fund animal technicians. A nonappropriated fund veterinarian was employed when the staff veterinarian was absent. At the time of the appeal, the activity was in the process of planning a new 6,000 square foot facility with an estimated cost of \$1.1 million to house the veterinary clinic, the stray animal holding area, and administrative offices. The appellant was helping to develop the project justification by providing guidance on regulatory design requirements and functioning as a conduit of information to technical engineering and design personnel.

The appellant provided facility support services to small clinics at two other posts in the State, working with their respective DPW's on facility issues. Projects less than \$25,000 were handled in-house through the DPW. Larger projects were controlled by regional or major command offices depending on their funding level. The appellant worked with facility users to develop costs and justify projects and acted as liaison with engineering organizations and contractors through all project phases (i.e., from design through final acceptance), raising user concerns and acting as the user accepting official.

The GS-1640 standard uses three factors to evaluate a position: (1) Management factors - planning, budgeting, scheduling, coordinating, and using staff, money, and material resources; (2) Technical factors - scope of equipment operation and repair, and nature of equipment and facilities; and, (3) Personal factors - the ability required to act in management-client relations, and management representation. Determining the intent of a standard requires considering the interrelationship among narrative factors. For example, neither increased independence nor increased difficulty of assignments is meaningful unless each is viewed with the other.

OPM found applying the standard required close attention to the fact that the appellant's organization varied substantially from that described in the GS-1640 standard in several respects.

Rather than managing a variety of trades and crafts personnel through subordinate working leaders typical of all grade levels in the standard, most of the appellant's subordinate staff was engaged in supply program operations. The bulk of the facilities work was accomplished through contractor personnel. Current and future major renovation and overhaul projects resulted from a decaying infrastructure that preceded the appellant being assigned facility management program responsibility. The GS-1640 standard included supply program responsibility already evaluated by OPM's application of the Grade Evaluation Guide for Supply Positions, requiring care not to double credit the same responsibility inappropriately. GS-1640 supply work pertains primarily to physical plant supply support, and not medical operations supply support. OPM found the roles of the DPW's and other technical engineering organizations also had to be recognized.

Management factors

OPM found that the facility upgrading projects emphasized by the appellant and others interviewed had to be placed in an appropriate context. Although the appellant was engaged in space use planning and renovation and construction projects exceeding those typical of GS-9 level maintenance and repair work, other functions typically managed as integral parts of GS-9 level programs were not present, e.g., guard and firefighting, and telecommunications operations. The clinics were tenant activities, and the facilities occupied were owned by the host activities. Those activities retained facility control and oversight authorities, primarily through their respective DPW's. The illustrative work situations at all levels in the standard are hospital-based; i.e., a medical facility furnishing a full range of inpatient and outpatient services, for which the facility management position provides 24-hour grounds, buildings, roads, utilities, and equipment services.

Recognizing the inherent relationship with *Technical factors*, evaluating *Management factors* requires awareness of the typical physical plant managed at each level. The GS-9 level discusses providing services to a 185-bed hospital, with a gross floor area of 150,000 square feet, in a small town, with an operating laundry; an automotive maintenance shop servicing seven passenger cars, five trucks, and an ambulance; a heating plant with three 150-horsepower boilers; four elevators; and standby operating equipment, with water, sewage, and electricity provided by public utilities. The appellant's facility does not include an operating laundry, a boiler plant of the scope and size contemplated in the standard, elevators, or other physical plant support requirements of a 185-bed inpatient medical institution. OPM found, however, that these weaknesses were offset by the complications of off-site program support to two other posts and preparation of requests and justifications for the major projects. Those conditions, and their planning demands, paralleled those typical of the GS-11 level, but in a more restricted operating environment. The appellant's budget estimates and justifications for new methods and equipment were of a more restricted scale and scope than found at the GS-11 level. OPM concluded the appellant's position met but did not exceed the GS-9 level for this factor.

