

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

Appellant: [Name of appellant]

Agency classification: Aircraft Freight Loader Leader
(MVO/FLO) WL-6968-8

Organization: [Appellant's organization/location]
Department of the Air Force

OPM decision: WL-6968-8 (Basic and parenthetical
titles at agency discretion)

OPM decision number: C-6968-08-01

//signed//

Robert D. Hendler
Classification and Pay Claims
Program Manager
Center for Merit System Accountability
January 26, 2009

Date

As provided in section S7-8 of the *Operating Manual: Federal Wage System*, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the Government. There is no right of further appeal. This decision is subject to discretionary review only under conditions 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).

Decision sent to:

[Appellant's name and mailing address]

[Address of appellant's servicing human resources office]
Department of the Air Force

Classification Program Manager
Civilian Field Operations
HQ AFPC/DPFFC
550 C Street West
Randolph Air Force Base, TX 78150-4759

Chief, Civilian Policy and Design Division
HQ USAF/A1XC
Crystal Plaza 6, Suite 500
2221 S. Clark Street
Arlington, VA 22202-3745

Director of Civilian Personnel
HQ USAF/DPCC
Department of the Air Force
1040 Air Force Pentagon
Washington, DC 20330-1040

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

Introduction

On March 14, 2008, the San Francisco Oversight and Accountability Group of the U.S. Office of Personnel Management (OPM) accepted a job grading appeal from [name of appellant]. On April 1, 2008, we received the agency's complete administrative report. The appellant's job is currently graded as Aircraft Freight Loader Leader (MVO/FLO), WL-6968-8. However, he believes it should be graded as Aircraft Freight Loader Leader (MVO/FLO), WL-6968-11, because the basic work performed should be evaluated at a higher grade, and his work as a Load Director enhances his overall job responsibilities. The appellant works for the [appellant's organization/work location], Department of the Air Force. We have accepted and decided this appeal under section 5346 of title 5, United States Code (U.S.C.).

General issues

The appellant makes various statements about his agency and its evaluation of his job. In adjudicating this appeal, our responsibility is to make our own independent decision on the proper grading of his job. By law, we must make that decision solely by comparing his current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5346). 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 job grading review process are not germane to this decision.

Job information

Both the appellant and his supervisors have certified to the accuracy of the appellant's official job description (JD) Air Force Core Personnel Document [number]. The appellant serves as the Aerial Port Expeditor Load Director (APEX) Unit Evaluator. As the APEX Load Director the appellant works along with and leads two civilian Motor Vehicle Operators, WG-5703-8, a military vehicle operator, and four military aircraft freight loaders with a maximum grade of E-6. The appellant and staff led move cargo to and from aircraft and load and offload it onto C-5 Galaxy and C-17 Globemaster III cargo planes. In addition, the appellant assists flight crews in loading and unloading 747 and DC-8 aircraft that are contracted by the Government.

The appellant works with and leads a team on the "graveyard" shift from midnight to 8:30 am five days a week. In leading the staff, he continually performs on a regular and recurring basis a variety of duties including passing on the supervisor's instructions, getting work started, setting the pace of work, checking work progress, assigning tasks, answering questions on procedures, reporting to the supervisor on delays and work completion, etc. There is a civilian supervisor (Aircraft Freight Loader Supervisor, WS-6968-7) working the same shift as the appellant who is usually located in the dispatch office.

The appellant's team lifts, moves, and places cargo using motor vehicles, forklifts, and electric and hydraulic winches (which are part of the aircraft). Cargo is restrained onboard aircraft using tie down chains and devices, straps, nets and pallet rail mechanisms. In personally placing and directing the placement of cargo, the appellant considers its size, weight, height, cube, and trim, particularly in those instances where cargo is "mixed" (destined for a number of ports on a single

flight mission). The appellant checks prepared loads to ensure they meet safety requirements, changes load configuration, and certifies cargo load plans covering its placement. He and the crew operate motor vehicles, tractor trailers, material handling equipment (forklifts capable of lifting over 10,000 pounds), and cargo loaders of all sizes up to and including vehicles with a gross weight of more than 32,000 pounds. As an additional duty, the appellant serves as the only APEX Standardization and Evaluation Load Director for the C-5 Galaxy aircraft at [name of appellant's military base]. In this role, he monitors APEX loading and unloading operations for personnel proficiency and performance, and schedules initial and annual load director upgrade and proficiency evaluations/certifications for active duty, reserve, and civilian personnel. The appellant is responsible for administering the required recertification and targeted no-notice evaluations to instructors and load directors as directed by [name of headquarters]. He also de-certifies individuals who do not demonstrate proficiency in performing loading/unloading duties.

