

U.S. Office of Personnel Management
Division for Human Capital Leadership & Merit System Accountability
Classification Appeals Program

Chicago Field Services Group
230 South Dearborn Street, Room 3060
Chicago, IL 60604-1687

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

Appellants: [appellants]

Agency classification: Materials Handler Supervisor
WS-6907-4

Organization: [city] Metropolitan Correctional
Center
Federal Bureau of Prisons (BOP)
Department of Justice
[city and state]

OPM decision: Materials Handler Supervisor
WS-6907-2

OPM decision number: C-6907-02-01

/s/ Marta Brito Pérez

Marta Brito Pérez
Associate Director
Human Capital Leadership
and Merit System Accountability

03 14 06

Date

As provided in section S7-8 of the *Operating Manual: Federal Wage System (FWS)*, 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 section 532.705(f) of title 5, Code of Federal Regulations (CFR) (address provided in the *Introduction to the Position Classification Standards*, appendix 4, section H).

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

Decision sent to:

PERSONAL

[appellant]

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[appellant]

[appellant]

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Introduction

On April 8, 2004, the Chicago Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a job grading appeal from Messrs. [several appellants]. They occupy identical additional (IA) jobs (hereinafter referred to as job), currently graded as Materials Handler Supervisor, WS-6907-4, in the Metropolitan Correctional Center (MCC), Federal Bureau of Prisons (BOP), Department of Justice, [city and state]. The appellants believe their job should be graded as Materials Handler Supervisor, WS-6907-8. [one of the appellants] was designated to represent the group of five appellants as lead appellant. We received the complete agency administrative report on June 1, 2004. The appellants previously filed a job grading appeal with their agency and the agency sustained the current grading of their job. We accepted and decided this appeal under section 5346 of title 5, United States Code (U.S.C.).

To help decide the appeal, we conducted a telephone audit with the lead appellant on August 25, 2004, a telephone interview with his first-line supervisor on August 25, 2004, and an on-site audit with the lead appellant on August 31, 2004. In reaching our decision, we carefully considered the audit and interview findings and all information of record furnished by the appellants and the agency, including the official JD which we find contains the major duties and responsibilities assigned to and performed by the appellants and we incorporate it by reference into our decision.

General information

The appellants are assigned to job description (JD) number [XXXXXXX] which their supervisor certified as accurate. The applicants also state that their JD is accurate except that they now report directly to the Trust Fund Supervisor, GS-301-11, rather than the abolished job of Supervisory Materials Handler, WS-6907-6, and that they sometimes work at a remotely located satellite warehouse. The appellants' rationale for upgrading their job is based on their belief that they have assumed all of the duties that were previously done by the higher-graded Materials Handler Supervisor. In addition, they say their grade has changed because: (1) the level of some of the work performed by the inmate workers under their supervision equates to grade 6 work as defined in the 6907 Materials Handler job grading standard (JGS) since they usually handle or oversee one or more product lines, (2) the appellants personally perform 5704 series Forklift Operator grade 5 work and 5703 series Motor Vehicle Operator grade 7 work, and (3) they have special staffing requirements at their correctional facility requiring them to deal with inmate attitudinal, motivational, and security issues.

By law, job grading decisions must be based solely upon a comparison between the actual duties and responsibilities of the job and the appropriate Job Grading Standards (JGS's) (5 U.S.C. 5346). Therefore, we may not compare the appellants' job to other jobs as a basis for deciding this appeal; i.e., the former supervisor's job. Job grading 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 grades a real operating job, and not simply the JD. Therefore, this decision is based on the actual work assigned to and performed by the appellants and sets aside any previous agency decision.

Job information

The MCC is a 25-story Federal correctional facility operated by BOP in downtown [city and state], having responsibility for the incarceration of inmates who have been sentenced to imprisonment for Federal crimes and for the detention of individuals awaiting trial or sentencing in Federal court. The appellants work for the Trust Fund Supervisor, GS-301-11, one of three supervisors reporting to the Financial Manager, GS-505-13. The Financial Management organization provides financial services to the MCC and is part of the Business Office which plans and directs financial programs and the inmate services-related activities of purchasing, commissary supply, and laundry services.

