

CLASSIFICATION APPEAL DECISION

issued by:

U.S. DEPARTMENT OF THE INTERIOR

Washington, D.C. 20240

APPELLANT:

[REDACTED]

POSITION:

Safety and Occupational Health Specialist, GS-018-12

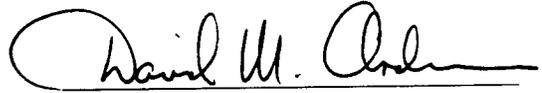
ORGANIZATION:

Department of the Interior
Office of the Secretary
Assistant Secretary--Policy, Management, and Budget
Deputy Assistant Secretary--Budget and Finance
Office of Administration/Senior Procurement Executive
National Business Center

[REDACTED]
[REDACTED]

DECISION:

Safety and Occupational Health Manager, GS-018-12
(Appeal of title granted; appeal of grade denied)



David M. Anderson
Office of Personnel Policy

MAY 4 1999

DATE

Copy of Decision Transmitted to:

[REDACTED]

Sandra A. Streets, Personnel Officer
Minerals Management Service

INTRODUCTION

On December 1, 1998, [REDACTED] appealed the classification of his position to the Director of Personnel Policy, Department of the Interior. At the appellant's request, this appeal was suspended from February 23, 1999, to April 1, 1999. [REDACTED] is employed as a Safety and Occupational Health Specialist, GS-018-12, in the Office of the Secretary, Office of the Assistant Secretary--Policy, Management and Budget, Deputy Assistant Secretary--Budget and Finance, Office of Administration/Senior Procurement Executive, National Business Center [REDACTED]. He has appealed for reclassification of his position as Safety and Occupational Health Manager, GS-018-13/14.

This is the final administrative decision within the Department of the Interior. The appellant may appeal the classification of his position to the Office of Personnel Management (OPM) in accordance with the procedures described in Appendix 4 of the Introduction to the Position Classification Standards. Information about submitting an appeal to OPM is included in the decision letter to the appellant.

SOURCES OF INFORMATION

In deciding this appeal, we considered information from the following sources:

1. The appellant's memorandum of appeal with attachments, including his current position description, the evaluation statement for the position prepared by the servicing personnel office, his response to the evaluation statement, and two previous position descriptions. He also provided additional material at the time of the audit.
2. The material submitted by the servicing personnel office, including the organizational chart for the Interior Service Center (now the National Business Center), organization/staffing chart and functional statement for the Division of Employee and Public Services, Notification of Personnel Action (SF-50) for the appellant, and the appellant's performance plan for fiscal year 1998.
3. The desk audit of the appellant's position on April 19 and 20, 1999, with telephone follow-up conversations on April 27 and 29, and an interview with his supervisor, [REDACTED] on April 19. [REDACTED] provided the appellant's performance plan for fiscal year 1999.

POSITION INFORMATION

The appellant serves as the Safety and Occupational Health Manager for the Offices of the Secretary, Solicitor, and Inspector General, and he plans, implements, administers, and evaluates a comprehensive occupational safety and health program for these offices. The program includes safety program management; accident prevention and control; safety education and promotion; and accident investigation, analysis, and reporting. The appellant provides technical advice and assistance concerning the interpretation and application of the laws, regulations, policies,

procedures, guidelines, and standards that pertain to safety and occupational health. He represents the serviced offices at meetings and conferences and serves as a member of the Department of the Interior Safety and Occupational Health Council. He serves as the Council Chairman during fiscal year 1999. He also gives technical presentations related to safety and health and he participates on panels.

The appellant provides technical advice, assistance, consultation, and guidance concerning the workers compensation program. In addition, he serves as the tort claims officer for the serviced offices.

SERIES AND TITLE DETERMINATION

The position is properly placed in the Safety and Occupational Health Management Series, GS-018, which includes positions that manage, administer, or operate a safety and occupational health program. The work characteristic of this series requires the application of knowledge of (a) the principles, standards, and techniques of safety and occupational health management; and (b) pertinent elements of engineering, physical science, ergonomics, psychology, industrial hygiene, physiology, sociology, and other scientific and technological fields which contribute to the achievement of comprehensive safety and occupational health objectives.