The appellant is the only employee at [name of appellant's military base] who is dual certified for conducting evaluations of loadmasters for loading and off loading both the C-5 and C-17 aircraft. He makes recommendations to his supervisor and locally assigned loadmasters to gain timely and successful resolution on complex technical aircraft loading issues, and performs liaison between the APEX and the Group Wing Loadmaster (GWL) located at [name of appellant's military base]. The GWL has the final authority to resolve the issues or forwards the recommendation to HQ.

The appellant reviews aircraft incidents, operational hazard and accident reports, bulletins, and directives pertinent to aircraft loading. He uses various prescribed aircraft checklists to ensure cargo is properly loaded considering aircraft limitations and safety issues. He also maintains publications required for load director personnel and instructors. The Cargo Load Planning Section, a separate organization from the appellant's, is responsible for determining what cargo is to be placed on the aircraft based on priority and destination.

In reaching our job grading decision, we have carefully reviewed all information furnished by the appellant and his agency, including his official JD which we find sufficient for purposes of grading and incorporate it by reference into this decision. In addition, to help decide the appeal we conducted separate telephone interviews with the appellant, and his first- and second-level supervisors

Series, title, and standard determination

The agency allocated the appellant's job to the 6968 Aircraft Freight Loading occupational series, titling it Aircraft Freight Loader Leader (MVO/FLO), and the appellant does not disagree. We concur with the agency's occupational series determination, and agree the appellant's job fully meets the coverage requirements in the Job Grading Standard for Leader (JGSL) thus adding the title "Leader" to the basic title selected at the discretion of the agency. The 6968 occupational series definition prescribes no official titles for jobs in that series. In such cases the agency should select a title in accordance with the titling instructions contained in the *Introduction to the Federal Wage System Job Grading System*. Because the appellant operates both motor vehicles and forklifts, the addition of the current parenthetical title is appropriate but also at the discretion of the agency.

The published definition for the 6968 occupational series contains no grading criteria to evaluate jobs coded to that series. Therefore, it is necessary to cross-reference to evaluation criteria in other job grading standards for other occupations reflecting similar skills and knowledge as the job being reviewed. The agency cross-referenced to the grading criteria in the 4602 JGS for Blocker and Bracer to establish the highest level of primary work (in addition to motor vehicle operating) led by the appellant; i.e., WG-8. The appellant disagrees and believes that cross-reference to the grading criteria in the 5210 Rigger JGS more accurately reflects the principal work he performs and leads (including the use of winches) in moving and placing cargo. He contends that by doing so, it would raise the basic work led to the grade 10 level thus increasing the grade of his job by application of the JGSL.

The 5210 series covers work involved in the selection, installation and use of cables, ropes, chains, and other weight handling gear to lift, move, and position heavy loads; and the assembly, repair, and installation of standing and running rigging used to support, secure, or operate equipment, machinery, and other items. The work requires knowledge of rigging practices and weight handling techniques; the ability to plan and select the appropriate gear; and the skill to assemble, repair, and install rigging on a variety of objects.

The 4602 series covers work involved in blocking, bracing, staying, and securing cargo for shipment by land, sea, or air. Such work requires skill in constructing, placing, and installing wooden blocks, wedges, bracing structures and other staying devices, as well as skill in securing items using wires, ropes, chains, cables, plates, and other hardware.

