

U.S. Office of Personnel Management  
Office of Merit Systems Oversight and Effectiveness  
Classification Appeal and FLSA Programs

Philadelphia Oversight Division  
600 Arch Street, Room 3400  
Philadelphia, PA 19106-1596

**Pay Category Appeal Decision**  
**Under section 5103 of title 5, United States Code**

**Appellant:** [appellant's name]

**Agency classification:** Packaging Designer  
WG-7001-8

**Organization:** Packaging and Containerization Division  
Defense Distribution Depot  
[name]  
Defense Distribution Center  
Defense Logistics Agency  
[location]

**OPM decision:** Packer  
WG-7002-6

**OPM decision number:** C-7002-06-03

Robert D. Hendler

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Robert D. Hendler  
Classification Appeals Officer

9/4/01

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Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the *Introduction to the Position Classification Standards* (PCS's), appendix 4, section G (address provided in appendix 4, section H).

Since this decision lowers the grade of the appealed position, it is to be effective no later than the beginning of the sixth pay period after the date of this decision, as permitted by 5 CFR 532.705(d). The servicing personnel office must submit a compliance report containing the corrected position description and a Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action taken.

The personnel office must also determine if the appellant is entitled to grade or pay retention, or both, under title 5, United States Code (U.S.C.), sections 5362 and 5363 and 5 CFR 536. If the appellant is entitled to grade retention, the two-year retention period begins on the date this decision is implemented.

### **Decision sent to:**

PERSONAL

[appellant's name]

[appellant's address]

Mr. Paul Okum  
Director, Personnel and Administration  
Defense Distribution Center  
2001 Mission Drive (Building 81)  
New Cumberland, PA 17070

Ms. Pamela M. Creek  
Executive Director, Human Resources  
Defense Logistics Agency  
8725 John J. Kingman Road, Suite 3630  
Fort Belvoir, VA 22060-6221

Ms. Janice W. Cooper  
Chief, Classification Appeals  
Adjudication Section  
Department of Defense  
Civilian Personnel Management Service  
1400 Key Boulevard, Suite B-200  
Arlington, VA 22209-5144

## **Introduction**

On May 25, 2001, the Philadelphia Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a pay category appeal from [appellant's name]. His job is currently graded as Packaging Designer, WG-7001-8. He believes that the job should be in the Packaging Series, GS-2032. The appellant works in the [name] Division, Defense Distribution Depot [name], Defense Distribution Center, Defense Logistics Agency, [location]. We accepted and decided this appeal under 5 U.S.C. 5103.

## **General issues**

The appellant states that he does not pack, repack or preserve. He determines what, if any, preservative is required and the method of preservation, cushioning material, wrap, desiccant amount, etc., is necessary. The appellant makes these decisions by analyzing, interpreting and implementing directives, specifications and special packing instructions (SPI's) governing preservation, packing and crating operations that are published at higher levels in the agency, other agencies and activities. He corresponds to obtain clarification on conflicting directives or to obtain deviations.

In the absence of, or when dealing with inadequate specifications, the appellant states that he designs and develops appropriate methods to meet requirements by studying item characteristics, functions and structures. The appellant says that he designs preservation and packaging techniques for items that have no packaging data available. He promotes standardization for future items by preparing Form 3491, pilot pack card. The appellant is the technical advisor to packers and their work leaders on operational use of all types of preservation and packing methods. He works with the procurement officer to order materials for his designs based on researching military specifications in the [activity name] Depot Technical Library. The appellant then fills out Order Form 1304 ensuring it contains the correct type, class, size, grade, etc. He calculates the amount and cost of material used for reimbursable items and forwards the information to the Financial Officer.

The appellant's rationale relies on the description of work in the position description (PD) ([number]) of record. A PD is the official record of the major duties and responsibilities assigned to a position or job by an official with the authority to assign work. A position or job is the duties and responsibilities that make up the work performed by an employee. Pay category appeal regulations permit OPM to investigate or audit a job, and decide an appeal on the basis of the actual duties and responsibilities assigned by management and performed by the employee. An OPM appeal decision classifies a real operating job, and not simply the PD. Therefore, this decision is based on the actual work assigned to and performed by the appellant and sets aside any previous agency decision.

We conducted an on-site audit with the appellant and an interview with his supervisor, [name] on July 25, 2001. On August 1 and 2, 2001, we conducted telephone interviews with two of the appellant's program contacts at other activities. In deciding this appeal, we fully considered the audit findings and all information of record furnished by the appellant and his activity at our request. We find that the PD of record, certified as current and accurate by the appellant and his

supervisor on April 17, 2001, contains the major duties and responsibilities assigned to and performed by the appellant and we incorporate it by reference into this decision.