Technical factors

The appellant was engaged in new construction and major renovation functions typical of the GS-11 level, but for facilities and equipment of lesser scope and complexity. For example, the appellant's position was not responsible for the large boiler plant; air conditioning and refrigeration equipment; elevators and equivalent mechanized equipment; or range of facility support functions, e.g., firefighting, laundry plant, and protective services, typical of the GS-11 level. Similarly, while the clinic motor vehicle fleet exceeded that typical of the GS-9 level, the appellant was not responsible for directly managing the highly skilled trades personnel as described in all grade levels in the standard. OPM found that the GS-11 level was predicated upon managing construction, maintenance, and repair for the technical functions of the larger physical plant, and support services for the much larger staff and inpatient population found at that level. The consumer price index shows that the \$25,000 projects referenced during the development of the GS-1640 standard would equate to approximately \$97,000 in 1998 dollars. While the appellant plays a key role in justifying and overseeing projects that exceed \$25,000 in 1998 dollars, the record shows that higher level facility management organizations reviewed and approved projects over that threshold. The annual facility budget under direct clinic control was approximately \$300,000 and included the funding of the two DPW positions. This fell substantially short of the facility budget directly managed in the standard's illustration, including funds for 50 staff years of plant operations and maintenance staff, not including contractor work.

In applying the GS-1640 standard, OPM recognized the decrease in Federal employees and the increase in contractor-provided facilities and other support services throughout the Government. The appellant retained full responsibility for technical operations. Much of the actual trades work was performed by contractors. Therefore, while the appellant did not directly supervise the scope of trades and craft workload described in the standard, the appellant exercised nonengineering facility management responsibility for the workload performed by contractors. This responsibility included helping management formulate facility support needs; developing statements of work; commenting during the design process; functioning as liaison between the contractor and activity management; working with the engineering inspection organization during construction; and preparing paperwork for modifications, change orders, and additional funding. These functions, and responsibility for activities distant from the main post, offset the weaknesses of the position and permitted evaluation of this factor at the GS-9 level.

Personal factors

OPM found the appellant had the full range of contacts typical of the GS-9 level, including advising and sitting on program committees. Based on the host/tenant relationship with the post, OPM concluded contacts with the DPW and other post components were typical of the contacts with the other services and divisions of a hospital as described in the standard. The appellant also had contacts with contractors and officials from higher level organizations described at the GS-11 level. The GS-9 level, however, does not exclude contractor contact, i.e., determining whether to

contract out work, and inspecting contractor work in progress for compliance with specifications and standards. Therefore, while some of the appellant's contacts appeared to exceed those typical of the GS-9 level, they did not fully meet the GS-11 level. For example, while the appellant regularly dealt with regional personnel, he did not deal with the full scope of technical issues in GS-11 level programs. Because this factor did not meet the GS-11 grade level fully, it was evaluated at the GS-9 level. Thus, OPM found that the position's facilities management duties were evaluated properly at the GS-9 level.

Standard: [Fire Protection and Prevention, GS-081](#)
(September 1991), [Practical Nurse, GS-620](#)
(May 1983)

Factor: Factors 1, 2, and 3

Issue: Evaluating Emergency Medical Duties

Identification of the Classification Issue

This issue arose in an OPM oversight division's adjudication of a group appeal filed by GS-5 Firefighters. The appellants sought greater credit in recognition of their medical training and certification in emergency procedures which surpassed those typically expected of Firefighters. Their certification included operating a semi-automatic defibrillator, inserting advanced airways, e.g., the esophageal obturator airway (EOA), esophageal gastric tube airway (EGTA), and intravenous (IV) maintenance (changing fluids, setting drip rates, monitoring, and discontinuing IVS). State law allowed them to administer already prescribed medications in the possession of those they treated, such as inhalers, nitroglycerin, and oral glucose. They operated without the professional supervision available to medical technicians in a hospital setting, performing some tasks not permitted higher graded technicians or nurses. Nevertheless, firefighting and prevention functions demanded about 80 percent of the appellants' time.

Resolution

Duties demanding less than a substantial, i.e., 25 percent, amount of time, are not usually considered in classifying a position. However, when evaluating emergency-related duties in occupations such as Firefighter, Police Officer, and Emergency Medical Technician (EMT), credit is given for maintaining proficiency in higher graded tasks, although they occur infrequently, when there is no opportunity to reassign such tasks to higher graded staff and the employee is expected to be fully prepared to perform such duties that arise without advance notice. The agency expected the appellants to maintain EMT proficiency and provided for refresher training and practice.

