

Job Grading Appeal Decision
Under section 5346 of title 5, United States Code

Appellant: [Name of appellant]

Agency classification: Maintenance Worker
NA-4749-5

Organization: [Appellant's organization/location]
Morale, Welfare and
Recreation Department
Commander Fleet Activities
Department of the Navy

OPM decision: Job not covered by Federal Wage System

OPM decision number: C-4749-05-01

Ana A. Mazzi

Ana A. Mazzi
Deputy Associate Director
Merit System Audit and Compliance

11/23/2010

Date

As provided in section S7-8 of the *Operating Manual: Federal Wage System Nonappropriated Fund*, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. There is no right of further appeal. This decision is subject to discretionary review only under conditions specified in section 532.705 (f) of title 5, Code of Federal Regulations (address provide in the *Introduction to the Position Classification Standards*, appendix 4, Section H).

Since this decision changes the grading of the appealed job by removing it from coverage of the Federal Wage System (FWS) and may negatively affect the appellant's rate of pay, it is to be effective no earlier than the date on which the decision can be effected in accordance with procedures required by applicable law and regulation. The servicing human resources office must submit a compliance report providing documentation showing removal of the job from coverage by the FWS. The report must be submitted within 30 days from the date the decision can be effected to the San Francisco Oversight office.

Decision sent to:

[Appellant's name and mailing address]

[Address of appellant's servicing human resources office]

Service Center Director
Fleet and Family Readiness Service Center
Department of the Navy
5720 Integrity Drive
Millington, TN 38055-6500

Director, Office of Civilian Human Resources
Department of the Navy
614 Sicard Street SE, Suite 100
Washington Navy Yard, DC 20374-5072

Director, Workforce Relations and Compensation Division
Department of the Navy
Office of Civilian Human Resources
614 Sicard Street SE, Suite 100
Washington Navy yard, DC 20374-5072

laithe.haik@navy.mil

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

Introduction

On October 26, 2009, the San Francisco Oversight and Accountability Group (now San Francisco Oversight) of the U.S. Office of Personnel Management (OPM) accepted a job grading appeal from [name of appellant]. On December 15, 2009, we received the agency's complete administrative report. The appellant's job is currently graded as Maintenance Worker, NA-4749-5, but he believes his skills, knowledge and responsibility warrant upgrading to the NA-7 level. The appellant works in the [name of appellant's organization and work location], Morale Welfare and Recreation (MWR) Department, Commander Fleet Activities, Department of the Navy. We have accepted and decided this appeal under section 5346 of title 5, United States Code (U.S.C.).

General issues

The appellant compares his duties to higher graded jobs (NA-7) performing similar duties at other U.S. Navy installations in [name of work location] and thus believes his job should be higher graded. In adjudicating this appeal, our responsibility is to make our own independent decision on the proper classification of this job. By law, we must make that decision solely by comparing his current duties and responsibilities to appropriate Job Grading Standards (JGS) (5 U.S.C. 5346), and have considered the appellant's statements only insofar as they are relevant to making that comparison. Since comparison to JGS is the exclusive method for grading jobs, we cannot compare the appellant's job to others located at different installations which may or may not be properly graded as a basis for deciding this appeal.

Job information

Both the appellant and his supervisor have certified to the accuracy of the appellant's official job description (JD) [number]. However, we find the JD is inaccurate because it lists several major duties the appellant does not perform. Our fact-finding disclosed he does not perform minor repairs, renovations and upkeep at his assigned gym involving work with wood, metals, and motor vehicles, using numerous types of maintenance equipment; he does not perform daily cleaning and preventive maintenance for the facility swimming pool; he does not monitor and maintain recycling containers for cardboard, aluminum, newspaper and white paper; and he does not deliver and pick up various equipment and materials between the MWR warehouse and other MWR facilities. In addition, in contrast to statements in the JD his duties do not require basic knowledge of simple carpentry and metal working, minor electronics, and motor vehicles.