The appellants work in the institutional commissary, internal warehouse, and clothing issue/laundry in BOP's MCC facility, and rotationally at a satellite warehouse. The appellants' primary duties are to train and supervise inmate workers in receiving, storing, and assembling for issue, shipment, and distribution, a wide variety of bin and bulk supplies, materials, equipment, and commodities required in the operation of the MCC and its commissary, and in the prescribed process of laundering inmate clothing, linens, and blankets used within the facility. The appellants personally use an electric riding forklift and operate a 28,000 pound gross-weight box truck to move the materials handled by their inmate subordinates. The five appellants sequentially rotate through the assignment having responsibility for supervising a 25,000 square-foot satellite warehouse located 13 miles from the MCC. Their responsibilities include supervising two inmate workers at the satellite warehouse, two or three at the internal warehouse and commissary, and seven to nine in the laundry. They spend three months in each location except for the commissary where two appellants spend a six month rotation with one having the added responsibility of substituting for peers when they are absent.

The Trust Fund Supervisor provides general administrative and technical supervision and provides assignments in terms of overall organizational objectives. The appellants independently direct work efforts and make decisions based on standard operating procedures, established policies, and knowledge of warehousing and laundry operations. Work is reviewed primarily in terms of overall effectiveness.

Occupational code, title, and standard determination

The agency allocated the job to the 6907 Materials Handling series. The occupational code of a supervisory job is normally the same as the code for the kind of work that is supervised. When work of more than one occupation is supervised, the occupational code of a supervisory job is the same as the code of the occupation which best reflects the overall nature of the work operations supervised and/or is the most important for recruitment, selection, placement, and other personnel purposes. Usually, but not always, this is the occupational code appropriate for the highest level of nonsupervisory work supervised. The appellants' primary duties and responsibilities and the highest level of nonsupervisory work supervised involve exercising technical and administrative supervision over subordinate 6907 Materials Handler jobs which represent the primary work of their organization. The prescribed title for work in the 6907 occupation is Materials Handler. Job titles of supervisors are identified by the job title of the occupation selected for the series determination, followed by the designation 'Supervisor'. Therefore, the appropriate title for the job is Materials Handler Supervisor, WS-6907.

Grade determination

Jobs responsible for the technical and administrative supervision of subordinates in trades and labor work are graded by the JGS for Supervisors when such responsibility is a regular and recurring part of the job and exercised on a substantially full-time and continuing basis. The appellants do not dispute the determination, but do feel they should be recognized for the personally performed higher-graded work of operating a forklift and a motor vehicle. When both supervisory and nonsupervisory work are a regular and recurring part of the job, the final grade of the job is the supervisory or nonsupervisory grade that results in the higher pay rate for the job. The JGS states that where the nonsupervisory work personally done by a supervisor is at a higher grade than the work done by the employees supervised, that the nonsupervisory work and the personally performed work are graded separately against the appropriate FWS JGS's. The final grade of such a job is then determined by selecting the supervisor grade or regular nonsupervisory grade which results in the highest pay rate for the employee. Accordingly, we will first examine the appellants' supervisory duties and then their personally performed work for comparison.

Supervisory duties and responsibilities

The grading plan for the JGS for Supervisors uses three factors: *Nature of supervisory responsibility*, *Level of work supervised*, and *Scope of work operations supervised*.

Factor I, Nature of supervisory responsibility

This factor considers the nature of the supervisory duties performed, and the type and degree of responsibility for control over the work supervised. The factor describes four basic supervisory situations. These, in sequence, depict successively higher levels of supervisory responsibility and authority for scheduling work operations, planning use of resources, (i.e., subordinate workers, equipment, facilities, materials, and tools) to accomplish scheduled or unscheduled work, directing subordinates in performing work assignments, and carrying out administrative duties. In order for a job to be credited at a level, the job must fully meet the situation. This means that a job must meet all of the bullets under the specific situation. The agency credited Situation #1, the lowest level of the standard, for this factor.

In Situation #1, supervisors are primarily responsible for supervising workers, either directly or through subordinate leaders, in accomplishing trades and labor work operations in a segment of an organization, a group, or work shift. This describes the work of the appellants whose inmate subordinates perform similar work cycles and sequences each day. Deviations in procedures or resources are minor. They are responsible for assigning work, providing technical direction, resolving problems, inspecting work and maintaining work progress of the subordinate inmates. While they do participate in monthly inmate performance reviews, give training on tasks and techniques, advise and counsel on performance improvement, assure safety and housekeeping practices are observed, and maintain work reports and records, their duties and responsibilities do not encompass all the administrative responsibilities typically handled by supervisors of regular Federal employees. As supervisors in a correctional facility, this limited role, however, is offset by their significant role in training, counseling, motivating, and maintaining discipline

and security in relation to a workforce with special and unusually difficult needs. Situation #1 is met.