The GS-081 standard recognizes that GS-5 Firefighters frequently apply first aid measures such as immobilizing the injured for safe transport, applying tourniquets to stop bleeding, checking for windpipe obstructions, and performing cardio-pulmonary resuscitation (CPR). Performing a wider range of or otherwise more demanding emergency medical duties, like the appellants', requires evaluation against an appropriate standard in the GS-600 occupational group, such as the Practical Nurse Series, GS-620 standard. Though the Health Aid and Technician Series, GS-640, encompasses EMT, Paramedic, and similar duties, it has no published grading criteria of its own. Therefore, a related standard must be used.

The GS-620 standard is a broad match to EMT work, since it focuses largely on medical care provided within a hospital, rather than in the field. Furthermore, Practical Nurses even at the highest grades may not perform some procedures EMT's do, e.g., intubation and defibrillation, and vice versa. Nevertheless, the occupations share a requirement for knowledge-based credentialing and other common features. These similarities permit application of the GS-620 standard grading criteria to evaluate EMT work.

At Level 1-4, Practical Nurses demonstrate knowledge of a large body of nursing care procedures, illnesses, and diseases and skill in assessing deviations from normal conditions and immediately modifying care. Such knowledge entails more extensive training and experience and more advanced procedures, or the equivalent wide variety of nonstandard assignments referenced in the standard, than at Level 1-3. EMT training is commonly divided into several skill levels, e.g., First Responder, EMT, Advanced, and Paramedic. Training progresses from basic life support systems to advanced life support systems. EMT's follow sequentially designed treatment protocols, e.g., basic, intermediate, and paramedic protocols, keyed to their training and competency with life support systems. Protocols are commonly devised by professional and EMT boards. They cover dozens of cardiac, environmental, medical, trauma, and pediatric emergencies. An EMT may employ only that part of the protocol consistent with his or her training and certification. For example, a medical emergency protocol for chest pain allows basic EMT's to perform CPR and administer oxygen at a flow rate dependent upon patient symptoms. The basic EMT, however, may not employ advanced treatment procedures such as starting a normal saline IV, inserting large bore catheters in a vein for antithrombolytic agents, or administering nitroglycerin or lidocaine.

Many basic emergency medical procedures are analogous to Level 1-3 knowledge and procedures that Practical Nurses use, while many advanced procedures are comparable to Level 1-4 or higher knowledges. The appellants employed basic procedures and were not expected to use or maintain proficiency in advanced procedures, with but two exceptions. Consequently, their EMT duties were properly characterized as Level 1-3 rather than Level 1-4.

The appellants' advanced airways proficiency was indicative of Level 1-4 knowledge. By itself, however, it did not constitute the extensive body of knowledge or wide variety of nonstandard procedures expected at Level 1-4. Endotracheal intubation, EOA, and EGTA procedures are advanced procedures that significantly exceed basic EMT knowledge and training. Basic EMT procedures, for example, allow for clearing airway obstructions by prompting conscious patients to cough or opening unconscious patient airways with finger sweeps or abdominal thrusts. EOA/EGTA requires insertion of a mask fitted with a tube into the back of the patient's mouth and advancing the tube down the esophagus while listening for breath sounds in each axilla and epigastrium and verifying chest movements. It requires greater skill in both technique and patient observation.

EOA/EGTA and intubation stood isolated from the wide variety of other advanced procedures unavailable to the appellants. For example, injections (other than with the patient's own autoinjector), starting IV's, preparing and administering medications, needle chest decompression, and intraosseous infusion are advanced procedures or part of many advanced protocols the appellants were neither required nor permitted to use. These advanced procedures demand greater knowledge of fluid therapy, pharmacology, and trauma management than the appellants' work.

Similarly, operation of automatic and semiautomatic external defibrillators (AED/SAED's) requires special skill, but not the advanced knowledge characteristic of Level 1-4. Different brands and models of AED/SAED's have a variety of features and controls, e.g., paper strip recorders, rhythm display methods, energy levels, and message displays. First Responders, who lack basic EMT knowledge, may be trained in their operation while even advanced EMT's may lack such training or have trained only on conventional defibrillators. The AED/SAED trained operator, however, may not employ a manual override, if the machine is so equipped, a task that conventionally trained, advanced EMT's might perform. Similarly, the AED/SAED trained EMT may not perform endotracheal intubation, establish IV line access, or administer epinephrine, advanced procedures that are part of the ventricular fibrillation protocol more knowledgeable EMT's or Paramedics might execute. Though the appellants were trained in endotracheal intubation, that procedure was only part of the larger body of knowledge expected at Level 1-4.

