

FILE NO. 99561

May 1, 1963

Mr. Harry Deitchman, Payroll Supervisor
Central Payroll Division
Bureau of Accounts and Disbursements
Municipal Building

Re: New Fire Department Classification

Dear Mr. Deitchman:

On February 11, 1963, you wrote this office informing us that the Civil Service Commission had created a new job classification in the Fire Department known as an "Instrument Mechanic." You requested an opinion as to whether this category of employee is to be included within the Social Security System.

In a subsequent letter dated April 19, 1963, you forwarded to this office the copy of the Civil Service Commission specifications for this particular job. These specifications provide that the "Instrument Mechanic" is responsible for the installation, inspection, maintenance, and repair of mechanical-electrical instruments and allied equipment of the fire alarm telegraph system, and does related work as required. Some examples of the duties of this person are the installation, testing, repair and calibration of registers, time stamps, light trips, meters, fire alarm boxes, gongs, tapper bells, and similar instruments and equipment; the fabrication of replacement parts; and the design and building of special instruments. In addition, he would maintain the records as to the location, inspection, maintenance and repair of all instruments and prepare reports of the same. The "Instrument Mechanic" has no responsibility to respond to any fire alarms or do any work on the fire ground.

A similar question was originally brought to this office and was litigated in the case of William M. Augustine, et al vs. Mayor and City Council of Baltimore, et al (Circuit Court of Baltimore City, Docket 1960 A, Folio 875, File No. A 40985). In an opinion by Judge Allen, delivered on June 9, 1960, it was found that certain employees of the Fire Department, due to the fact