

**U.S. Office of Personnel Management
Classification Appeal Decision
Under section 5112 of title 5, United States Code**

Appellant: [appellant's name]

Agency classification: Resource Specialist
GS-1101-9

Organization: [activity]
[installation]
[region]
Forest Service
U.S. Department of Agriculture
[city, state]

OPM decision: GS-1101-9
Title to be determined by agency

OPM decision number: C-1101-09-03

/s/ Judith A. Davis for

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

11/15/2011

Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), this decision constitutes a certificate which 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 the *Introduction to the Position Classification Standards (Introduction)*, appendix 4, Section G (address provided in appendix 4, section H).

Since this decision changes the factor levels credited to the appealed position, the servicing human resources office must submit a compliance report with the revised position description (PD). As discussed in this decision, the appellant's PD of record must also be revised to meet the PD standard of adequacy in the *Introduction*. The revised PD must be submitted with the compliance report within 30 calendar days of the date of this decision to the U.S. Office of Personnel Management (OPM) office which accepted the appeal.

Decision sent to:

[appellant's name and address]

[name and address of appellant's representative]

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Introduction

On February 28, 2011, OPM's Dallas Oversight office accepted a classification appeal from [appellant's name]. The appellant's position is currently classified as Resource Specialist, GS-1101-9, but she believes it should be classified at the GS-11 grade level. The position is located in the [activity], [installation], [region], Forest Service (FS), U.S. Department of Agriculture, in [city, state]. We received the complete agency's administrative report on May 3, 2011, and the appellant's comments on the report on May 20, 2011. We have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

Background and general issues

On October 7, 2010, the appellant's immediate supervisor requested a position classification review of her position from [region] Human Resources Management (HRM). The HRM "classification delegate" initially supported upgrading the position to the GS-11 level and a PD reflecting the proposed change was drafted. The classifier later found the position properly classified as GS-1101-9, as explained in HRM's November 4, 2010, evaluation statement. As stated in her initial request to OPM, the appellant believes HRM's decision was influenced by the following:

I feel that due to an EEOC appeal with another employee in the same series in [the region]; I have not been given a fair and adequate audit by [classification delegate's name] even though she had classified the position specifically for [appellant's name] at the GS-1101-11. I feel that do [sic] to reprisal and being told that the GS-1101-11 classification would set precedence for the Region, [classification delegate's name] was directed to classify me out as GS-1101-9 Resource Specialist. It's very controversial within the region over the 1101 series or considered a very sensitive issue. Currently, all 1101 positions are being red flagged within the Region.

In adjudicating this appeal, our responsibility is to make an independent decision on the proper classification of her position. Therefore, we have considered these issues only insofar as they are relevant to making that comparison. Because our decision sets aside all previous agency decisions, any concerns regarding the agency's classification review process are not germane to this decision.

The appellant also believes she is performing work similar to positions classified to higher grades assigned to other regions. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM position classification standards (PCS) and guidelines (5 U.S.C. 5106, 5107, and 5112). Other methods or factors of evaluation are not authorized for use in determining the classification of a position, such as comparison to positions which may or may not have been properly classified.

Like OPM, the appellant's agency must classify positions based on comparison to OPM's PCSs and guidelines. In accordance with 5 CFR 511.612, agencies are required to review their own classification decisions for identical, similar, or related positions to ensure consistency with OPM certificates. If the appellant believes her position is classified inconsistently with another,

then she may pursue this matter by writing to the human resources office of her agency's headquarters. She should specify organizational location, series, title, grade, and duties and responsibilities of the positions in question. The agency should explain to her the differences between her position and the others, or classify those positions in accordance with this appeal decision.

Position information

The appellant's position, although physically located in a Forest Supervisor's Office, serves as a resource specialist for the [area] Zone Timber organization working directly for the zone's contracting officer (CO) to administer large complex timber sales across the [number] forests (i.e., [installation, installation, installation, installation, and installation] National Forests) falling under [the region's] area of responsibility. At one time, timber sales were administered at the forest level. [Region] then delegated the zone with authority to administer all large complex timber sales from 1,000 CCF (hundred cubic feet) to 50,000 CCF, in size, and stewardship contracts for the zone's forests. Although the forest retains authority for timber sales up to 1,000 CCF, the appellant occasionally administers small sales on behalf of the forest under special circumstances (e.g., no CO available at the forest).

