

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

Chicago Oversight Division
230 South Dearborn Street, DPN 30-6
Chicago, Illinois 60604

**Classification Appeal Decision
Under Section 5112 of Title 5, United States Code**

Appellant: [appellant's name]

Agency Classification: Engineering Technician
GS-802-7

Organization: Department of Veterans Affairs
VA Medical Center
Facilities Management Service
[City, State]

OPM decision: GS-802-7
Engineering Technician

OPM decision number: C- 0802-07-02

/s/

Frederick J. Boland
Classification Appeals Officer

October 30, 1998

Date

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

Decision sent to:

[appellant's name and address]

[name and address of appellant's servicing
personnel office]

Mr. Ronald E. Cowles
Deputy Assistant Secretary for Personnel
and Labor Relations
Department of Veterans Affairs
Washington, DC 20420

Introduction

The appellant contests the classification of the grade of his position in his agency. He is assigned to an Engineering Technician, GS-802-7 position in the [Name of] Section, [Name of] Service Line, Facilities Management Service, VA Medical Center, Department of Veterans Affairs, in [City, State]. He feels his work should be graded at the GS-9 level because of, among other things, his assigned projects, which he feels are wide in scope and require many engineering disciplines per project, and the nonrecurring nature of his assignments, and the fact that only a few of his projects are under the \$25,000 threshold.

The appellant also cites the similarity of his work assignments to a higher graded technician in his organization to support his appeal. By law, positions are classified based upon their duties, responsibilities, and qualification requirements compared to the criteria specified in the appropriate OPM classification standard or guide. Other methods of evaluation, including comparisons to other positions, are not permitted. Our analysis of the appellant's work, therefore, addresses no position description other than his own, which he admits accurately describes his major duties. To ensure equal pay for equal work, though, agencies are required to apply classification standards and OPM decisions consistently. Accordingly, our letter transmitting this decision to the agency requests that it respond to the consistency issue the appellant raises.

Job Information

The appellant is one of six employees in the [Name of] Section. The section has a GS-9 Engineering Technician; a GS-9 Interior Designer; a GS-7 Engineering Technician (the appellant); a GS-7 Program Assistant (OA); and a GS-6 Engineering Draftsman, who report to a GS-12 Supervisory General Engineer.

The appellant functions as a project coordinator. He is responsible for planning, estimating, designing, drafting, specification writing, and inspection of construction projects including, but not limited to, painting towers, remodeling privacy bathrooms, canteens, and pulmonary function labs, and constructing handicap entrances at the Medical Center. He is currently serving on a temporary promotion to a GS-9 Engineering Technician position. However, this evaluation is based solely on the duties of the appellant's permanently assigned position.

Analysis and Findings

Series and Title Determination

The appellant's duties match the definition of the Engineering Technician, GS-802 series, which includes positions that require application of a practical knowledge of the methods and techniques of engineering or architecture, and the construction, application, properties, operations and limitations of engineering systems, processes, structures, machinery, devices, and materials. Thus, this series includes positions performing nonprofessional technical work in functions such as research, development, design, evaluation construction, inspection, production, application,

standardization, test or operation of engineering facilities, structures, systems, processes, equipment, devices or materials. The appellant's position requires planning, estimating, designing, drafting, specification writing, and inspection of a limited number of engineering projects at the Medical Center but does not require professional training.

The prescribed title for nonsupervisory, mixed specialization positions like the appellant's in the GS-802 series is *Engineering Technician*.

Grade Determination

OPM's position classification standard for the Engineering Technician, GS-802, Series dated June 1969 provides two broad classification factors: Nature of Assignment and Level of Responsibility.

Work demanding less than a substantial (at least 25 percent) amount of time is not considered in classifying a position. Similarly, acting, backup, and other temporary responsibilities that are not regular and continuing are not considered.

Nature of Assignment

This factor includes the scope and difficulty of the project and the skills and knowledges required to complete the assignment. It also encompasses such aspects as the complexity and difficulty of the duties and responsibilities assigned as well as the creativity and ingenuity required to resolve problems.