We find cross-reference to the grading criteria in 5210 JGS is not appropriate. Unlike jobs in that series, the appellant's work does not require him to select and install cables, ropes, chains, and other weight handling gear to lift, move, and place cargo on or off aircraft. In the appellant's job, cargo on pallets is unloaded from trucks (K loader) or forklifts, and placed directly onto the aircraft loading bay drop-down door ramp which contains a series of rollers. Either manually, or by use of various types of winches (e.g., electric hook and cable) which are part of the airframe on board the aircraft, the cargo is pushed or pulled (rolled) into the cargo bay and positioned and secured using the aircraft's loading equipment. Because the winches and load handling equipment are an integral part of the aircraft and must be used when needed, there is no requirement to select and install cables, ropes, or chains to move and position the cargo once inside. However, the appellant indicated in most cases cargo is simply manually pushed into place without the use of winches. The loading process is facilitated by use of floor rollers embedded in the aircraft and pallet locks. Along with pallet locks, onboard chains and nets are used to tie down and hold cargo in place. In contrast to jobs in the 5210 series, the appellant's work does not require or permit him to assemble, repair, and install standing and running rigging which support, secure, or operate equipment and machinery. Furthermore, the use of winches is not mentioned in the 5210 JGS. Moreover, skill in cutting and splicing rope and wire, and installing various fittings used in the assembly and repair of weight handling equipment is not needed to perform the appellant's work.

The 4602 JGS provides grading criteria most appropriate to grade the appellant's work. Similar to that occupation, once cargo is moved by trucks, forklifts and winches onto the aircraft, the primary task is to position, brace and secure it for safe shipment by air to prescribed destinations.

While the appellant does not construct wooden blocks or wedges, he and his crew apply 4602 skills in positioning and securing freight using wire, cable, chains and nets. Thus we have applied below the grading criteria in the 4602 JGS to the appellant's job.

The appellant believes that his duties and responsibilities as APEX evaluator so significantly enhance his work, that given those duties the final grade of his job should be WL-11. While we recognize this additional duty expands the responsibilities of his job, the record shows in administering re-certification evaluations he applies the same paramount knowledge and skill commensurate with his primary duties of aircraft freight loading (6968), and is typical of the grade level of work he personally performs and leads. Therefore, these duties would not impact the pay system, series or grade level of his job.

The appellant notes that his agency considers his job as "mixed grade" and requests OPM clarify the job grading principles governing that concept. A mixed job involves performing, on a regular and recurring basis, duties in two or more occupations at the same or different grade levels. Mixed jobs are graded in keeping with the duties that (1) involve the highest skill and qualification requirements of the job, and (2) are a regular and recurring part of the job, even if the duties involved are not performed for a majority of the time. If a job involves regular and recurring duties at the same level in two or more occupations, such a mixed job is graded to that same level. As discussed later in this evaluation, we find the appellant performs work in two occupations at the same grade level (grade 8 for 5703 and 6968), and one at a different grade (grade 6 for 5704). Therefore, the application of mixed grade principles results in assigning the grade 8 level for the work led and performed.

In addition to the Blocker and Bracer, 4602, grading criteria, we have also applied the criteria of the JGSL to the appellant's job. For purposes of this evaluation we accept the agency's grading of the 5703 motor vehicle operator jobs (including military) which the appellant leads, and based on our review agree their duties (and those motor vehicle operating duties performed by the appellant) would not exceed grade 8. We note the appellant also operates forklifts (5704) as needed, but that work would not exceed grade 6. Therefore, in both instances we have not evaluated that work separately because it does not change the final series or grade of the appellant's job.

Grade determination

Evaluation using the 4602 JGS

The 4602 JGS uses four factors to determine the grade level of a job: *Skill and Knowledge*, *Responsibility*, *Physical Effort*, and *Working Conditions*. A job is graded as a whole against the level of demands found at different grades. No single factor is considered by itself, but only in relation to its impact on the other factors. A job is allocated to the grade best representing the overall demands of the work.

Skill and Knowledge

Grade 8 Blockers and Bracers (the highest grade described in the JGS) apply knowledge of how a variety of different kinds, sizes, shapes, weights, etc., of cargo tend to move, shift or break loose during transport by ship, aircraft, truck or railroad car. They apply knowledge of preferred arrangement of cargo and distribution of weight; and skill in estimating the center of gravity and general weight of items to determine how and where to brace, place, separate, support, and secure cargo to prevent shifting and damage. They apply a knowledge of a variety of blocking and bracing regulations issued by different agencies (including military), and exercise the skill and ability to read and work from plans, written instructions, sketches, or drawings, which indicate special, unusual, or mandatory location or placement of cargo or staying devices. In doing so they must consider the special features of conveyances and special design or installation requirements for guying, bracing, and staying. At the grade 8 level, the employee applies skill in strapping, lashing, and securing heavy, delicate, odd-shaped or unbalanced cargo using straps, cables, rope, bands, and wire, in conjunction with rings, hooks, plates and other hardware fixtures. The blocker and bracer at this grade level possesses the ability to add, subtract, multiply, and divide in computing sizes, weights, and quantities of parts, materials, and cargo.