The appellant's immediate supervisor occupies a Supervisory Forester (GS-460-13) position, which is also located in the Forest Supervisor's Office but serves as the Sales, Marketing, and Contract Specialist for the zone. The appellant's position performs a checks and balances, quality control function for timber sale contract work performed by the forests in support of zone-sized sales. Her work involves a wide range of tasks including providing guidance or support on timber sale accounting and reporting, bid openings, and financial contract assembly; maintaining the interrelated financial, accounting, and reporting systems; leading, overseeing, and coordinating sale reviews, bid openings, financial accounting and reporting, and contract awarding and bonding.

Preparing FS timber sales consists of six steps or 'gates' describing the beginning stages of identifying the timber to be sold and conducting the environmental assessment of the sale area, to the end stages of advertising the sale and selling the timber. Briefly, gate 1 describes the initial planning of a timber sale project required to ensure the feasibility of the proposed sale project. The output for gate 1, the timber sale project plan, is signed and certified by the district ranger, Forest Supervisor, or other land manager with authority to make project planning decisions (officer) in Timber Information Management (TIM). The TIM system is used to record initial project information as well as generate bills for timber sales and permits. Gate 2 includes activities related to project analysis, design, and the National Environmental Policy Act (NEPA) decision notice. The appropriate officer certifies the timber sale project design, gate 2's output, and includes the NEPA decision and other required documents. At gate 3, which describes the timber sale preparation required for implementing the sale design, the timber sale summary is signed by the appropriate officer and includes required documentation such as the cruise design, cruise results, marking guides, surveys and data, and presale and cutting unit cards. Gate 4 describes advertising the timber sale. At gate 5, the bid opening is conducted by an oral or sealed-bid auction, which entails monitoring bidders during the auction for suspicious behavior,

reviewing bids to determine their viability, and identifying the highest bidder. Gate 6 describes the award of the timber sale contract.

The appellant estimates spending 50 percent of her time on contract administration and preparation work completed as the principal assistant to the CO and adviser to the forest service representative (FSR), timber sale administrator, and other zone timber staff, as well as the forest-level resource specialists and assistants. Her contract oversight work entails validating the accuracy and integrity of the work performed by forest-level personnel. Once a decision is made to sell, the engineering support and other staff review the proposed sale for transportation and other land considerations. The forest-level resource staff at the sale location enters information into TIM. The appellant, CO, and zone FSR meet at the forest to review the timber sale and stewardship contracts with the forest's staff. The appellant is responsible for the complete administrative review of the timber sale package and approves or identifies changes to be made to or ensure consistency of facts and figures between the appraisal, contract, provisions, bid opening, NEPA documents, etc. Throughout the review process, she ensures the agency policies, procedures, and provisions are followed through to the contract while confirming information is consistent across the environmental assessments, mitigation measures, logging feasibilities, engineer reports, and other reports from forest resources. The appellant ensures the contract reflects the appraisal and includes the correct number of roads, timber volumes, equipment, slope, repair fencing, erosion control, and all other figures and data critical to the contract. She coordinates any necessary changes to the contract, timber sale report, and appraisal, and other documents with the forest resource staff. The appellant conducts bid openings for the zone-sized sales, which entails monitoring bidders during the auction for suspicious behavior, reviewing bids to determine viability, and identifying the highest bidder.

The appellant spends 40 to 50 percent of her time on auditing work. She serves as a subject-matter expert in timber sale accounting and financial management areas. The appellant reviews the contract information inputted into the Timber Sale Accounting (TSA) system, which maintains data on all timber-related revenue by individual timber sale contract, for accuracy in the reporting of timber volume, value, purchaser information, and financial payments. She monitors the contract monthly, quarterly, semi-annually, and when necessary to verify the timely and accurate deposit of payments. The appellant tracks the collection and accounting of timber harvest activities and charges, load accountability, trust fund management, bonding, down payment, mid-point payment, road maintenance deposit, slash disposal deposit, interest fees, and other sources of timber revenue. She also oversees NATSCALE, which tracks the timber removed by log trucks from the forests to lumber mills, by conducting audits of timber sale tickets. The CO approves the weight-to-price conversion. The appellant then balances the account statements by validating each ticket was entered into NATSCALE. Using an index to match weight and price, she balances the account statements with NATSCALE reports and identifies any missing or incorrect tickets and other errors occurring in the field.