The appellant performs a variety of duties supporting the physical fitness and recreation programs at the [name of recreation centers]. His typical duties include setting up the gymnasium and/or center with equipment, canopies, or booths for youth sports and other scheduled MWR special events; keeping work out rooms orderly and ensuring all recreational equipment (e.g., weights) is returned to its designated area; cleaning and wiping down fitness equipment after use; inventorying recreational supplies and equipment and stocking towels as needed; ensuring fitness equipment is maintained and in working order; using basic tools to assemble/install various types of new or used fitness equipment; and reporting any repairs

needed to equipment to MWR maintenance personnel. The appellant works under general supervision, performing his duties independently with little or no supervisory review.

In reaching our job grading decision, we have carefully reviewed all information furnished by the appellant and his agency including his official JD which, although inaccurate in some aspects, we find to be sufficient overall for purposes of describing work performed and incorporate it by reference into this decision. In addition, to help decide the appeal we conducted a telephone interview with the appellant. We also reviewed the responses of his first and second-level supervisors to an extensive written questionnaire we prepared.

Pay system determination

The agency allocated the appellant's job to the Maintenance Mechanic, 4749 occupational series, titling it Maintenance Worker, and the appellant does not disagree. However, for the reasons discussed below we find the job is not covered by the FWS.

Jobs allocated to the 4749 series perform work involving the maintenance and repair of grounds, exterior structures, buildings, and related fixtures and utilities, requiring the use of a variety of trade practices associated with occupations such as carpentry, masonry, plumbing, electrical, air conditioning, cement work, painting, and other related trades. Work in the 4749 series requires the application of more than one trade practice and the highest level of work performed in at least two of the trades involved. However, in order to be covered under the FWS, the paramount requirement to perform the primary duties of the job must be trades, crafts, or laboring experience. The term "paramount requirement" refers to the essential, prerequisite knowledge, skills, and abilities to perform the primary duty or responsibility for which the job has been established.

The record shows (and confirmed by the supervisors) that knowledge and skill in trades or crafts to perform the primary duties of the appellant's job are not required. As previously discussed, the appellant performs a variety of duties supporting the physical fitness and recreational programs at his installation. Although he occasionally assembles fitness equipment using basic tools, none of the tasks listed under the "Job information" section above require application of any trades and crafts knowledge and skill. When building or maintenance repair situations occur requiring the services of trades and crafts employees (e.g., electricians, carpenters, plumbers, painters), a work request is prepared and sent to the installation's Public Works Department. That department then dispatches a qualified trades person to perform the designated repair.

Although the appellant does general cleaning of fitness equipment those duties do not compare to work done by employees whose jobs are allocated to the Laboring, 3502 occupational series. Jobs in that series primarily require physical effort and ability to perform laboring duties that involve little or no specialized skill or prior work experience. Work in the 3502 series typically includes loading and unloading trucks; moving office furniture, equipment, and supplies by hand or with various moving devices; mowing lawns and trimming shrubs; washing vehicles; and clearing and digging ditches. Such duties are commonly found in a variety of work situations such as roads and grounds maintenance, industrial operations, warehouses, office buildings, supply centers, and production areas. In addition, while the appellant is required to keep the

gymnasium and fitness rooms clean and orderly, he does not perform work typical of duties allocated to the Custodial Working, 3566 occupational series. Unlike work in that series he does not sweep, scrub, and wax floors; wash windows and walls; dust and polish furniture and fixtures, and empty waste cans. Such janitorial and custodial work is done by contract workers.

We find the appellant does not apply knowledge and skills of trades and crafts to perform his primary duties. Instead, his duties require a practical knowledge of recreational activities and programs of a military installation, combined with skill in the maintenance and use of recreation materials and equipment. In doing so, he provides support and assistance to recreation managers at the installation including the Athletic Facilities Manager and Athletics Director, whose positions are both classified as NF-0188-04. When covered under the General Schedule classification system, such work is classifiable to the GS-189 Recreation Aid and Assistant Series which includes positions requiring a practical knowledge of one or more recreational activities combined with the skill in the maintenance and use of recreation materials and equipment. Like the appellant, work in this series includes such assignments as setting up recreation areas for scheduled activities; setting up and maintaining recreation areas, tools, and equipment; setting up gymnasiums and playing fields; and taking inventory of authorized recreation supplies and equipment.

Decision

The appellant's job is not covered by the FWS.