The appellant's responsibility for providing technical advice, assistance, consultation and guidance for the workers' compensation program is consistent with his responsibility for the safety and occupational health program. His work in this area is mainly concerned with reviewing accident reports and determining changes to be made to reduce hazards encountered by employees. His responsibility as tort claims officer is partly related to the safety and occupational health program. Some tort claims are filed by non-employees who have been injured on Federal property or injured by Federal employees, and review of the information from these types of claims is related to the safety program. However, tort claims are also filed for property damage or loss, and these are not necessarily related to safety. The portion of the tort claims work that is not related to the safety and occupational health program is a minor part of the appellant's work, inasmuch as less than 10 percent of his time is devoted to all tort claims work. The safety and occupational health work represents the primary work of the position, the paramount knowledge required, and the reason for the position's existence. Therefore, the performance of work related to workers compensation and tort claims does not affect the series placement of the position.

The standard states that all positions in the GS-018 series at the GS-13, GS-14, and GS-15 grade levels are titled Safety and Occupational Health Manager. Positions at the GS-12 and GS-11 grade levels may be titled either Manager or Specialist, depending on whether they have program responsibility or merely perform certain safety duties. The Manager designation is required for

positions at GS-12 and GS-11 that are responsible for planning, organizing, directing, operating, and evaluating a safety and occupational health program for an entire agency or subordinate level, such as a bureau, command, regional or district office, or installation. It is not necessary for positions to be supervisory in order to be titled Manager. The appellant plans, implements, administers, and evaluates the safety and occupational health program for the Offices of the Secretary, Solicitor, and Inspector General. These organizations collectively are equivalent to a bureau and, certainly, are larger and more complex than certain of the other types of organizations listed in the standard, such as district offices and installations. Therefore, the position is correctly titled Safety and Occupational Health Manager.

GRADE DETERMINATION

The grade of the appellant's position is determined by application of the position classification standard for the Safety and Occupational Health Management Series, GS-018. The standard is written in the Factor Evaluation System (FES) format. Under the FES, positions are placed in grades on the basis of their duties, responsibilities, and qualifications required as evaluated in terms of nine factors common to nonsupervisory General Schedule positions.

A point value is assigned to each factor based on a comparison of the position's duties with the factor-level descriptions and/or the benchmarks. The factor point values mark the lower end of the ranges for the indicated factor levels. For a position factor to warrant a given point value, it must be fully equivalent to the overall intent of the selected factor-level description. If the position fails in any significant aspect to meet a particular factor-level description in the standard, the lower point value must be assigned.

The appellant stated in his appeal that it is "inappropriate to strictly and rigorously apply a classification standard that was written 17 years ago." All Office of Personnel Management standards are consistent with the definitions for the work at each of the grades as established in law. These definitions are based on the difficulty and responsibility of the work at each level and the qualifications required to do the work. All occupations change over time, some more rapidly and profoundly than others, but the fundamental duty and responsibility patterns and qualifications required within an occupation generally remain stable. Thus, careful application of the standard for the GS-018 series to the appellant's work yields the correct grade for his position. Any duties that are not specifically referenced in the standard can still be evaluated by comparison with similar or related duties which the standard does describe, as well as with the entire pattern of grade level characteristics.

Factor 1. Knowledge Required by the Position

The servicing personnel office has credited Level 1-7, but the appellant contends that his position should be evaluated at Level 1-8.

At Level 1-7, positions require knowledge of a wide range of safety and occupational health concepts, principles, and practices, laws, and regulations applicable to the performance of complex administrative responsibilities requiring the planning, organizing, directing, operating, and evaluation of a safety and occupational health program. The appellant's responsibility for planning, implementing, administering, and evaluating a safety and occupational health program meets this level. He must have knowledge of a wide range of safety and occupational health laws, regulations, policies, standards, principles, methods, and techniques in order to carry out his duties.