The appellant estimates spending 10 percent of her time on Small Business Administration (SBA) work related to the small business set-aside program (i.e., when selling timber, a certain percentage of a sale is set aside for a small business with less than 500 employees). The appellant serves as the coordinator for the [number] set-aside market areas on each of the zone's forests. Her work entails preparing and completing semi-annual SBA reports; consolidating data

and completing reports to determine if and when a market area should initiate set-aside program requirements; consolidating data on zone- and forest-sized timber sales; forwarding reports to the forests, [region], and SBA representatives; initiating the timber sale set-aside program requirements when the six-month data shows the small business deficit equals or exceeds 10 percent of the small business share; and ensuring the small business certification required on all set-aside timber sales is mailed to and received by the high bidder prior to execution of the contract. Regardless, only duties occupying at least 25 percent of an employee's time can affect the grade of a position (*Introduction*, section III.J). Therefore, we will not evaluate the appellant's SBA or other minor duties in this decision.

The appellant's PD, number [number], and other material of record furnish much more information about her work. We, however, identified inaccuracies in the description of the appellant's zone position and as principal assistant to the CO. For example, the PD states: "This position is located in a Forest Service unit as a principal assistant to the Resource Specialist" and "Responsible for the complete and detailed administrative review of timber sale packages submitted by Ranger Districts." This is not descriptive of her organizational role as discussed previously. OPM views a PD as adequate for classification purposes when it is considered so by a person knowledgeable of the occupation and the classification standards and is supplemented by current information about the position's organization, functions, programs, and procedures. We find the PD of record covers the major duties assigned to and performed by the appellant; but the inaccuracies regarding the context in which the appellant performs her work are sufficient to warrant correction so as to meet the PD standard of adequacy discussed in section III.E of the *Introduction*. The appellant's agency must revise her PD to meet that standard as discussed on page ii of this decision. Regardless, an OPM decision classifies a real operating position and not simply the PD. We have decided this appeal based on an assessment of the actual work assigned to and performed by the appellant.

To help decide this appeal, we conducted telephone audits with the appellant on May 25, June 2, July 12, and July 21, 2011. On October 13, 2011, we conducted a telephone interview with the appellant's immediate supervisor. In deciding this appeal, we fully considered the interview findings and all other information of record provided.

Series, title, and standard determination

The agency determined the appellant's duties and responsibilities are consistent with the GS-1101 General Business and Industry Series, and the appellant does not disagree. Based on careful review, we agree. Since OPM has not prescribed titles for positions in this series, the agency may construct a title by following the guidance in the *Introduction*.

The GS-1101 series does not contain grade-level criteria. As directed by the *Introduction*, an appropriate general classification guide or criteria in a PCS for related work should be used if there are no specific grade-level criteria. The agency applied the grading criteria in the Administrative Analysis Grade Evaluation Guide (AAGEG), which provides criteria for nonsupervisory staff administrative analytical, planning, and evaluative work at grades GS-9 and above. After careful review of the record, we concur with the agency's application of the AAGEG.

Grade determination

The AAGEG is written in the Factor Evaluation System (FES), under which factor levels and accompanying point values are assigned for each of the nine factors. The total is converted to a grade level by use of the grade conversion table provided in the PCS. Under the FES, each factor-level description demonstrates the minimum characteristics needed to receive credit for the described level. If a position fails to meet the criteria in a factor-level description in any significant aspect, it must be credited at a lower level unless an equally important aspect that meets a higher level balances the deficiency. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level.

The agency credited the appellant's position at Level 1-6, 2-3, 3-3, 4-4, 5-3, 6-3, 7-b, 8-1, and 9-1. The appellant only disagrees with the agency's evaluation of Factors 1 and 2. We reviewed the agency's determination for Factors 3, 5, 7, 8, and 9, concur, and have credited the position accordingly. Our evaluation will focus on the remaining factors.

We also refer to the PCS in the GS-1104 Property Disposal Series for cross-series confirmation of the levels credited to Factors 1 and 6. The GS-1104 is suitable as the PCS is also in the FES format; covers work in the GS-1100 Business and Industry Group like the appellant's position; and covers positions responsible for performing administrative and technical work required to redistribute, donate, sell, abandon, destroy, and promote the use of excess and surplus personal property. Comparable to the appellant's position, the marketing duties of GS-1104 employees involve developing, signing, executing, and administering sales contracts. This work entails researching laws and regulations for special clauses, terms, and requirements to include in contracts; investigating buyers for compliance with contract terms; proposing default, debarment, and termination actions against contractors; and/or reviewing and resolving contractor appeals, disputes, claims, and bidding errors. Also similar to the appellant's work, GS-1104 employees manage the financial accounts of property transactions and proceeds from sales.