### **Job information**

The appellant designs and constructs packs, e.g., containers and cells, for items that have not previously been packed by the appellant's activity and/or for which no previous packing record is available. These packs are for custom and nonstandard shipping and storage containers for items of irregular size and shape, including sensitive electronic equipment and delicate instruments. Containers and cells are designed to prevent shifting or damage in transit or storage. The appellant weighs the unit, and determines the proper method of pack according to material, size, fragility, and destination. He lays out, designs and fabricates cells, pads and cartons based on item size and shape to provide maximum protection for its ultimate disposition. He then prepares a pilot pack card for future orders. The appellant screens and updates pilot pack cards as necessary.

The appellant provides guidance and assistance to Packers and Packing Leaders, and explains any unusual packing methods and/or procedures. He makes special packages or packs on a one-time basis. The appellant provides precise dimensions or drawings to the Container Fabrication Branch for constructing boxes, dividers, protective shipment framing, etc. He reviews, interprets and implements specifications and other directives governing preservation and packing. The appellant works with representatives of other depots in the initiation and development of packages and packaging data.

### **Pay category determination**

Section 5102 of 5 U.S.C. requires that a pay category determination be made as the first step in the position classification process. Section 5102(c)(7) exempts from the General Schedule (GS) employees in recognized trades or crafts, or other skilled mechanical crafts, or unskilled, semiskilled, or skilled manual-labor occupations, and other employees in positions having trade, craft, or laboring experience and knowledge as the paramount requirement. The *Introduction to the PCS's* defines paramount requirement as the essential, prerequisite knowledge, skills, and abilities needed to perform the primary duty or responsibility for which the position has been established. Whether a position is in a trade, craft, or manual labor occupation depends primarily on the 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 trade, craft, or laboring experience and knowledge to perform its primary duty, the position is under the Federal Wage System (FWS). Paramount does not rely on percentages of work time.

The appellant's primary and paramount duties flow from the mission and function of the organization in which he works. Those duties entail the packing and preservation of items in a distribution center production environment. This work requires trade knowledge of packing and preservation. His adapting, modifying or developing packages to ship nonstandard items does not change the primary and paramount trade nature of his work. Most of that work involves applying established and accepted packing methods, approaches and protocols using packaging

and shipping regulations. This is typical of higher graded trade workers who use vague and incomplete instructions and procedures when developing and implementing techniques for use on specific equipment.

Hands-on packaging design is an incidental duty performed by GS-2032 Packaging Specialists. The primary purpose of GS-2032 positions is to develop packaging methods and techniques that form the basis of agency instructions, specifications and regulations. Developing packaging methods and techniques considers the compatibility of materials in terms of potential chemical reactions, toxicity, explosions and corrosion, and the precautions that must be taken to prevent mechanical damage during handling, shipping and storage. They include researching the use of new or different materials, and changes in approaches to packaging and preserving items to reduce packaging and preservation costs, improve shelf life and meet equivalent programmatic objectives. These functions are vested in other positions at the depot and higher levels in the appellant's agency and customer agencies. In contrast, the appellant applies approved methods, techniques and approaches to packaging individual items based on their mechanical and environmental characteristics and requirements, e.g., anti-static wraps to protect electronic chips and desiccants to prevent corrosion. Based on his trade experience, the appellant contributes to some extent to the design of the package fabricated, and to improve or modify fabrication methods for special assignments, e.g., suggesting alternative packaging materials in designing the Special Operations Forces Demolition Kit. Therefore, the appellant's job is properly allocated to the FWS.

### **Series, title, and standard determination**

The activity determined that the position fell outside the scope of the Packer 7002 occupation and placed in the 7001 occupation because it performed work exceeding the highest grade level defined in the Packer 7002 job grading standard (JGS). This conclusion was based on the appellant's designing packs and packages, developing illustrations and specifications for packing items, and performing this work when no packaging specifications are on hand and no packing data is available.

JGS's do not describe all possible grade levels at which jobs might be established. If a job differs substantially from the grade levels described in the JGS, it may be graded above or below the levels described based upon sound job grading methods. The activity's conclusion that the job exceeds the highest grade level described in the JGS does not remove the appellant's job from coverage by that occupation. Based on the following analysis, the appellant's position is properly allocated as Packer, WG-7002. However, the activity may use another title, e.g., Packaging Designer, for internal administration, program management or similar purposes.