Supervisors in Situation #2 are responsible for supervising workers directly or through subordinate leaders and/or supervisors in accomplishing the work of an organizational segment or group. Supervisors in Situation #2 differ from supervisors in Situation #1 primarily in planning work operations of greater scope and complexity; determining the sequence, priority, and time for the performance of particular operations within the limits of broader work schedules and time limits; and exercising greater administrative authority.

Situation #2 is not met. The appellants are first line supervisors and do not have responsibility for the overall direction and coordination of subordinate work activities and functions as described in this situation. The appellants' work operations do not have the scope, volume, and complexity requiring planning work operations; determining the sequence, priority, and time for the performance of particular operations within the limits of broader work schedules and time limits; and exercising greater administrative authority. The appellants do not have responsibility for an organizational segment which is a part of a larger organization whose work operations, taken together, are of such scope that they must be carried out under the direction of one or more levels of supervision. The work operations are the responsibility of their supervisor instead. Therefore, we credit Factor I with Situation #1.

Factor II, Level of work supervised

This factor concerns the level and complexity of the work operations supervised, and their effect on the difficulty and responsibility of the supervisor's job. The level of nonsupervisory work credited under this factor considers all substantive work, whether under the direct or indirect supervision of the job being graded, for which the supervisor is technically accountable. Substantive work is that work which directly carries out the main purpose or mission of the work operations supervised, and primarily determines the technical qualifications required to effectively carry out the responsibilities of the supervisory job being graded. Technical accountability is responsibility for the quantity and quality of the work performed by subordinates, requiring the application by the supervisor of knowledge of the methods, techniques, procedures, tools, materials, and practices of the involved occupation(s).

The inmates supervised by the appellants perform assignments covered by the 7304 Laundry Worker series JGS, the 7305 Laundry Machine Operator series JGS, and the 6907 Materials Handler series JGS. The agency allocated the 7304 Laundry Worker functions at the grade 2 level and the appellants do not dispute that determination. We agree and the 7304 Laundry Worker functions performed are credited at the grade 2 level.

The agency credited the 7305 Laundry Machine Operator work at the grade 4 level and the appellants agree. However, we do not agree. In the 7305 series, workers at the grade 3 level, the lowest level in the standard, are required to perform heavy physical work, exercise some judgment and ability in operating a combination of laundry machines, and must have knowledge of the operation and capacity of the machines used. Workers at this level function according to set procedures and production schedules, ensuring equipment is properly loaded and used. Their work is checked from time to time by a higher-graded worker to ensure instructions are followed.

The work of the inmates in washing and drying clothing, linen, and blankets for 700 to 750 inmates using four 90-pound capacity washers and three large capacity dryers is consistent with this level. The grade 3 level of work is met.

Workers at the grade 5 level run machines for a variety of purposes with four or more machines typically operated at one time. The workers know formulas used for cleaning various degrees of soiled laundry. In addition to basic operations, workers at this level must understand the effect of water temperature; various compounds such as dye, starch, water repellent, or flame retardant; water levels; and the timing of cycles for various fabrics to ensure proper machine operation. Grade 5 workers decide on the machines and formulas used, with the supervisor only checking from time to time to ensure work is completed in a timely manner.

The grade 5 level is not met. The four 90-pound capacity washers and the three large dryers all may be operated simultaneously. However, with seven to nine inmates working at any given time, the need for one inmate to operate four or more machines at one time is not supported by the record. In addition, the inmate workers do not operate the machines for a variety of purposes. The machines are used to launder soiled clothing, linens, blankets, and other items. Treatment for dye, water repellent and flame retardant are not part of the inmate workers duties. The work does not require the inmates to see that the laundry is processed in order of priority need as is typical of the grade 5 level. The responsibility for accomplishing the work and establishing priorities rests with the appellants, not the workers.

If jobs differ significantly from the skill, knowledge, and other work requirements described in the grade levels of the JGS, they may warrant being graded above or below those grades. Since the work performed by the inmates meets, but does not in any significant manner exceed the grade 3 level of work, the grade 3 level is credited for the 7305 work.

The agency credited the 6907 Materials Handler work at the grade 4 level. The appellants do not agree with that determination using the rationale described previously.