Factor 1, Knowledge Required by the Position

This factor measures the nature and extent of information or facts the employee must understand to do acceptable work (e.g., steps, procedures, practices, rules, policies, regulations, and principles) and the nature and extent of the skills needed to apply the knowledge.

At Level 1-6, positions require skill in applying analytical and evaluative techniques to the identification, consideration, and resolution of issues or problems of a procedural or factual nature. The issues or problems deal with readily observable conditions (e.g., office or shop layout, work-flow, or working conditions), written guidelines covering work methods and procedures such as performance and production standards, and information of a factual nature (e.g., number and type of units actually produced or capability of equipment). Included at this level is knowledge of the theory and principles of management and organization, including administrative practices and procedures common to organizations, such as those pertaining to areas of responsibility, channels of communication, delegation of authority, routing of correspondence, filing systems, and storage of files and records. Assignments typically involve

using qualitative and quantitative analytical techniques such as literature search; work measurement; task analysis and job structuring; productivity charting; determining staff to workload ratios (e.g., span of control); organization design; space planning; development and administration of questionnaires; flowcharting of work processes; graphing; and calculation of means, modes, standard deviations, or similar statistical measures.

At Level 1-7, the position requires knowledge and skill in applying analytical and evaluative methods and techniques to issues or studies concerning the efficiency and effectiveness of program operations carried out by administrative or professional personnel, or by substantive administrative support functions (i.e., internal activities or functions such as supply, budget, procurement, or personnel which serve to facilitate line or program operations). Level 1-7 includes knowledge of pertinent laws, regulations, policies, and precedents affecting the use of program and related support resources (people, money, or equipment) in the area studied. Projects and studies typically require knowledge of the major issues, program goals and objectives, work processes, and administrative operations of the organization. Knowledge is used to plan, schedule, and conduct projects and studies to evaluate and recommend ways to improve the effectiveness and efficiency of work operations in a program or support setting. The assignments require knowledge and skill in adapting analytical techniques and/or organizational productivity. Knowledge is applied in developing new or modified work methods, organizational structures, management processes, procedures for administering program services, guidelines and procedures, etc.

The appellant's position fully meets Level 1-6. The FS uses six "2400" type timber sale contract formats to establish the terms and conditions when the FS sells timber and the purchaser buys, pays, harvests, and removes goods. The appellant's work mainly involves the 2400-6 and the 2400-6T contract types. Large, complex timber sales require preparing the 2400-6 contract form when timber is measured for payment after harvesting and 2400-6T when payment is based on measurement prior to sale. Her work also involves the 2400-13 integrated resource timber or "goods for services" contracts. Purchasers completing a service activity (e.g., harvest, road construction and maintenance, treatment of noxious weeds, prescribed burning, or other land management activity) can exchange credit for timber of equal value. Contracts progress in several stages, requiring presale reviews, timber sale accounting, timber sale modifications, financial and log accountability audits, pre-closure audits, and case file maintenance. The appellant is responsible for reviewing all zone-sized contracts and associated documents to ensure all legal, regulatory, and agency-prescribed contractual requirements are fully met.

Similar to Level 1-6, the appellant's work required knowledge of commonly applied timber sale principles, concepts, and procedures to independently perform well-precedented assignments. Her work requires knowledge of pertinent timber sale contract laws, regulations, policies, and precedents to ensure all contract requirements are met prior to advertisement; environmental documents to ensure mitigation measures are properly addressed in contracts; timber sale reporting and accountability requirements to provide guidance, advice, and oversight on TIM, TSA, NATSCALE, etc.; proper auditing procedures to ensure volumes, rate, collection, deposits, and other information are tracked before contract closure; and basic understanding of land management concepts and forest practices to, e.g., participate on sale reviews in the field by inspecting timber purchaser activities for compliance with NEPA and other contractual

requirements. The appellant also has knowledge of timber contract-related collections to prepare default packages and ensure all interest, penalties, and damages are calculated correctly.