The appellant's job meets, but does not exceed grade 8. Similar to this level, he determines the best methods of securing a variety of different kinds, sizes, shapes, and weights of cargo (e.g., 40K pound generators, helicopters, vehicles, military equipment and supplies, hazardous items) to ensure it is fully protected and does not shift, move, or break loose during transport by aircraft. Based on his extensive experience and knowledge as a former military loadmaster, like the grade 8 level he determines the best method for configuring and arranging cargo, distributing and balancing its weight, and estimating its center of gravity to decide how to place, support, and secure it to preclude shifting and damage in the cargo compartment. In moving, placing, and securing cargo he applies knowledge of aircraft loading directives, regulations, and bulletins issued by Department of Defense (DoD) component agencies, and uses prescribed loading checklists to ensure proper loading procedures are followed within the limitations of the type of aircraft being loaded, e.g., floor load restrictions, shoring requirements. Like the grade 8 level, he works from prepared cargo loading plans to prioritize loading and placement, and considers the unique design, weight, and shape of some cargo mandating placement in a particular location onboard the aircraft. Similar to grade 8, he exercises skill in strapping and securing unusually heavy, cumbersome, odd-shaped or unbalanced cargo, using wire cables or bands in conjunction with tie-down rings, hooks and other hardware devices onboard the aircraft. He also applies basic mathematics to compute size, weight, height and cube of cargo, including measuring close tolerances, to ensure proper loading and accommodation within the aircraft.

Responsibility

Grade 8 Blockers and Bracers (the highest level described in the JGS), work from general instructions which indicate work location, type, and amount of cargo to be secured, the agencies whose requirements must be met, and any unusual hidden hazards, cargo features, or requirements. They use judgment in planning and selecting the appropriate kind, size, and type of blocking and bracing materials, the proper work methods, and the most efficient work sequences to perform the assigned work. They are responsible for selecting and using methods

and materials which meet the requirements of the designated Government agencies. The work is checked by the supervisor for compliance with regulations and to insure cargo will remain secure during the planned shipment by land, air, or sea.

The appellant's level of responsibility meets, but does not exceed grade 8. Like this level, he receives general instructions from his supervisor covering destination and work location on the flight line, the type and amount of cargo to be placed and secured on particular aircraft, any special agency requirements concerning hazardous or oversize/weight cargo, and any unusual cargo features to be addressed during his work shift. Within those parameters, the appellant exercises judgment in laying out, planning, and selecting the most appropriate method of placing and securing cargo onboard aircraft. This entails determining the most efficient and time saving methods to move, place, and secure cargo to comply with loading requirements prescribed by the agency. Like grade 8, his work is reviewed for compliance with loading regulations to ensure cargo is properly secured for shipment by air.

Physical Effort

Physical effort described at grade 8 in the JGS is essentially the same as that described at the grade 7. At grade 7, the employee performs heavy, strenuous, tiring work for prolonged periods. He or she continuously lifts, carries, and positions tools and materials weighing up to 45 pounds, and often moves or positions extremely heavy items using jacks, levers, or assistance from other workers. The work continuously involves standing, stooping, reaching, or similar physical activity. Sometimes work is done in cramped or awkward positions and may require climbing upon or crawling under vehicles or structures.

Because the appellant's physical effort in his job fully meets that described for work at grade 7 and above, this factor has no grade level impact and thus requires no further discussion.

Working Conditions

Working conditions described at grade 8 in the JGS are essentially the same as those described at grade 7. At grade 7, the employee works both inside and outside and is frequently exposed to disagreeable heat, coldness, dampness, wind and rain. He or she is frequently exposed to noise and possible cuts, abrasions, and splinters from power sawing, handling lumber, spiking, nailing, and other work. The grade 7 employee is exposed to nose and lung irritation from dust and sawdust, and sometimes exposed to possible injuries from falling objects, swinging crane loads, etc. To avoid injuries, the employee may wear protective eye glasses, a face shield, protective ear devices, gloves, hard hats, hard toe shoes, or other protective equipment.