The appellants were expected to be proficient in more difficult, but still standard, procedures, such as CPR on the move, field treatment of wounds, management of fractures, treatment of head and back injuries, and emergency childbirth. These procedures require considerable training and experience to develop proficiency and to execute in the field. They are common skills required of basic EMT's and equivalent to the level of knowledge demanded of Level 1-3 Practical Nurses who inject medications, insert catheters, monitor IV fluids, change IV tubing, discontinue IV's, apply electrodes for cardiac monitors, and report abnormalities. They are also similar to work done at Level 1-3 by Health Technicians in other specialties who operate, calibrate, and maintain commonly used equipment and recognize abnormalities that would be obvious to those with their considerable training and experience. Some technicians at this level are also knowledgeable in the use of aseptic methods to draw blood samples from patients and the operation of commonly used electrocardiographic equipment.

The appellants' independence and responsibility was the one factor found to exceed the usual expectations for GS-5 technical work. Although they followed established protocols in treating patients and referred situations not covered by them to professionals, as is characteristic of Level 2-2, they also independently gauged patient condition, made a number of assessments, and chose from a variety of actions before contacting medical control for advice. The appellants were the eyes and ears of the medical control, i.e., the emergency room doctor or nurse responsible for patient intake and assessment, which relied upon the appellants' observational skills for the basis of its advice regarding any deviation from protocols. Their independence and responsibility in the

decision to depart from protocols were assessed as equivalent to that exercised by Practical Nurses who, at Level 2-3, independently plan and carry out treatment plans without specific instruction for each patient's condition according to their previous training, instructions, and accepted practices.

The guidelines the appellants used in treating injuries and illnesses were consistent with normal GS-5 level expectations. The appellants relied upon more than 30 specific protocols approved by the post Medical Director. The protocols were specific regarding the emergency procedures to employ. Although the appellants had to select from among them according to their observations of each patient's condition, drawing upon their training and experience, they could not deviate from the protocols. As is typical of EMT's, they were required to refer developments not covered by the protocols to medical control for advice. Neither the guidelines used nor judgment exercised by the appellants in following them exceeded Level 3-2, the level typically credited to GS-5 technical work.

Based on its application of the GS-620 standard, the oversight division credited the appellants' EMT duties at Level 2 on the remaining factors, resulting in a GS-5 level determination. In crediting Level 9-2, the oversight division noted that the appellants' EMT work involved moderate risks in contrast to the high risks involved in their other, but separate set of duties evaluated by the GS-081 standard. The division noted that Firefighting exposed the appellants to dangerous substances such as noxious gases, fumes, and explosives, but as EMT's they dealt with lesser risks such as infection and contagious diseases requiring them to don special gloves, gowns, or masks as safety precautions.

Standard: [General Attorney, GS-905](#) (October 1959), [Purchasing, GS-1105](#) (March 1993), and [Job Family Standard for Professional Physical Science Work, GS-1300](#) (December 1997)

Factor: Various

Issue: Dollar Value as a Classification Criterion

Identification of the Classification Issue

This issue arose in an OPM oversight division's adjudication of three separate appeals, each seeking an upgrade or reclassification based upon the dollar value of their work. One involved an Attorney who cited the value of claims he tried in court, many of which exceeded the very large sum criterion given at the highest level of the occupational standard. The second concerned a Purchasing Agent who cited the warrant authority he held, which exceeded the dollar threshold the GS-1105 standard associated with higher graded Contract Specialist work. The third pertained to a Geologist who cited the millions in revenues generated by the highly valuable mineral program he oversaw, an element not directly addressed in the Job Family standard for Professional Physical Science Work, GS-1300.

Resolution

As a group, these cases illustrate the varying significance that classification standards attach to monetary value. The General Attorney, GS-905, standard specifically cites dollar value as a classification criterion. It uses dollar value, among other things, to distinguish the types of cases handled by beginning, intermediate, and senior level Attorneys. Though dollar value is not the sole criterion (e.g., other criteria include the frequency of very large sums of money, of vigorous contestation, and of nationwide interest together determine Type III credit), it is an important criterion for distinguishing among the standard's levels. To apply it to the appellant's cases, however, required two adjustments, both neglected in the initial classification decision. The first is adjusting the 1959 dollar figures given in the standard to their present value. The second is distinguishing the amount of a claim from the amount actually contested.