Workers at the grade 4 level typically follow detailed procedures or instructions to perform warehouse work which involves receiving, storing, and shipping a variety of bin and bulk supplies, material, equipment, and commodities. The work is usually repetitive and involves unloading, stacking, binning, rotating, and marking stock in accordance with standardized operating instructions. Material Handlers at this grade level have knowledge of the general warehouse layout, item identification codes, basic warehouse procedures, and the storage areas in order to be able to place or pull stock and materials in accordance with standard procedures. The inmates serve for a period not to exceed six to seven months working under close supervision to pull and replenish stock, materials, and other items following basic warehouse procedures. Grade 4 is met as this accurately describes the work performed by the closely supervised inmates who have little to no warehousing experience.

The work performed by the inmates does not meet the grade 5 or grade 6 levels. Grade 5 Material Handlers work independently in a wide range of warehousing activities including receiving, storing, selecting, and shipping general or specialized bulk and bin materials and equipment. Grade 6 Material Handlers typically are responsible for performing a full range of warehouse functions in either a major segment of a large warehouse or as the principal materials

handler in a small warehouse. Working with a high degree of independence, the workers usually determine the sequence of loading and unloading, develop space utilization plans, and implement the movement of materials from dock to bin or from storage to shipping. They frequently guide and direct the work of lower graded workers. By the nature of their confinement, however, inmates are not permitted to perform the function of the work or at the level of independence as described at either the grade 5 or grade 6 level. The inmates' work is also subject to the continuous observation and review by the appellants. Therefore, the grade 4 level is credited for the 6907 work.

The JGS for Supervisors contains criteria for grading mixed supervisory-nonsupervisory jobs based on the highest level of nonsupervisory work supervised. The appellants believe that insufficient credit was given by their agency for their operation of the large box truck to move supplies between the MCC and the satellite warehouse or for using the forklift in both the internal and satellite warehouses. However, because the JGS specifically **excludes** personally performed work from consideration in determining the highest grade of work led, the appellant's nonsupervisory work cannot be considered here.

Factor III, Scope of work operations supervised

This factor considers the range of the job's supervisory responsibilities in terms of: (1) the scope of the assigned work function and organizational authority; (2) the variety of functions the job is required to supervise; and (3) the physical dispersion, work coordination, and location of subordinate employees. This factor is divided into three subfactors, which are in turn subdivided into levels with points assigned to each level. An appropriate level is selected for each subfactor and the corresponding point values are totaled. The total points are then converted to specific levels under Factor III using the conversion chart located at the end of the factor.

Subfactor A. Scope of assigned work function and organizational authority

This subfactor measures the scope of the assigned work function or mission, i.e., the purpose of the job in the organization, the extent and nature of the job's authority in relation to the organizational assignment, and the importance of the job's decisions. The agency credited Level A-1. At Level A-1, supervisors have first level supervisory and decision authority over a single work function. Decisions made at this level are clearly defined or virtually automatic since higher level management has already established a course of action and a methodology for implementation. This level accurately describes the supervisory work performed by the appellants with decisions being made within well-defined limits and defined based on implementation methodologies or action plans already established at a higher level.

At Level A-2, supervisors have first or second level supervisory and decision authority over an organizational segment which typically has been established on the basis of being a distinct work function or mission; or a designated geographic location or work area. Supervisors make routine decisions regarding execution of policy which has been interpreted or established by the next higher level. At this level, subordinate supervisors and/or leaders may be necessary to accomplish work operations. Supervisors at this level react to variations in the workplace and maintain a balanced workload between subordinate work groups, making adjustments in workload as necessary. Decisions typically involve the work or assignments and how they are

completed. Unlike Level A-2, the appellants do not typically need to react to workplace variations and balance workloads between subordinate work groups. They do not have organizational authority over an organizational segment. That authority is vested in their supervisor's position. Therefore, this subfactor is evaluated at Level A-1 and credited with 30 points.

Subfactor B. Variety of functions

This subfactor evaluates the difficulties of technical supervision of work functions which may vary from being essentially similar to markedly dissimilar. Similar or related work functions have a common or related body of knowledge, skills, work procedures, and tools. Supervision of dissimilar or unrelated work functions requires broader technical knowledge and planning and coordination skills than those required for supervision of similar work functions. Work that is incidental to or in support of the primary function has no affect on this subfactor. The agency credited Level B-2.

