

Classification Appeal Decision
Under section 9902 of title 5, United States Code

Appellant: [Appellant's Name]

Agency classification: Chemist
YD-1320-02

Organization: [Appellant's Unit]
[Appellant's Branch]
[Appellant's Division]
Department of the Air Force
[Location/ City and State]

OPM decision: Chemist
YD-1320-02

OPM decision number: C-1320-02-01

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

6/17/2010

Date

Under the authority of section 9902 of title 5, United States Code and section 9901.222 of title 5, Code of Federal Regulations (CFR), this constitutes the U.S. Office of Personnel Management's (OPM) reconsideration of the classification of the appellant's official position of record. Under the provisions of 5 CFR 9901.222(e), this determination is based on criteria issued by the Secretary of Defense or, where OPM classification standards were adopted, criteria issued by OPM. As provided for in 5 CFR 9901.222(d), there is no right of further appeal. This decision is subject to OPM's 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:

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Introduction

On November 5, 2009, the Atlanta Oversight and Accountability Group (now Atlanta Oversight) of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [Appellant's Name]. The appellant's position is covered under the National Security Personnel System (NSPS) and is currently classified as a Chemist, YD-1320-02. The position is assigned to the [Appellant's Unit], [Appellant's Branch], Department of the Air Force, in [Location/City and State]. The appellant believes his position should be classified as Chemist, YD-1320-03. We received the agency's administrative report on December 18, 2009, and the appellant's response to the report on January 16, 2010. We have accepted and decided this appeal under section 9902 of title 5, United States Code (U.S.C.).

To help decide this appeal, we conducted a telephone audit with the appellant on March 9, 2010, and a telephone interview with his immediate supervisors on April 13, 2010. In reaching our classification decision, we carefully considered all of the information gained from the interviews, as well as the written information furnished by the appellant and his agency.

General issues

The appellant mentions his specialized technical qualifications, including his doctorate and years of professional research and knowledge. Qualifications are considered in classifying positions only to the extent they are required to perform current duties and responsibilities. Therefore, we have considered the appellant's personal qualifications only insofar as they are required to perform his current duties and responsibilities.

The appellant makes various statements about his agency and its evaluation of his position. In adjudicating this appeal, our responsibility is to make an independent decision on the proper classification of his position. By law, we must make that decision solely by comparing his current duties and responsibilities to NSPS standards and guidelines (5 CFR 9901.212-222). Therefore, we have considered the appellant's statements only insofar as they are relevant to making that comparison. Because our decision sets aside all previous agency decisions, the appellant's concerns regarding his agency's classification review process are not germane to this decision.

The appellant also discusses several duties he performed while under previous positions. Under the NSPS classification appeal regulations (SC1920.10.3) and 5 U.S.C. § 5112, we can consider only current duties and responsibilities in classifying positions. Therefore, the work he performed during his tenure in previous positions is not germane to the classification appeal process.

The appellant refers to other positions he views as equal in responsibility to his position but classified at higher-grade levels. As discussed previously, since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's position to other positions that may or may not be classified properly as a basis for deciding this appeal.

Position information

The [Appellant's Unit] was established by a regulation jointly promulgated by the Army, Navy, and Air Force in an effort to establish and maintain a standard program to consolidate and coordinate the three Services' oil analysis programs through the consolidation of laboratories, coordination of support, and standardization of instrumentation, analytical techniques, data, forms, and customer laboratory procedures. [Appellant's Unit] provides non-reimbursable routine support to all [Serviced Agencies] customers in each [Appellant's Unit] -certified laboratory's assigned area of responsibility. [Appellant's Unit] uses oil analysis as a maintenance diagnostic tool to (1) determine the internal condition of aeronautical and non-aeronautical engines, transmissions, and gearboxes, and their oil-wetted components through the analysis of used lubricating oils, grease, and fluids, and (2) to determine the suitability of lubricants and fluids for continued use. The goal is to ensure flight safety; enhance equipment readiness; provide early detection of harmful conditions that, if not corrected, could promote premature component failure; reduce maintenance costs; and to extend component life.