Adjustment of the dollar values given in the GS-905 standard is necessary to account for inflationary or deflationary effects since an absolute value would serve no useful purpose (see Digest No. 16, page 8). The standard, issued in 1959, identifies very large sums of money as about \$1,000,000. (Bureau of Labor Statistics purchasing power figures for 1995, the time frame of the appellant's legal cases, \$1,000,000 in 1959 equated to about \$5,240,000.)

The second adjustment is to distinguish the amount sought from the amount contested, e.g., in a contract payment dispute, the difference between the agency's proposed fee or rate/cost and the contractor's requested fee or rate/cost. The uncontested amount of a claim does not reflect the sum of money at risk in a case. Rather, it is the amount in excess of what the Government already acknowledges as its debt. Additionally, the trend to seek large awards does not necessarily render cases more difficult or complex, nor does it fulfill the intent of the standard regarding the frequent contesting of very large sums in terms of contemporary dollars, in interrelationship with the elements enumerated in the standard's criteria. Consequently, while the appellant's cases involved large dollar amounts, they did not meet the very large sum criterion of the standard or the remaining criteria necessary for Type III credit.

The Contracting, GS-1102, and Purchasing, GS-1105, standards acknowledge that the dollar value of procurements (above or below the small purchase threshold of \$25,000) and the procedures and instruments employed (simple procedures using purchase orders and requests for quotations versus formal advertising procedures using invitations for bid or requests for proposal) typically distinguish the one occupation from the other. The standards also recognize that the number and complexity of guidelines that apply to a purchase are linked to the cost and type of item bought. However, the standards use dollar value as an indicator of work characteristics rather than a classification criterion. Some overlap in monetary value and procedures is common between the two occupations and among grades, requiring careful application of classification principles when categorizing and grading borderline positions.

For example, the GS-1102 standard recognizes that some Purchasing Agents use requests for proposals (which are normally used for more complex procurements) for small purchases when a firm offer is required or when technical factors, rather than price, are the primary consideration. Likewise, some Purchasing Agents use bilateral purchase orders, typical of Contracting, rather than unilateral purchase orders, typical of Purchasing. Dollar value and procedures may suggest an occupation, but it is the knowledges required, complexity of the procurements, and other elements addressed in the standards that directly govern a procurement position's series and grade. The Purchasing Agent appellant used some of the same procedures Contract Specialists do, but in a more routine fashion and without substantial involvement in negotiating or awarding orders, developing selection criteria, or resolving contracting problems like protests concerning upward correction of the low bid, claims of faulty evaluation of technical proposals or the cost effectiveness of proposals, or charges of unduly restrictive competition. He had the authority to make formal commitments and obligate the Government for up to \$50,000 per transaction on open market purchases and up to the maximum order limitation on purchases made from Federal Supply Schedule Contracts. However, the work required practical experience following precedents, rather than more rounded knowledge of contracting concepts and principles. This limitation, coupled with the absence of a career path outside GS-1105 positions, along with the other usual considerations governing series determinations, precluded classification to the GS-1102 series.

The GS-1300 job family standard mentions property value and production cost estimates among its work examples but does not mention dollar value in its classification criteria. Unlike the Attorney standard, which directly assesses dollar value, or the procurement standards, which reference the dollar amount of purchases, the GS-1300 standard, like many other classification standards, avoids linking grading criteria to monetary values. Although dollar value sometimes is used as a criterion to determine work assignments or to establish thresholds for requiring higher level management reviews, except for a few standards (e.g., besides the above, the GSSG), it typically is not used as a grade evaluation criterion since it is subject to inflationary trends and other variances that make it unsuitable for directly determining the scope, responsibility, complexity, or difficulty of work. Instead, more pertinent criteria are expressed in the standards to provide a more direct measure of these factors. In the Geologist appeal, the value of the mineral production and royalties associated with the appellant's program bore indirectly on the difficulty and complexity of his assignments. The standard provided criteria that more directly assessed these two aspects of the work. When measured against these criteria, his work was otherwise indistinguishable from other programs in the office at the same grade level dealing with less valuable resources.