Although the appellant does not work with power saws, lumber, or nailing equipment, overall the job meets that described for work at grade 7. Like this level, he works inside and outside and is frequently exposed to hot, cold, or damp weather. He regularly deals with excessive aircraft noise, possible abrasions when handling cargo, and nose and lung irritation from chemical fumes and toxins. He is subject to possible injury from falling or moving objects during on and off loading of aircraft. Like the grade 7 level, he wears protective gear including hard toe shoes, helmet, and ear plugs.

Because the appellant's working conditions generally meet those described at grade 7 and above, this factor has no grade level impact.

Evaluation using the JGSL

Part I of the JGSL applies to working leaders who lead three or more other workers to accomplish trades and labor work, including as a paramount requirement, sufficient skill in and knowledge of the trades and labor work performed by the group led to effectively carry out the duties of working leaders outlined below. Working leaders also perform regular non-supervisory (i.e., non-leader) work that is usually of the same kind and level as that done by the group led. Working leader tasks are performed by leaders at various times throughout the work day (or work shift) as needed. Thus, their "leader" tasks are mingled with non-leader work, and the leader responsibility assigned to a job remains in effect and continues to be exercised even when the leader is personally engaged at various times in non-leader work. However, leader responsibility must be assigned on a regular and recurring and substantially full-time and continuing basis.

The JGSL notes that in some situations, work led may be performed by persons other than civilian Federal employees, such as patients or inmates of institutions, military personnel, and others. In determining whether an employee is a working leader, such persons should be counted if the employee is responsible for their work assignments on a substantially full-time and continuing basis. Working leader jobs are graded on the basis of the highest level of non-supervisory work led. A minimum of three workers led is required for coverage under the JGSL. However, except for that minimum requirement, the number of workers led and the variety of occupations in which they perform work does not affect the grade of a working leader job. The JGSL indicates that in some cases the highest-level employee assigned to the group led may do work in an occupation in which the working leader is not fully qualified. The level of such work should be used to grade the working leader job only where the leader, although not fully qualified, has enough knowledge of the occupation to lead the work involved (for example, pass on instructions from the supervisor, assign immediate tasks to be performed, demonstrate work methods, check work, and report to the supervisor on work status or cause of work delays).

Typical duties of a working leader are:

- Passing on to other workers the instructions received from supervisors and getting work started, e.g., by assigning the immediate tasks to be performed by individual members of the group led;
- Working along with other workers and setting the pace;
- Demonstrating proper work methods;
- Seeing to it that needed plans, blueprints, materials, and tools are available, and that needed stock is obtained from supply locations;

- Obtaining needed information or decisions from supervisors on problems that come up during the work;
- Maintaining a current knowledge, and answering questions of other workers on procedures, policies, written instructions, and other directives (for example, technical orders);
- Seeing to it that there is enough work to keep everyone in the work crew busy;
- Checking work while in progress and when finished to see whether the supervisor's instructions on work sequence, procedures, methods, and deadlines have been met;
- Urging or advising other workers to follow instructions received from supervisors, and to meet deadlines;
- Assuring that safety and housekeeping rules are followed (for example, assuring that limits of safe machine operation are not exceeded and that all tools are used properly);
- Reporting to supervisors on status and progress of work, and causes of work delays; and
- Answering questions of supervisors on overall work operations and problems (for example, concerning additional on-the-job training requirements for individual employees).

The record shows the appellant leads on his shift two civilians in Motor Vehicle Operators, WG-5703-8, jobs, one military vehicle operator graded up to E-6 (performing work equivalent to grade 8), and four military aircraft freight loaders graded up to E-6 (performing work equivalent to grade 8). Because the appellant is qualified and fully responsible for the work assignments of the military personnel on a substantially full-time and continuing basis as a regular and recurring part of his job, we have counted them in applying the job grading criteria of the JGSL. We have also credited the motor vehicle operators because the appellant is qualified to lead their work. In leading the work of the preceding personnel, we find the appellant performs all of the typical working leader duties listed above.

As previously stated, working leader jobs are graded on the basis of the highest level of non-supervisory work led. We have determined the highest level of work performed and led by the appellant is grade 8. Therefore, by application of the Working Leader Grading Table in the JGSL the appellant's working leader duties are graded at WL-8.

Decision

The proper occupational series and grade of the appellant's job is WL-6968-8. Assignment of the basic and parenthetical titles is at the discretion of the agency. In doing so, the agency should add the word "Leader" to the job title selected.