The first illustration at Level 1-7 describes a position which requires knowledge and skill sufficient to plan, organize, direct, budget, coordinate and evaluate a fully developed safety and occupational health program and advise key managerial and executive personnel on courses of action affecting facility operations, work processes, human-machine relationships and environmental conditions which impact on the safety and efficiency of personnel. This illustration closely describes the knowledge and skill required for the appellant to function as the manager of the safety and occupational health program for the Office of the Secretary and other offices, including advising managers regarding the types of safety and health matters that are listed as examples in the illustration.

At Level 1-8, employees must have expert knowledge of safety and occupational health concepts, principles, laws, regulations, and precedent decisions which provide the capability to recommend substantive program changes or alternative courses of managerial action requiring the extension and modification of existing safety and occupational health management techniques critical to the resolution of safety and occupational health management problems. Alternatively, Level 1-8 may include knowledge sufficient to serve as a technical authority and make significant, far-reaching decisions or recommendations in the development, interpretation or application of the principal agency safety and occupational health policies or critical criteria.

Although the appellant's position description states that he must have expert knowledge of occupational safety and health laws, regulations, policies, standards, principles, methods, and techniques, he is not required to use the type of knowledge described at Level 1-8 in carrying out the work. While he makes recommendations to management regarding facility operations and work processes, he is not required to recommend substantive program changes or to extend and modify safety and occupational health management techniques in order to resolve management problems. Advising management on such actions as the placement of equipment in the

reconfigured printing plant, as the appellant is currently doing, requires knowledges such as those described in the Level 1-7 illustration, including advising on work processes and human-machine relationships which affect the safety and efficiency of employees.

The appellant's position also does not require knowledge sufficient to serve as a technical authority as described at Level 1-8. He serves as a member, and currently chairman, of the Department's Safety and Occupational Health Council, but neither this duty nor those he performs with respect to the offices he services require him to serve as a technical authority to other specialists in the field to the extent contemplated at Level 1-8. That is, he does not function as a technical expert and advisor to other safety and occupational health specialists in the development, interpretation, or application of the Department's program and policies. Thus, the position does not require the type of knowledge described at Level 1-8.

The illustrations at Level 1-8 describe knowledge to extend and modify safety and occupational health approaches and techniques, and to manage programs in occupational settings involving unusually hazardous operations. For example, one illustration describes a manager who manages a ballistic research laboratory safety program involving the evaluation of high safety risk activities such as the development of rockets, missiles, propellants, lasers, and the dynamic testing of experimental materials, and who devises control measures by extending guidelines and analyzing new safety procedures. Another assignment at Level 1-8 involves developing and applying safety policies involving the use, storage, handling, and transportation of military explosives and hazardous materials, such as munition, chemical, and radiological substances. Another illustration describes the development and application of technical standards and controlling requirements for a major industrial operation involving the use of large mobile cranes, steam and diesel locomotives, long shoring work involving cargo vessels, and aircraft maintenance practices. These illustrations clarify the intent of the factor level description at Level 1-8 and show that the requirements for expert knowledge relate to the demands placed on the manager by highly hazardous occupations and work operations. Such demands include the requirement for the manager to extend and modify safety and occupational health management techniques. The appellant's position does not require the knowledge described at Level 1-8 and does not involve the performance of the types of work described in the illustrations at this level.

Level 1-7

1250 points

Factor 2, Supervisory Controls

In terms of how the assignments are made, at Level 2-4, the supervisor sets the overall safety and occupational health objectives and management resources available to achieve the expected results. Program or specialized requirements and time constraints typically are developed in consultation with the supervisor. At Level 2-5, the supervisor provides administrative direction

with assignments in terms of broadly defined safety and occupational health mission or functional goals.

The appellant's supervisor is not a safety and occupational health specialist and does not provide technical direction to the appellant. However, the supervisor does provide supervision in terms of the broad areas of assignment and program objectives, as well as the program resources available to the safety and occupational health program. The appellant's assignments are more specific than the broadly defined mission of the program, as would be the case at Level 2-5. Therefore, the assignments are made in a manner consistent with Level 2-4.