Standard: [General Attorney, GS-905](#) (October 1959)

Factor: Level of Responsibility

Issue: Crediting of Stature

Identification of the Classification Issue

The issue, which arose in an OPM oversight division's adjudication of an appeal, concerned the proper crediting of "The Effect of Individual Stature in the Profession" provision in the General Attorney Series, GS-905, standard. The standard provides instructions for crediting the provision. The agency, having determined that "stature" should be credited to the appellant, awarded an additional grade beyond the grade produced from applying the grade-level conversion chart in the standard.

Resolution

In adjudicating the appeal, OPM agreed that the appellant had met the requirements in the standard for attaining stature in the appellant's area of expertise. In discussing how the stature provision should be credited in the position's evaluation, the standard states:

In such cases it is appropriate . . .to provide some credit for it in evaluating the position. This extra credit will not normally, in itself, be worth an additional 'bonus' grade. However, in evaluating positions which meet the requirements of a *level of responsibility* with respect to some elements of evaluation and fall short with respect to other elements, this effect of the individual on the position should be recognized in evaluating it to the higher responsibility level, which in some cases will make a difference of one grade in the conversion to grade level.

Crediting of the stature provision, then, is done through the assignment of a level to the evaluation factor, Level of Responsibility. This factor contains four elements evaluated separately. Thus, when some elements are evaluated at a level, but the evaluation of the other elements falls short, crediting of the stature provision should be done by evaluating the Level of Responsibility factor to the higher level. In other words, crediting of the stature provision sways the rating of the Level of Responsibility only in borderline situations. Since OPM found only one element equating to a higher level than the other three (Level C), it concluded there was no borderline situation. Therefore, OPM concluded the factor was properly evaluated at Level C.

Standard: N/A

Factor: N/A

Issue: Pay Category Determination

Identification of the Classification Issue

This issue arose in three appeals filed with OPM oversight divisions. The first case was a group of employees occupying Biomedical Engineering Technician, GS-802, positions who appealed for a higher grade. OPM determined that they were performing work properly covered by the Federal Wage System (FWS). The second case was from an employee in an Engineering Technician, GS-802, position performing equipment calibration work who also appealed for a higher grade. OPM found that work properly covered by the FWS. The third case was from a group of employees whose positions were reclassified to the FWS because of a consistency review flowing from the second case. OPM found their positions also were excluded from the General Schedule (GS).

Resolution

Section 5102(c)(7) of title 5, United States Code (U.S.C.), exempts from coverage under the GS those “employees in recognized trades or crafts, or other skilled mechanical crafts, or in unskilled, semi-skilled, or skilled manual-labor occupations, and other employees including foremen and supervisors in positions having trade, craft, or laboring experience and knowledge as the paramount requirement.” The “paramount requirement” of a position refers to the essential, prerequisite knowledge, skills, and abilities needed to perform the primary duty or responsibility for which the position has been established. Whether particular types of positions are trades, crafts, or manual labor occupations within the meaning of title 5 of the United States Code depends primarily on the facts of duties, responsibilities, and qualification requirements, i.e., the most important, or chief, requirement for the performance of a primary duty or responsibility for which the position exists. If a position clearly requires trades, crafts, or laboring experience and knowledge as a requirement for the performance of its primary duty, and this requirement is paramount, the position is under the FWS regardless of its organizational location or the nature of the activity in which it exists.

In the first case, the primary duties and responsibilities included medical equipment maintenance, installation, evaluation, minor modification, inspection, and testing. The appellants' performance plan identified the following elements for appraisal: preventive maintenance, electrical safety, and incoming inspections; maintenance and repair; and responding to equipment failures in an emergency. Work orders and preventive maintenance logs showed that the appellants spent approximately 30 percent of their time on preventive maintenance and 45 percent of their time on equipment repair. The regular and recurring work of their position required a knowledge of

mechanics, electronics, pneumatics, electromechanics, optical repair, and electrical, mechanical, and solid state circuitry. They had to be familiar with a variety of test equipment such as analog and digital multimeters, integrated circuit testers, and pneumatic analyzers. They tested and repaired a wide variety of medical equipment such as radiographic units, electrocardiographs, blood gas analyzers, film processors, defibrillators, laser imagers, ventilators, patient monitors, audiometers, etc. Records showed that less than two percent of their work involved modification to or redesign of equipment. These only involved minor modifications, e.g., changing out parts of equipment using kits furnished by the manufacturer, installing check valves to prevent the overflow of waste, or placing antistatic mats around equipment to prevent static.