### **Grade determination**

The 7002 JGS covers nonsupervisory work involved in preserving and/or packing and repacking equipment, parts, tools, materials, and other items in various types of containers to protect them from damage, deterioration, or corrosion during shipment and storage. Most work requires the incidental use of a variety of trade practices associated with related or support occupations such as forklift operating, wood working, mechanical equipment assembly, and materials handling.

The JGS uses four factors to determine grade level: Skill and Knowledge; Responsibility; Physical Effort; and, Working Conditions.

### *Skill and Knowledge*

The activity's analysis concludes that the appellant's position exceeds the grade 6 level, the highest level described in the JGS, because the packs that he designs are not found in regulatory packing and shipping requirements and must be developed as the pack is designed. The analysis states that the position exceeds the grade 6 level because the work requires developing illustrations and specifications for packing items where no packing specifications are on hand in any files.

We find that the appellant's work meets, but does not exceed the grade 6 level, the highest level described in the JGS. His work matches the most complex functions described at that level since he primarily deals with custom packing fragile and/or other items with special handling requirements. Co-workers bring items that do not have pilot packing cards on file to the appellant. Typical of the grade 6 level, the appellant applies skill in the use of computerized equipment to access packaging information on the item, e.g., searching the FEDLOG automated system based on national stock number. Based on the agency that owns the items, he checks Air Force and Army automated systems for SPI's. Using those instructions and their specifications, he identifies the packaging materials and methods to be used, and develops the first pack. The appellant transfers the information to a pilot pack card for other staff members to use in the future by ordering it from the carton shop as a stocked package. This may include supplementing SPI's if they do not include required information. For example, if the SPI requires cushioning (M-42), but does not list barrier material, the appellant works with Army or Air Force SPI contacts to clarify and add the appropriate barrier material to the packaging material list. He works with them to obtain deviations, e.g., approval to substitute foam on hand for the type of foam specified in the SPI.

When those instructions are missing, the appellant uses established packaging practices, methods, and regulations, e.g., MILSTD 2073, Standard Practice for Military Packaging, to determine the materials, containers, devices (e.g., hangers) and preservatives (e.g., desiccants) needed to pack items for which standard containers (e.g., cartons and crates) are not in stock. As at the grade 6 level, the work requires a detailed knowledge of various types of protective devices, cushioning techniques, preservation materials, and application techniques to prevent damage in handling, storage and shipment. Typical of that level, he computes size, weight, and material requirements. By studying the item's physical characteristics, the appellant determines how to immobilize to prevent shifting in transit, e.g., by using cardboard pads or cells, or mounting on plywood. He determines whether it falls within tri-wall cardboard box weight limits or must be shipped in a wooden crate. As at the grade 6 level, his work requires knowledge of and skill in the use of packaging and preservation equipment and processes, including heat sealers, shrink wraps, foam-in-place packaging, sensitive/classified materials handling, electro-sensitive discharge materials handling, desiccants and preservative oils.

The appellant and his activity stress his design responsibility. Rather than working from illustrations and specifications as described in the JGS, the appellant develops illustrations and

specifications to design cradling and protective forms. Whether derived from illustrations or sketches provided by other people or himself, the skill and knowledge required to develop and construct cradling and protective forms is based on a grade 6 level in-depth knowledge of a wide variety of standard packing and preservation processing methods and techniques as discussed previously. This work requires grade 6 level skill in determining weight point supports for irregular items and devices and to fabricate supporting blocking and bracing for wooden crates and equivalent supports using foam and padding. Based on the preceding analysis, the appellant's work meets the grade 6 level.

### *Responsibility*

As at the grade 6 level, the appellant independently determines the methods and techniques to preserve and/or pack the wide variety of standard and non-standard items handled at the grade 6 level. He provides technical guidance to others in preserving and packing specialized and sensitive equipment. Typical of that grade level, he uses judgment in selecting materials and determining work sequences when instructions are incomplete or involve specialized types and sizes of material. The appellant receives more limited supervision than at the grade 6 level in that his work is self-generated and his supervisor does not routinely spot check it. His supervisor must review and authorize purchases for packaging materials requested by the appellant. However, the supervision that he receives is not sufficiently different to elevate this factor above the grade 6 level, the highest level described in the JGS. Therefore, this factor is credited at the grade 6 level.

*Physical Effort* and *Working Conditions* are the same at both grades level. Because they do not have grade level impact, and the appellant's work meets the levels described in the JGS, we will credit both factors as being met and will not address them further.

In summary, we find that the appellant's packing duties meet the grade 6 level.

### **Decision**

The appealed job is properly graded as Packer, WG-7002-6.