[Appellant's Unit] consists of the [Serviced Branches']. The [Serviced Branch] is a joint-Service activity staffed by Army, Navy, and Air Force military personnel, chemists, computer scientists, engineers, physical science technicians, program analysts, engineering technicians and environmental specialists. The [Serviced Branch] is led by the Director (Supervisory Physical Scientist, YF-1301-02) and has four subordinate sections: Special Projects (SP), Logistics, Physical Science, and Engineering. The [Serviced Branch] works with the Services, allied nations, the [Serviced Branch], industry, academia and other agencies to coordinate fluid analysis and technical support for [Serviced Agency]. The goal is to provide for standardized fluid analysis and to provide maintenance personnel with technical support and automated diagnostic and fault isolation technology tools for condition monitoring of oil and other fluid-wetted components. The [Serviced Branch] plans and conducts operational tests to evaluate equipment, instrumentation, supplies, procedures, reference materials, management/quality control techniques, software, and/or specifications. Based on these tests, the [Serviced Branch] recommends those that should be adopted for standardization to [Serviced Unit]. In so doing, the [Serviced Branch] facilitates technology and environmental technology exchange to improve efficiency, economy, and productivity.

[Serviced Unit] validates and verifies key performance parameters based upon Service requirements, readiness enhancement, safety and joint applicability. This routinely requires modifying the configuration and output of commercial off-the shelf (COTS) scientific instrumentation to provide meaningful and beneficial data used in the analysis programs. The section validates, verifies, and enables the insertion of condition-based maintenance (CBM) technologies into the [Serviced Unit].

Tribology is the science of the mechanisms of friction, lubrication, and wear of interacting surfaces that are in relative motion. The appellant works in the area of tribological chemistry with respect to lubricant, hydraulic, and related fluid systems. He oversees component health diagnosis and prognoses based on fluid systems, material capability, fluid quality, and CBM related to fluid systems. He plans, coordinates, integrates, implements, and evaluates suitable

research, development, testing, and evaluation programs (RDT&E). He provides scientific, technical, program management-related analysis, advice, and support to the weapons systems program managers and senior Service staff.

The appellant serves as principal investigator and integrated product senior technical lead in developing, implementing, maintaining, and sustaining Service-level solutions for complex and unique tribological or statistical base maintenance problems. His work leads to the development of products with Service-level application (such as test/measuring/diagnostic equipment, chemical and written standards or specifications, validated methods and procedures, and statistical or other STE analyses to support decision-making).

The appellant oversees the lubricant T&E function. He performs the health diagnosis and prognosis of components by independently performing the T&E of oil and fluid wetted media. He analyzes test results and determines the condition status and life cycle status, and determines what further tests and testing equipment are necessary to investigate identified abnormalities in test results. He analyzes results, identifies root causes, and independently drafts reports with recommended actions for inter-Service customers. The appellant must stay abreast of new market technologies and practices to further [Serviced Unit's] testing.

The appellant independently initiates, executes, and completes actions necessary to ensure proper and timely accomplishment of [Serviced Unit] enterprise functions related to aviation and shipboard propulsion lubricants within his assigned teams. He also coordinates work among team members and negotiates with other team leaders for labor and equipment. The appellant has responsibility for defining or further defining major problems and advising management officials of advantages or disadvantages of various alternatives. He implements and clarifies policies, criteria, and standards for his work. His technical recommendation and conclusions have impact on Service-level management plans and decisions regarding weapon system safety and readiness.

The appellant's position description (PD) and other material of record furnish additional information about his duties and responsibilities and how they are performed, and we incorporate it by reference into this decision. The appellant believes his PD, number [Number], is generally accurate. In his appeal rationale, he states the PD is abbreviated and does not fully describe his duties and responsibilities because of NSPS PD format requirements.

Subchapter (SC) 1920.4 of the [Serviced Agency's] Civilian Personnel Manual, 1400.25-M, General Instructions for Classifying Positions, contains NSPS classification principles and practices. SC 1920.4.8. Position Records, establishing standards of adequacy for NSPS PDs, states a PD must include information about the duties, qualifications, supervisory status, Fair Labor Standards Act status, and other requirements of the job in sufficient detail to classify the position and to serve as the basis for advertising vacancies and evaluating candidates. After a thorough review of the information submitted by the appellant and the agency, we find the PD of record adequate for classification purposes.

Evaluation

OPM's classification appeal authority in 5 U.S.C. § 5112 is narrow and limited to adjudication of an NSPS position's occupational series, official title, career group (CG), pay schedule (PS), and pay band (PB). In deciding this appeal, we compared the appellant's current duties and responsibilities to the classification criteria in SC 1920, *Classification*, which describes the NSPS classification structure and provides general instructions for classifying existing positions.

Occupational series and title determinations

The agency has placed the appellant's position in the 1320 Chemist series and titled it Chemist with which the appellant agrees. As specified in Appendix 4 of SC 1920, Chemist, 1320, positions require professional or analytical knowledge of chemistry. The appellant's tribological chemistry work fits within the ambit of the series definition. Therefore, we find the appellant's position is properly placed in the 1320 series and titled Chemist.