The appellant states:

As an Engineering Technician, functioning as a Project Coordinator (P.C.) and a Construction Officer Technical Representative (COTR), I develop cost estimates, construction specifications, and prepare drawings for both new construction and remodeling.

When preparing cost estimates I use methods available such as Means Estimating. The cost estimates may include materials, labor, equipment, overhead and profit. Developing construction specifications I edit the federal specifications or write new specifications describing the requirements of the contract providing services and equipment. Producing construction drawing requires me to utilize the engineering draft person by conveying the requirements of construction project. I accomplish this by red-lining blue prints, pencil drawings, CAD drawings, verbal communications and/or written communications.

Working as the COTR, I oversee construction projects, approve submittals, conduct final inspections, and provide the contractor with an onsite visit of the proposed construction site. All this is done to obtain accurate bids for both remodeling and new construction.

When a construction project has been issued for bidding process I provide the contractors with an onsite visit of the proposed area and answer any and all questions they may have. During the construction phase I monitor the project by conducting routine inspections and daily site visits to assure complete compliance with drawings and federal specifications. I review submittals from the contractor to assure products compliance with drawings and specifications. Using my judgment and through meetings with the contractor, I determine equitable monthly progress payments. Upon the substantially completed project I conduct a final inspection to insure the finished projects compliance with the drawings and all regulated specifications.

Most construction projects are multi-discipline, including, but not limited to, carpentry, plumbing, electrical,

masonry, steel work, road work, excavation and underground utilities. I have organized projects which have varied greatly in costs ranging from \$20,000 to \$+200,000.

The appellant's claims suggest that he personally attends to the myriad of technical details associated with complex construction projects. The appellant is already credited at the GS-7 level for applying initiative and resourcefulness in planning nonroutine assignments of substantial variety and complexity. As at the GS-7 level, guides and precedents are applicable to his work and his assignments are similar to those previously worked on in the organization. They also are screened to eliminate complex unusual design problems. The specific work examples he cites, like other GS-7 work, require the application of conventional, well-established engineering practice in an area limited in scope, in his case, general construction. Further, his examples do not share the same complexity and breadth found at the GS-8 level, where assignments typically require consideration of numerous precedents and some adaptation of previous plans and techniques.

To support his claim of higher graded duties, the appellant cited an example where he was the project manager for the handicap entrances in Buildings 48 and 49 in the second quarter of FY 96 and Buildings 50 and 51 in the fourth quarter of the same fiscal year. The appellant feels that this project was very complex and required the use of several engineering disciplines. He indicated excavation was needed, walls were placed into the ground, a connecting corridor was built, and electrical and general plumbing were installed. During the construction, the appellant personally monitored the progress of construction, approved or disapproved submissions made by the contractors for compliance with specifications, and conducted the final inspection. Each month the appellant authorized payments based on discussions with the foreman of the construction project.

The appellant's supervisor indicated that this was a complex project but that it was not typical of the appellant's assignments. In addition, the appellant was not responsible for the project specifications or design, both of which were prepared by the appellant's supervisor. He would have typically expected a higher graded employee to perform both functions that he performed for the appellant on this project and with less supervisory oversight.

GS-7 Engineering Technicians, like the appellant, select from appropriate guidelines to resolve operational problems not fully covered by precedents. They are required to develop revisions to standard work methods and procedures; modify parts, instruments, equipment; and take actions or make recommendations based on preliminary interpretation of data or results of analysis. GS-7 technicians write or review assigned sections of project specifications pertaining to a variety of materials and construction methods such as roofing, flooring, foundation damp-proofing and waterproofing, caulking, and glazing. They select and adapt stock paragraphs, guide specifications and previously approved project specifications; write items describing materials or methods by analyzing and extracting information from drawings, notes, and other sources; and apply judgment in determining adequacy of items to satisfy design requirements.