At Level B-2, supervisors direct the work of subordinates in two or more dissimilar or unrelated occupations at grades 1-7. Level B-2 is met. The appellants direct the work of inmate workers who are primarily engaged in materials handling or other similar functions and, on a rotational basis, are regularly responsible for supervising Laundry Worker and Laundry Machine Operator jobs which are markedly dissimilar to the materials handling work.

At Level B-3, supervisors direct the work of subordinates in one or more similar or related occupations at grades 8-13. Level B-3 is not met since the appellants do not supervise this type of work.

This subfactor is evaluated at Level B-2 and credited with 35 points.

Subfactor C. Workforce dispersion

This subfactor evaluates the varying levels of difficulty associated with monitoring and coordinating the distribution of work of nonsupervisory and supervisory personnel from simple co-location to wide dispersion. Dispersion of workforce considers the duration of projects, number of work sites, frequency of dispersion, and the necessity to monitor and coordinate the work. No points are credited for this subfactor if subordinate employees are located in the same contiguous work area with the supervisor, when dispersion occurs infrequently, or when dispersion is inherent, and the work is performed in the absence of direct supervision, e.g., operating a motor vehicle. The agency credited Level C-1 and the appellants agree, but we disagree.

At Level C-1, subordinate employees are located in several buildings or at work sites within a defined location such as a military base, National Park, or large Federal complex consisting of many multifloor buildings and support facilities. Work assignments vary in terms of duration; however, most assignments at this level are of a limited duration (e.g., assignments are typically accomplished within a few days or weeks). In addition, this level also includes off-base (i.e., within the local commuting area) facility support and maintenance assignments.

Level C-1 is not met. During approximately 12 months of the 15 month rotation cycle, the appellants supervise only two to three inmates performing Materials Handlers or similar work in the basement of the 25 story MCC or in a 25,000 square foot satellite warehouse. During the balance of the time, the appellants supervise seven to nine inmates doing laundry work. In each of these environments, with the exception of occasions such as a brief, individual bathroom break, the subordinate inmates are constantly with the supervisor and physically under his or a peer's direction, control, and observation. Therefore, this subfactor does not meet Level C-1 and is not credited with any points.

Factor III is credited with subfactor A-1 for 30 points, subfactor B-2 for 35 points, and subfactor C for 0 points. A total of 65 points falls within the range of 55 to 65 points which equates to Level A.

Initial grade determination

According to the grading table for Supervisory Situation #1 (Factor 1), the determination of a grade 4 level of work supervised (Factor II) coupled with a Level A for scope of work operations supervised (Factor III), equates to supervisory grade 2.

Final grade determination

Grade level adjustments

The grade level initially determined above usually will be the final grade resulting from application of the Supervisor JGS. However, the JGS describes additional rules and grade adjustments that may apply in some circumstances. A downward grade adjustment is indicated when the grade of a supervisor's job, resulting from application of the grading table, would be the same as the grade of the supervisor's superior. In this instance, the appellants' supervisor is a Trust Fund Supervisor, GS-301-11, so this situation does not apply. Upward grade adjustments are indicated for borderline jobs and work situations that impose special or unusual demands on the supervisor. An upward adjustment is indicated when the job being graded substantially exceeds the supervisory situation credited under Factor I and the level of work supervised credited under Factor II is not the highest level of work performed by subordinate workers for which the supervisor has full technical accountability. Neither condition is met in the appellants' case. Their work situation fully meets, but does not exceed, the situation credited under Factor I (Situation #1). While the appellants do personally perform work at grade levels higher than grade 4, they do not supervise any work higher than the grade 4 level credited under Factor II.

In some situations, the nature of the work operations supervised, the mission to be accomplished, or other unusual circumstances may place special demands on the supervisor involved. Special staffing requirements may also impose on the supervisor a substantially greater responsibility for job design, job engineering, work scheduling, training, counseling, motivating, and maintaining security than that which is normally encountered. This may occur under special employment programs or at correctional institutions having **exceptionally** difficult attitudinal, motivational, control, and security problems. An upward grade adjustment may be made for work operations involving such exceptional conditions that affect the majority of the subordinate workforce and are permanent and continuing, require tailored job assignments, work tasks, training, security

measures, and other supervisory actions to fit individual workers needs, and that involve regular and recurring counseling and motivational activities essential to the effective handling of the special work situation. The agency credited the employee with an upward grade adjustment and the appellants agree. However, after a review of the record, we do not agree that such an adjustment is warranted.