CG and PS schedule determinations

SC 1911 of DOD 1400.25-M, Classification and Qualifications, provides implementing guidance on CG and PS determinations for NSPS positions. The appellant agrees with his agency's placement of his position in the Scientific and Engineering assignment of CG and PS determination of "YD." Based on our review of the record, we concur.

PB determination

PBs encompass a range of work. NSPS defines the YD PS as consisting of three PBs. PB 1 is for entry and developmental positions only, PB 2 is for work at the full-performance level, and PB 3 is for expert work. PB 2 and PB 3 descriptors represent the threshold ("floor") of each range of work. A position must meet a descriptor to be assigned to that PB.

The appellant believes his position should be classified in a higher band because of his expert subject-matter knowledge, complexity of projects and assignments, and the uniqueness of his duties and responsibilities. He states his expertise is nationally recognized and he has received multiple scientific and technological achievement awards for his published work. He also states he provides expert senior-level subject-matter advice to [Serviced Agencies] and allied scientists and engineers, in addition to various program management offices within [Appellant's Unit] and other representatives in Government, industry, etc.

PB 2 is for full-performance/journey-level positions. NSPS defines this as:

The employee is an experienced worker who has gained competencies and skills either by work experience at pay band 1 or through relevant graduate study and/or experience. The employee carries out assignments independently. This level is appropriate for most installation and headquarters' positions in [Serviced Agency] occupations in this pay schedule.

The appellant's position fully meets the PB 2 level. The appellant functions at the full-performance level and independently carries out assignments. He applies his technical expertise by making decisions on issues regarding the physical and chemical aspects of used oils. He reviews laboratory analyses and provides recommendations to higher-level management. As is characteristic of PB 2, the appellant develops reports and written procedures for sampling, preservation, and other requirements for technical order placement. For example, he advised TF-39 (C-5) program management staff on the limits of technology. In this regard, he advised on a problem with high zinc levels in the oil that suggested unexplained engine wear. He oversaw the acceptance of testing and testing methods for the military specification MIL-DTL-8971D to eliminate deficiencies in the document, and is currently revising the testing requirements to eliminate deficiencies. This document covers the testing and approval of the electrodes used by all [Serviced Unit] laboratories.

Typical of "action officer" functions found in PB 2, the appellant writes technical reports for the TSC. For example, he was the lead author for the Examination of the Complete Oil Breakdown Rate Analyzer Model 2 (Cobra 2) and the Tandem Conductivity Tester for Detecting Synthetic Aircraft Oil Degradation. As special projects head for the TSC, the appellant oversaw laboratory testing on samples for a T-34C Turbo mentor Aircraft mishap, reviewed laboratory findings, made recommendations, and developed an evidence kit for mishap investigations. Other representative reports include [Serviced Unit] -TSC-TR-04-01 Evaluation of Three Commercial Viscometers; Optimization of a Stabinger Viscometric Method to Maximize Sample Throughput – Balancing the Competing Interests of Speed, Cost, and Data Quality) and a technical report on basic laboratory assessment of rotrode filter spectrometry.

Consistent with PB 2 level, the appellant exercised full project management authority for the 3Fast under the Defense Acquisition Challenge project. He independently managed the project (a multi-year plan), made decisions on resources allocation, and led a team of contractors. He proposed the project as Government-sponsored and -produced equipment, used on-site and in hand, which allowed field operations to conduct real-time test and analysis of fluids.

As at PB 2, he also recommends discontinuation of procedures and tests which he finds unproductive. As reviewer of all test plans within the activity, the appellant reads each test plan, makes suggestions, sends the plan back to the principle investigator scientist for review and revisions when necessary, or recommends approval. He also meets with junior-level scientists to review test plan objectives and lay out general outlines and goals. The appellant's work is generally accepted by the [Serviced Unit] director as complete. He consults with the supervisor on overall work progress. The appellant's level of independence fully meets PB 2.

PB 3 includes subject matter expert/program-manager level positions. NSPS defines this as work typically involving responsibility for program development and/or oversight of major Department level or Component/Command (or equivalent) level programs. The scope of the work is typically the "big picture" rather than "action officer work" and typically impacts the work of other experts. Examples provided for this level involve work impacting programs that extend across Components or throughout a Component/Commands (or equivalent) organization. Organizations where this work resides typically include [Serviced Agency] agencies, military

department headquarters, major military commands, and other organizations with equivalent delegated program responsibilities.