Generally, the appellant uses the Veterans Affairs' Master Construction Specifications software to develop project specifications. This involves describing the project so the computer can generate an exhaustive list of specifications that could be applicable. The appellant analyzes the list to

determine which of the proposed specifications are appropriate for the assigned project. Once he determines the specifications, the office staff edits and prepares the list in book form for use in soliciting bids from contractors. The specifications are also used by a draftsman to prepare rough drawings for the appellant's evaluation and comments. The appellant returns rough drawings with revisions and comments to the draftsman for finishing. The appellant also serves as the COTR for evaluating proposals received from contractors. Once contracts are let, he ensures that the general contractors and subcontractors meet the design specifications for the construction projects. He gave examples where his responsibilities encompassed insuring that footings are in the right place, corridors are at the right elevation, and ramps are at the right height. Other duties include verifying that radiators are in the right place, wiring is at the right junctures, and light fixtures are of the right type. These are assignments typical of those described at the GS-7 level in the standard.

Engineering Technicians at the GS-8 level independently plan and conduct a block of work which is a complete project of relatively conventional and limited scope or a portion of a large project with diverse components. Assignments require analyses of several possible courses of action, techniques, general layouts, or designs and selection of the most appropriate. They generally require consideration of numerous precedents and some adaptation of previous plans and techniques. However, assignments require to only a limited degree the coordination and integration of diverse phases carried out by others. The more complex and critical aspects of problem exploration, evaluation of approaches, and development of new solutions are referred to others. The GS-8 technicians prepare plans, specifications, and cost estimates for construction projects of a recurring or nonrecurring nature of moderate difficulty. At grade GS-7, the assignment is typically a phase of a broader project, while assignments at grade GS-8 are typically broader and more complex than the appellant's.

We evaluate this factor at the GS-7 level.

Level of Responsibility

This factor reflects the technical judgment exercised, the degree of supervision received, and the nature of personal contacts. It is typically influenced by the freedom to plan and execute work, and to lead and coordinate the work of team members. This factor should be reviewed in terms of the level of assignment as well. An abundance of independence for routine or less demanding aspects of the assignment does not enhance the level of this factor if the more complex assignments are carried out under closer scrutiny.

The appellant states:

As my supervisor assigns various projects to me I am given the scope, deadline and general instructions. My responsibilities comes when I work the project from conception to the finished product. I seek my supervisor for consultation and advice where standards deviate from the normal engineering practices. I am responsible for arranging my own contacts, coordination of all work, resolving any conflicts, and insuring the process from beginning to completion. Working with a wide multitude of disciplines, requires great knowledge, responsibility, and expertise in my chosen field.

Although the appellant indicates that he completes entire projects with only general instructions

when there are no deviations from standard engineering practices, his supervisor indicates that the appellant does projects of relatively conventional and limited scope. Further, the supervisor indicates that the appellant's projects generally require more oversight and guidance than at higher levels and that the projects are more general and repetitive in nature such as painting towers, installing privacy bathrooms, and installing handrails.

Consistent with GS-7 level work responsibility, the appellant performs assignments that require initiative and resourcefulness in planning and/or execution. At the GS-7 level, he is already given credit for independently selecting, interpreting, and applying engineering technical guidelines in situations where precedents are not fully applicable. As noted under the Nature of Assignment, the appellant typically accomplishes his work using well established, conventional practices. He has little in the way of specific examples to indicate a level of independence that is afforded at the GS-8, where technicians select and adapt appropriate guidelines and complete familiar assignments without explicit instructions as to work methods and precedents. His level of responsibility and independence is constrained by his work assignments, which lack the complexity and scope of assignments found at the GS-8 and higher.

GS-8 technicians receive a similar degree of supervision as the GS-7 technicians in that the technician receives guidance and instructions in dealing with unfamiliar practices and problems. On familiar types of assignments the GS-8 technician is relied upon to select and adapt appropriate guidelines and complete assignments without explicit instructions as to work methods and precedents. Problems not covered by guides may be solved independently but are typically referred to higher grade employees for prior review. Significant deviations from guides require approval. The level of responsibility at GS-8 differs from that at GS-7 primarily in terms of the broader, more complex assignments which include significant responsibility for selecting from among a greater variety of alternatives based on analyses made by the technician.

We evaluate this factor at GS-7.

DECISION

The proper classification of the appellant's position is Engineering Technician, GS-802-7.