At Level 2-4, the employee typically has responsibility for independently planning and carrying out a safety and occupational health program and resolving most conflicts and hazardous situations. The work is coordinated with principal organizational representatives, and initiative must be taken to interpret safety and occupational health policy, standards, and regulations in terms of established objectives. The course of action to be taken, or methods and techniques to be applied, may also be determined by the employee. The supervisor is kept informed of progress, potentially controversial safety and occupational health matters, or far-reaching implications. At Level 2-5, the safety and occupational health manager independently plans, designs, and carries out programs within the framework of applicable laws.

The appellant independently plans and carries out the safety and occupational health program for the Offices of the Secretary, Solicitor, and Inspector General. He resolves most conflicts that arise, determines the course of action on most assignments, and coordinates the work with others as necessary. He organizes his project plans, time tables, and resources. He keeps his supervisor informed of progress and controversial matters. However, he does not have responsibility for designing the program merely within the framework of applicable laws, as would be the case at Level 2-5. His program constraints are greater than that described at Level 2-5. Therefore, his independence in carrying out his assignments meets Level 2-4.

At Level 2-4, completed work such as reports of program accomplishments is reviewed only from an overall standpoint in terms of compatibility with other activities, or effectiveness in meeting safety and occupational health objectives. At Level 2-5, safety and occupational health managers typically provide technical leadership, and work results are considered as authoritative and are normally accepted without significant change. Any review of the work focuses on such matters as fulfillment of program objectives, effect of advice, or the contribution to the advancement of safety and occupational health management.

The appellant's work is reviewed only from an overall standpoint, as is the case at Level 2-4, rather than for technical soundness or correctness. However, this includes a review of effectiveness in meeting safety and occupational objectives, such as developing and

communicating workplace safety and health information to all employees and investigating all workplace accidents. This type of review for meeting requirements and expected results is consistent with Level 2-4 and is closer than the overall program review found at Level 2-5. Because the appellant's work meets Level 2-4 in terms of how the work is assigned, his responsibility for carrying out the work, and how the work is reviewed, and fails to meet Level 2-5 in terms of all of these aspects, Level 2-4 is credited.

Level 2-4

450 points

Factor 3, Guidelines

The servicing personnel office has credited Level 3-4, but the appellant contends that his position should be evaluated at Level 3-5.

At Level 3-4, the available guidelines tend to lack specificity for many applications such as departmental or agency policies, recent developmental results, and findings and approaches of nationally recognized safety and occupational health organizations. These guidelines are often insufficient to resolve highly complex or unusual work problems. The safety and occupational health manager must develop solutions to problems for which available precedents are not directly applicable. Experienced judgment and initiative are required to evaluate new trends for policy development or for further inquiry and study.

The guidelines available to the appellant include the Occupational Safety and Health Act of 1970, the Code of Federal Regulations, the Departmental Manual, and other occupational safety and health laws, regulations, policies, guidelines, and standards, including textbooks, professional journals, and manufacturers catalogs, as well as guidelines related to the workers compensation program, including the Federal Employees Compensation Act. He must exercise independent judgment and ingenuity in interpreting or adapting guidelines and developing new guidance. He must assess hazards with no directly applicable precedents, such as in the printing plant and the compressor room, and must develop solutions to eliminate or minimize risks of serious injury to employees in those areas. These types of guidelines and the judgment needed to apply them are consistent with Level 3-4.

At Level 3-5, work is performed under basic legislation, agency policies and mission statements, requiring extensive interpretation and ingenuity for adaptation. As a technical authority, the safety and occupational health manager develops new approaches and concepts where precedent does not exist, as well as nationwide standards, procedures, and instructions to guide operating safety and occupational health personnel. The appellant's guides are more specific than the broad policy and legislation found at Level 3-5, and thus they do not require the degree of interpretation required at this level. In terms of the judgment required to apply the guides, the

appellant's position does not require him to function as a technical authority, e.g., in developing guidance for operating safety and occupational health specialists. Therefore, Level 3-5 is not credited.