Other NSPS programs illustrated at this level include development of major weapons systems such as a new class of submarine, destroyer, or aircraft, or those with a highly technical focus such as ordnance RTD&E, new or modified missiles, communications networks, missile propulsion and power systems; aircraft, and ship propulsion systems; electronic detecting and tracking systems; airlift systems; ordnance delivery systems; and oversight and planning operations of large industrial installations (shipyards, logistics centers, depts.). Programs are usually located in Component/Command headquarters and are carried out in multiple installations and/or regions.

PB 3 positions lead projects of a specific duration while programs are ongoing. Projects require definition of the project goals; developing plans, schedules and cost estimates for attaining established goals; determining what functions to contract out and which to keep in house; establishing evaluation and assessments; and exercising delegated responsibility and authority for decisions. Project and program managers also develop Command/Component program policies, resolve critical problems or issues related to policy application, and coordinate major program functions within the Command/Component and subordinate installations. The work is often interrelated and interdependent with other Command/Component program managers and provides policy guidance to action officers and technical experts. Project and program managers serve as the final technical authority for the organization, e.g., the command.

PB 3 positions serve as subject matter technical experts and are recognized as a technical authorities throughout the organization (e.g., component, command, installation whose primary mission is RTD& E, etc.). Subject-matter technical experts typically advise management and colleagues on difficult problems, conduct special studies, propose options and alternatives, represent the command, etc. Work examples of scientific subject-matter technical experts at the PB 3 level include:

- Conducting a highly complex test program with extensive and diverse engineering requirements where systems and components are prototype and developmental;
- Studies the configuration, specification, design development, and analyses to define and predict problem areas in radars that are required to operate in a nuclear environment;
- Conducting a radiation safety program where hundreds of employees handle radioactive materials and/or radiation sources.

Subject-matter technical experts often participate in committees and seminars of Command, Component, or [Serviced Agency] importance. This involves meeting with other experts having a variety of viewpoints or objectives on issues of considerable consequence or importance; presenting the Command/Component's rational or position on specific problems; and participating in the problem solving process by negotiation, compromise, or developing suitable alternatives.

The scope of authority and impact of decisions at the PB 3 level aligns with the mission and functions of its organization (e.g., installation, Field Operating Activity, Direct Reporting Unit, command, component, etc.). For example, an employee developing Component-wide procedures ordinarily has more responsibility than an employee developing Command-wide procedures. In turn, a Command-level employee ordinarily has more responsibility than an employee developing installation-wide procedures. The fact that a position is the senior specialist in an organization performing a certain type of work does not automatically mean the incumbent is an "expert."

The appellant's position does not approach or meet the PB 3 level. While the appellant functions independently and carries out assignments of the scope of an experienced action officer, he is not responsible for managing a "big picture" function. Instead, his work focuses on leading and/or conducting special projects for TSC's SPD's lubricant test and evaluation functions. This is a complex but narrow technical area within the overall [Serviced Unit] program. Unlike PB-3, the appellant is not the expert for the [Serviced Unit] and is not responsible for the [Serviced Unit's] overall technical program. The [Serviced Branch] is an "action officer"-level program office tasked to perform studies to recommend sources for standardization and to facilitate technology and environmental technology exchange to improve efficiency, economy, and productivity. The record shows the Tri-Service Agreement for the [Serviced Unit], dated 16 November 2004, indicates each Service's [Serviced Unit] Office of Primary Responsibility (OPR) is responsible for each Service's oil analysis policy, strategic planning and participation in the [Serviced Unit], and providing inter-Service policy coordination and management oversight. The appellant's project management responsibilities do not meet the intent of those described for PB 3 level work assignments.

The fact the appellant meets with high-level officials and is sought out for his expertise by various program offices does not change the fact that the appellant's area of technical responsibility is too narrow and circumscribed to meet PB-3. Instead, as at PB 2 level, the appellant position functions as technical expert on matters related to the physical and chemical aspects of used oils; oversight for all test plans; and problem-solving on complex and unusual problems involving tribological chemistry. Typical of PB-2 "action officer" work, he advises engineering authorities and program management offices on issues that are neither routine nor well defined. Unlike PB 3 where the technical expert dealing with systems **and** components that are prototypical and developmental, the appellant's technical design work is not system-wide in scope within the meaning of the NSPS classification system. Therefore, PB 2 is credited.

Decision

The position is properly classified as Chemist, YD-1320-02.