The GS-802 series includes technical positions that primarily require applying practical knowledge of the methods and techniques of engineering and the construction, application, properties, operation, and limitations of engineering systems, processes, structures, machinery, devices, and materials in the performance of technical work in research, development, design, evaluation, construction, inspection, application, standardization, and test or operation of systems, equipment, and devices. In comparison, the Medical Equipment Repairer, WG-4805, occupation includes work involved in the installation, maintenance, overhaul, repair, and testing of various medical and dental equipment used in patient diagnosis and treatment and in research laboratories. This work requires a knowledge and application of mechanical, electrical, and electronic principles and circuitry, the ability to determine malfunctions, and the skill to repair and maintain a variety of medical, dental, and laboratory equipment.

In discussing whether the Engineering Technician, GS-802, series covered the appellants' work, OPM noted that engineering technician positions and FWS jobs sometimes involve overlapping activities. A skilled trades person should possess many of the same knowledges, skills, and abilities as a technician. Occasionally, the technical aspects of the work of a position requiring competence in a trade may be significant in evaluating the level of difficulty, responsibility, and qualifications required for the work, but these technical features do not automatically place the jobs under the General Schedule.

The decision further noted that the difference between the General Schedule engineering technician position and the Federal Wage System medical equipment repairer jobs is not so much in types of skills, knowledges, and abilities possessed as in the degree to which they are possessed and the manner in which they are used. A basic difference is in the mental approach to the problem faced. For example, the technician uses knowledge to solve practical engineering problems. By comparison, the person repairing the equipment uses knowledge to follow and understand the design concepts of others and the purpose and operations of parts and circuits to tune the equipment for optimum performance and to find and correct malfunctions. In practice, this distinction may become blurred somewhat by innovative mechanics who are able to develop shortcut procedures to make their work faster and easier, to recognize and recommend the correction of errors in documentation, or to recommend design or method changes to remedy a

deficiency. In such cases, it is important to be mindful that the random performance of such work should not be construed as reflecting the paramount requirement for a position's existence.

Regular and recurring assignments determine the job's classification. OPM determined that the appellants' usual and recurring work assignments and the limited degree to which they performed modification and fabrication work did not provide an opportunity to apply the type of knowledge typically necessary in an engineering technician position. The decision concluded that the paramount requirement for the job's existence was the performance of work that required the application of knowledge and experience typical of the FWS. The job was, therefore, excluded from the GS.

In the second case, OPM found the primary and paramount work of the job was to calibrate testing, diagnostic, and measurement equipment in a production oriented environment. The appellant worked on a mobile team that calibrated and certified equipment at the transfer level. The transfer standards were calibrated and certified at an Area Calibration Laboratory (ACL) using secondary level standards calibrated at the agency's primary standards laboratory. The primary laboratory standards, in turn, are traceable to the National Institute of Standards and Technology. The workload was driven by the mission requirement to calibrate and certify most serviced equipment on a 120-day cycle. The oversight division found that 75 to 80 percent of the equipment was covered by published agency test procedures. Manufacturers' manuals and specification sheets were used to determine calibration requirements and techniques for equipment not in widespread use. Adapting and developing procedures typically consisted of substituting available calibration equipment for models specified in the manufacturer's manual based on performance requirements, or adjusting an established procedure to an updated model for which the tests, connections, and accuracies are the same. Workload records showed that over approximately 14 months 69 procedures were developed by the unit's 18 nonsupervisory employees. The only available information was the defined equipment accuracies, and the employees developed calibration procedures based on their knowledge of equipment operations and procedures covering similar types of equipment.

OPM concluded the primary and paramount work was not developing testing and maintenance procedures for use by others covered by the GS. The oversight division noted that performing testing work is an inherent part of trades functions such as repair, maintenance, installation, and fabrication. Trades work includes making measurements to diagnose malfunctions, to align and calibrate equipment, and to assure that equipment operates within prescribed tolerances and standards. These functions were the primary and paramount requirement for the appealed job and were based on understanding and following the design concepts of others typical of innovative mechanics as discussed in the first case. The decision concluded that the paramount requirement for the job's existence was the performance of work requiring the application of knowledge and experience typical of the FWS. The job was, therefore, excluded from the GS.