Level 3-4

450 points

Factor 4. Complexity

At Level 4-4, the assignments cover a wide range of work operations and environmental conditions involving a substantial number and diversity of hazards. The safety and occupational health manager or specialist evaluates a variety of complex, interrelated physical conditions, operating practices, hazardous human-machine interaction, and serious mishaps. Assignments require analysis of unconventional safety and occupational health problems or circumstances, inconclusive facts or data, and are characterized by the uncertainty of accepted control or abatement methods that are available for selection and use. The nature of the hazards is such that generally no single approach is adequate to control or eliminate a given problem, and the adaptation of proven safety and occupational health techniques is necessary. The work typically requires interpretation of a variety of occupational circumstances to adapt known control or protective measures to eliminate or minimize hazardous situations.

The appellant's responsibility for the safety and occupational health program for the Offices of the Secretary, Solicitor, and Inspector General covers about 2,100 employees in 18 states. Most of the work is conducted in office settings, but also includes a utilities operation (the compressor room) in the main building, which includes heating, cooling, and water storage systems, high voltage transformers, and hot water supplies. The system uses steam to heat water for the building heating system and hot water supply. The serviced area also includes the Departmental printing plant, which contains various types of printing, duplicating, and paper cutting machines, as well as inks and solvents. The serviced area also includes a loading dock, a storage and repair area for furniture and other items (the warehouse), and the mechanical floor, which contains air handlers, water and steam pipes, and cables for the electrical and communications systems. Forklifts are used in the warehouse, the loading dock, and the printing plant. The appellant and his supervisor both state that the appellant is responsible for the safety and occupational health program in these areas. The areas serviced by the appellant cover a wide range of work operations with a substantial number and diversity of hazards, consistent with the nature of assignments at Level 4-4. They require him to evaluate a variety of complex operating practices and hazardous human-machine interaction, and to deal with unconventional safety and occupational health problems due, in part, to the age of the systems and equipment. Such difficulties require the appellant to adapt safety and occupational health techniques in investigating accidents and in recommending improvements in operations to reduce risk. This

work meets Level 4-4 in terms of the difficulty in identifying what needs to be done and the originality involved in performing the work.

At Level 4-5, the work includes broad and diverse assignments requiring innovative analysis of high safety risk activities. The safety and occupational health manager or specialist weighs, considers, and evaluates (1) high safety risks in a field with constantly changing hazards; or (2) serious conflicts between operational requirements involving hazardous materials and the application of safety and occupational health standards that require protective measures affecting the timeliness of mission accomplishment; or (3) diverse hazardous work processes and environmental conditions for a broad field characterized by a wide variety of problems such as extreme fluctuation in workforce employees assigned high safety risk jobs, large number of visitors engaged in hazardous activities, or widespread geographic dispersion of operations. In many instances, elimination or control of unsound but often traditional work practices and dangerous physical conditions threatening individual safety and property requires the development of new accident prevention techniques or modification of accepted specialized safety procedures.

The activities serviced by the appellant in addition to office work, as described above, exceed the low safety risk, as defined in the standard, and meet or exceed normal safety risk. Normal safety risk activities are those involving light materials handling or warehousing, light industrial or assembly operations not involving power machinery, and light construction not involving power machinery. The area serviced by the appellant is consistent with this type of risk, except that some of the work in the printing plant, compressor room, and warehouse involves exposure to power machinery, including forklifts.

High safety risk work involves frequent or regular exposure to hazards that are likely to cause fatalities or permanent serious injuries such as those found in manufacturing facilities, ordnance operations, shipyards, construction, electrical/electronics maintenance, elevated working environments, underwater environments, major warehousing and/or materials handling and weight lifting, stevedoring or dock work, and hazardous materials transportation. The work in the areas serviced by the appellant does not routinely involve exposure to these types of safety risks. The risk of the work in the serviced area is more appropriately described as a wide range of work operations involving a substantial number and diversity of hazards, as credited at Level 4-4, rather than the high safety risk work described at Level 4-5.