The grade adjustment for special demands does not automatically apply to all correctional institution supervisors, but only to those facing all three conditions specified. The appellants' work involves additional demands resulting from heightened security requirements associated with work in a correctional institution. This requires the appellants to provide initial training to inmate subordinates who are constantly being changed about every six months. They also must open each door they enter by key for inmate subordinates who have been convicted of or charged with a broad variety of offenses including violent ones. However, these requirements do not constitute a special demand on the appellants' position because they are not comparable to the demands described above that require tailored job assignments, work tasks, training, security measures, etc., as well as requiring regular and recurring employee counseling and motivational activities as envisioned by the standards writer.

The record shows that the inmates are generally willing to work and are, for the most part, peaceful. Inmates bring different levels of skill into the work environment and require varying levels of training. In association with documentation of inmates' hours worked and pay, inmates receive a monthly progress report that includes individual feedback on both work performance and behavior in the work environment. Occasionally, based on observation of an inmate's changed demeanor, one of the appellants will approach an inmate to find out what the problem is and how the situation might be resolved. For example, the appellants' supervisor recounted the recent instance where one of the appellants noticed that one of his inmate workers seemed upset. Upon engaging the inmate in discussion, he learned that the inmate had just heard that his son had recently died in a traffic accident. The appellant discussed the situation with the inmate and empathized with him, and then redirected the inmate's attention to the work at hand, and later on followed up to get the inmate counseling from a professional. The above instance of counseling does not demonstrate that there are exceptional demands requiring that the appellants regularly attend to counseling and motivational activities for most of their crews, that they tailor assignments, training, security measures, etc., on an individual basis for most of their workers because of exceptional demands, and that such activities and requirements are a permanent and continuing part of their work. The appellants must maintain overall security and control of tools, parts, and raw materials used in a prison work environment. However, the general circumstances referenced by the appellants' representative pertain to all correctional institutions and are already fully considered under Factor I. Consequently, no upward grade adjustment can be credited for any special demands.

Neither downward or upward adjustments to the tentative grade 2 level are indicated, nor have any special staffing requirements been found. Accordingly, we next examine the appellants' personally performed work to determine which duties represent the higher pay rate for the job.

Personally performed work

The appellants' personally performed work is also covered by the FWS, but must be evaluated separately from their supervisory duties. Their personally performed work spans several occupations involving different levels of skill. The agency found the highest skill and knowledge requirements for any regular and recurring personally performed work to equate to grade 7, based upon its application of the 5703 Motor Vehicle Operator JGS. Drivers at the 7 grade level operate vehicles that are larger and longer than those driven at the lower grade levels, have heavier loads to secure and control, have air brakes, and are more susceptible to sliding and tipping, and are difficult to maneuver, especially when turning and backing. Vehicles typically have an approximate Gross Vehicle Weight (GVW) of more than 26,000 pounds and up to 32,000 pounds. Drivers must have the requisite skills and knowledge to operate the vehicles at this level over a variety of roads including interstate highways, narrow country roads, and on steep winding grades. Due to the size and weight of the vehicles, drivers are knowledgeable about which routes may be legally driven and the overpass clearances and other restrictions on such routes. The appellants regularly drive a truck having air brakes with a GVW rating of 28,000 pounds over a variety of roads to transfer commodities and supplies from the off-site warehouse to the MCC,. This meets the JGS criteria for driving a vehicle at grade 7 and the job is credited with the technical characteristics and operating demands requiring the application of equivalent knowledge and skills. Therefore, these duties are graded at the 7 level. The appellants do not contest this determination. Our review of their other regular and recurring personally performed work found none that exceeds this grade.

Summary

Jobs responsible for the technical and administrative supervision of subordinates in trades and labor work are graded by the JGS for Supervisors when such responsibility is a regular and recurring part of the job and exercised on a substantially full-time and continuing basis. Where both supervisory and nonsupervisory work are a regular and recurring part of the job, the final grade of the job is the supervisory or nonsupervisory grade that results in the higher pay rate for the job and the working and supervisory duties are graded separately against the appropriate FWS JGS's. The final grade of such a job is then determined by selecting the supervisory grade or regular nonsupervisory grade which results in the highest pay rate for the employee. The representative rate effective on November 30, 2003, for WS-2 (step 2, \$19.32), in the appellants' wage area, Chicago, IL, is higher than the representative rate for WG-7 (step 2, \$18.39). Therefore, the appellants' supervisory duties determine their pay grade.

Decision

The job is properly graded as Materials Handler Supervisor, WS-6907-2.