The third case was a group appeal from ACL employees whose positions were changed to the FWS from the GS based on the job grading rationale in the second case. The appellants emphasized their work with engineers and other GS personnel; training, certification, and program responsibility for using radioactive sources for nucleonic radiation calibrations; and the overall creativity of their work which should result in placing their positions in the GS. They stated that their calibration of speciality equipment from research and engineering development organizations required them to adapt and develop testing and calibration procedures a substantial amount of their work time.

Published agency guidelines recognized manufacturers' manuals as approved calibration procedures when they identify the technical specifications of the instrument to be calibrated, the required measurement standards and accuracies, and the detailed technical procedures to be used to perform calibration. The oversight division found that if agency test procedures did not exist for equipment, the appellants routinely contacted the submitting activity for a copy of the manufacturer's manual. As necessary, they contacted manufacturers for that information and other documentation that would help in calibrating the equipment. The oversight division concluded this work consisted of understanding and following the design concepts of others typical of innovative mechanics as discussed in the previous two cases. The division noted that recognizing gaps in documentation or recommending changes in procedures based on hands-on experience does not make the work GS. Higher graded trades and craft personnel routinely work with scientists and engineers. Their recommendations for manufacturing approaches and material selection based on extensive practical knowledge and trades experience are given great weight and frequently are adopted.

The oversight division observed that while installation, maintenance, repair, and testing are mentioned in GS standards, e.g., Engineering Technician, GS-802, and Electronics Technician, GS-856, it is the design, development, planning, and acquisition work that is considered paramount and controls the pay category. Installation, maintenance, and other hands-on work covered by these standards are secondary and usually involve an oversight role rather than doing the work.

Allocation of work to the FWS did not, as the appellants appeared to claim, demean its difficulty or complexity. On the contrary, complex trades work is mentally demanding. The calibration and repair of complex electronics and other equipment requires applying knowledge of physical science theories to resolve difficult equipment operation problems. Higher graded electronics trade work requires knowledge of test equipment capability, standard practices for test and operation, and theory of operations of many types of electronic circuits and their effect on each other. It requires being able to switch from one point of theory to another depending on the type of circuit, broad practical knowledge of electronics principles and their application to a wide variety of complex circuitry, and skill in applying circuit theory in the possible interaction of other circuits that may be creating a malfunction. Theoretical trades apprenticeship training is frequently provided by community college training courses, and associates degree holders are

qualified to enter either a trades or a technician career path. A skilled trades and craft background may be qualifying for placement in many GS positions, e.g., Electronics Technician, GS-856; Engineering Technician, GS-802; Equipment Specialist, GS-1670; Quality Assurance Specialist, GS-1910; Production Controller, GS-1152; and Industrial Specialist, GS-1150.

The variety of equipment calibrated by the appellants did not require applying broader knowledge and skill than typical of trades work. The higher grade levels defined in OPM job grading standards are predicated on dealing with a variety of equipment, systems, and/or subsystems that require the application of practical knowledge of theoretical principles under a wide variety of conditions. More restricted work assignments would have a negative grade level effect on trades and craft jobs.

The extensive radiological training and certification requirements for some appellants' work also were not pay category controlling. Health and environmental laws have resulted in certification and licensing or equivalent requirements in some trades occupations. For example, Wastewater Treatment Plant Operators, WG-5408, test and record results in standardized reports designed to meet Federal and State regulations. Some Water Treatment Plant Operators, WG-5409, perform basic biological tests to verify the elimination of treated microorganisms. Higher graded Pest Controllers, WG-5026, require certification for applying restricted use pesticides.

OPM found the appellants' primary and paramount duties flow from the mission and function of the organization in which they worked. Those duties entailed the calibration and incidental repair of test, measurement, and diagnostic equipment in a production environment. This work required trades knowledge of calibration, and knowledge of electrical, electronic, mechanical, and/or radiological principles to calibrate equipment for optimum performance, certify its accuracy, and find and repair malfunctions. Their periodic adapting, modifying, or developing procedures to calibrate nonstandard or new test, measurement, and diagnostic equipment does not change the primary and paramount trades work they performed. Most of that work involved applying established calibration approaches and protocols using manufacturers' manuals and was typical of higher graded trades workers who use vague and incomplete instructions and procedures when developing and carrying out techniques for use on specific equipment. Therefore, OPM found the appellants' jobs were allocated properly to the Federal Wage System.