In terms of the difficulty in identifying what needs to be done, the appellant does not have to consider and evaluate the types of complications described at Level 4-5, i.e., constantly changing hazards, serious conflicts between operational requirements involving hazardous materials and safety standards, or work processes that involve extreme fluctuations in the number of employees in high safety risk jobs, large numbers of visitors engaged in hazardous activities, or widespread

geographic dispersion of operations. The workforce serviced by the appellant is stable, as are the hazards to which the workers are exposed, and there are few conflicts between the work and safety standards, as contemplated at Level 4-5. There are substantial numbers of visitors to the Department of Interior main building, but they are not engaged in hazardous activities. The workforce is geographically dispersed, but virtually all of the workers except those in the main building are engaged in low safety risk occupations. Therefore, this aspect of the appellant's work does not meet Level 4-5.

In terms of the originality involved in performing the work, the appellant is not required to develop new accident prevention techniques or modify specialized safety procedures in order to eliminate or control unsound high safety risk work practices. His work does not involve this level of participation in the management of work processes, and the work is not characterized by high safety risk activities. Therefore, the appellant's work does not meet Level 4-5 in terms of nature of the assignment, difficulty in identifying what needs to be done, or originality involved in performing the work.

Level 4-4

225 points

Factor 5, Scope and Effect

The servicing personnel office has credited Level 5-3, but the appellant contends that his position should be evaluated at Level 5-4.

At Level 5-4, the purpose of the work is to assess the effectiveness of specific programs, projects, or functions. The safety and occupational health manager plans alternative courses of specialized action to resolve hazardous conditions and unsafe working practices. The work often involves the development of safety and occupational health criteria and procedures for major agency activities. Work products impact on a wide range of agency safety and occupational health programs, or on the safety and occupational health programs of large, private sector establishments.

The purpose of the appellant's work is to administer the safety and occupational health program for the Offices of the Secretary, Solicitor, and Inspector General, covering about 2,100 employees in 18 states. He must assess a wide range of safety program operations and develop courses of action to minimize or eliminate hazardous operations and conditions. His work efforts result in reducing unsafe acts and conditions as well as in providing a safe environment throughout the serviced area for both employees and visitors. This work meets Level 5-4 in terms of both purpose and effect.

At Level 5-5, the purpose of the work is to resolve critical safety and occupational health problems often involving serious hazards of unpredictable consequences to humans and property. The work requires the development of new guides, approaches and methods, often under difficult circumstances such as when confronted by conflicting viewpoints and resource constraints. At this level, the safety and occupational health manager often serves as a consultant providing expert advice and guidance covering a broad range of safety and occupational health activities to officials, principal program managers, and other safety and occupational health managers or specialists. The work efforts affect the activities of safety and occupational health managers and specialists both within and outside the agency.

The appellant's position does not require him to resolve critical safety and occupational health problems of the nature described at Level 5-5. And while he is responsible for the safety program that includes certain hazardous occupations, he is not called upon to serve as an expert consultant for other safety and occupational health managers or to develop new guides, approaches and methods related to the types of hazards described at Level 5-5. The appellant represents the Offices of the Secretary, Solicitor, and Inspector General at meetings and conferences on occupational safety and health, and he serves as a member (currently chairman) of the Department's Safety and Occupational Health Council. However, the purpose of his position does not involve responsibility for the safety and occupational health programs in the DOI bureaus, and he does not serve as a consultant to the other bureaus regarding critical safety and occupational health questions. Thus, his work does not affect the activities of other safety and occupational health managers and specialists, either within or outside the offices he services, in a manner consistent with Level 5-5. Therefore, Level 5-5 is not credited.

Level 5-4

225 points

Factor 6, Personal Contacts

At Level 6-3, personal contacts of a non-routine nature are with a variety of individuals, including managers, professionals from other agencies, managerial representatives of privately owned businesses, and safety and occupational health specialists from private establishments. The appellant's contacts include managers, supervisors, and employees in the Offices of the Secretary, Solicitor, and Inspector General. He also has contacts with other safety and occupational health managers and professionals throughout the Department and in the private sector. These contacts are often of a non-routine nature and meet Level 6-3.

At Level 6-4, regular and recurring contacts are with high-ranking officials from outside the agency such as key public and corporate executives, elected representatives, and top scientific personnel of other departments and agencies, state, county, and municipal governments, private industry, national safety and health organizations, public groups, and national research

organizations. The appellant seldom has contacts with such individuals. Therefore, Level 6-4 is not credited.

Level 6-3

60 points

Factor 7. Purpose of Contacts

The servicing personnel office has credited Level 7-3, but the appellant contends that his position should be evaluated at Level 7-4.

At Level 7-3, the purpose of the contacts is to influence, motivate and encourage unwilling, skeptical and often uncooperative individuals to adopt or comply with safety and occupational health standards, practices, procedures or contractual agreements. For example, contacts may be established to persuade and negotiate agreements involving agency managers or private sector executives when there are serious technical disagreements and complex employee-management relations. The purposes of the appellant's contacts include motivating and encouraging skeptical managers and other individuals to comply with safety and occupational health standards and practices. Such contacts meet Level 7-3. He also has contacts consistent with Level 7-3 as a voting member, and currently chairman, of the Department's Safety and Occupational Health Council (which meets four times a year), as the Council's work often involves disagreements and conflicts.

At Level 7-4, the purpose of the contacts is to justify, defend, negotiate or settle highly significant, controversial and often very sensitive safety and occupational health issues. At this level, the safety and occupational health manager often represents the agency as a participant in professional conferences, hearings, national safety congresses, or committees to develop, change, or modify safety and occupational health standards and criteria which have a wide application and a major occupational impact. The appellant does not have such contacts. He represents the Office of the Secretary on the Council, but he does not represent the Department in the types of conferences, hearings, or committees described at Level 7-4. In addition, he is not called upon to defend or negotiate the types of highly significant and controversial issues that must be dealt with in order for this level to be credited.

Level 7-3

120 points

Factor 8. Physical Demands

At Level 8-1, the work is generally sedentary. There may be some walking, standing, or bending, and carrying of small and light objects. The appellant's work is mostly sedentary and matches this level.

At Level 8-2, the work requires regular and recurring physical exertion related to frequent inspections and surveys requiring considerable standing, walking, climbing, bending, crouching, stretching, reaching, or similar movements. Occasionally, there may be a need to lift and carry moderately heavy objects. The appellant's inspections involve some walking and standing and thus involve physical demands credited at Level 8-1. His work does not involve any physical demands consistent with Level 8-2 on a regular and recurring basis.

Level 8-1

5 points

Factor 9, Work Environment

At Level 9-1, the work is usually performed in an office setting. Occasionally, there may be exposure to the risks and hazards of work environments and conditions requiring special safety precautions and clothing. The appellant normally works in an office setting and has infrequent exposure to hazards when visiting work sites. This type of work environment is consistent with Level 9-1.

At Level 9-2, the work involves regular and recurring exposure to hazards, unpleasantness, and discomforts such as moving machine parts, shielded radiation sources, irritant chemicals, acid fumes, physical stresses, high noise levels, adverse weather conditions, and high temperatures from steam lines. Protective equipment and clothing may be needed in such environments. The appellant is seldom exposed to hazards such as those described at this level, and thus his work does not meet Level 9-2.

Level 9-1

5 points

EVALUATION SUMMARY

<u>Factor</u>	<u>Level</u>	<u>Points</u>
1 Knowledge Required by the Position	1-7	1250
2 Supervisory Controls	2-4	450
3 Guidelines	3-4	450
4 Complexity	4-4	225
5 Scope and Effect	5-4	225
6 Personal Contacts	6-3	60
7 Purpose of Contacts	7-3	120
8 Physical Demands	8-1	5
9 Work Environment	9-1	<u>5</u>
	Total Points	2790

The total number of points credited, 2790, converts to a grade of GS-12 (2755-3150) according to the grade conversion table in the standard.

The appellant's tort claims work that is not directly related to the safety and occupational health program constitutes less than 10 percent of his work time. Duties that occupy less than 25 percent of a position's work time are not considered a significant and substantial part of the position and cannot control the grade of the position. Therefore, the non-safety portion of the appellant's tort claims work is not evaluated in this decision.

DECISION

For the reasons given above, the authorized classification of the appealed position is Safety and Occupational Health Manager, GS-018-12.