Stewardship contracts require making cost specifications to place a value on land management activities. After receiving technical proposals submitted by bidders, the appellant coordinates with forest-level staff to assemble a team with the appropriate mix of technical and resource knowledge to evaluate the bid. Stewardship contracts are awarded on a best value basis by considering both price and non-price criteria including past performance, work quality, existing agreements, timely delivery, and experience. The appellant is responsible for providing the team with the framework to evaluate the price and non-price criteria, and then consolidating the team's input and proposal for the CO's review and approval. She uses her knowledge of the stewardship contracting guidelines and operating procedures, as well as skill in applying fact-gathering techniques, to perform work associated with the review and awarding of stewardship contracts. This and other issues and problems typical of the appellant's work are consistent with Level 1-6, involving readily observable conditions and facts.

Furthermore, the GS-1104 PCS describes Level 1-6 knowledge comparable to that required by the appellant's position; e.g., knowledge of merchandising and marketing policies, procedures, and methods; established sales contracting procedures and conditions; and proper accountability systems and requirements. As described in the GS-1104 PCS, employees at Level 1-6 use this knowledge to perform work involved in selling a variety of property types within a local market area or among a few activities with different functions, property requirements, and disposal needs, or a number of activities with similar functions, property requirements, and disposal needs. An illustration in the GS-1104 PCS describes an employee, at Level 1-6, as researching the various uses and local demand for property and selecting the most effective disposal methods, directing and controlling the maintenance of accountability records containing the types, conditions, amounts, and values of property received and allocated. Employees at this level advertise and conduct local sales for a variety of property items, awarding sales to the highest qualified bidder based on closed and open bidding procedures and collecting payments. Similarly, the appellant performs timber sale contract-related functions for the zone as those described at Level 1-6 in the GS-1104 PCS.

The appellant's position does not meet Level 1-7. The operational nature of her position does not require or permit her to plan, schedule, and conduct studies to evaluate and recommend ways to improve the efficiency and effectiveness of the work operations or perform equivalent analytical projects as intended at Level 1-7. The appellant plans and performs work based on established timber sale program procedures, requirements, and precedents. Her work entails conducting administrative reviews of sale packages, and reviewing and approving the changes needed to the appraisal, prospectus, advertisement, contract, and provisions associated with 2400-6, 2400-6T, and 2400-13 contracts. As the zone's bonding officer, the appellant also works with surety companies and purchasers regarding payments or performance bonds for each contract prior to the CO's approval or contract execution. She also analyzes a situation to ensure conditions warrant modifying the contract (e.g., due to court injunctions, market-related contract term adjustments, purchaser road costs, timber designation changes, price escalations, and environmental protests), and then takes the necessary actions such as coordinating between purchasers, sureties, [region] staff, and FSRs, to prepare modifications and agreements. This and

other work involves compiling and reconciling voluminous data from a variety of sources, which must be carefully considered, verified, and analyzed to draw appropriate conclusions. Unlike Level 1-7, the appellant's work does not require devoting a substantial amount of time developing new or modified techniques or procedures for performing program operations or work of similar demands.

The appellant's work requires providing advice, guidance, and oversight functions related to TIM, NATSCALE, and TSA activities. She developed a form to use by the zone to track financial revenue when auditing timber sale contracts. The appellant audits TSA input to ensure accurate and adequate reporting of timber harvest activity, load accountability, sale volume, trust fund management, bonding, stewardship credit, and revenue collected, transferred, or refunded. Her work also requires knowledge of fund deposits, which may be made to more than one fund for the same timber sale. Receipt funds are prioritized and deposited to a fund depending on the timber sale type. Once a contract is awarded, the appellant ensures the appropriate amount is distributed to the salvage sale, the Knutson-Vandenberg essential reforestation, interest and penalty, or other funds or accounts from the timber purchaser making down payments, scheduled payments, and other contractual deposits. In contrast to Level 1-7, her work involves an analysis of the facts and observed timber sale conditions and is of a repetitive nature with precedents usually available, and does not require or permit developing new or modified work procedures.

As described in the GS-1104 PCS, employees at Level 1-7 use knowledge to perform work involved in disposing of a broad range of highly complex or special property within a multi-State market area or among a wide variety of Federal activities with different property needs and disposal requirements; identifying, analyzing, and resolving a broad range of property disposal policies, procedures, and practices for agencies and activities. An illustration in the GS-1104 PCS describes an employee, at Level 1-7, applying contracting policies, regulations, and practices to advise on or conduct and administer sales involving large market areas (e.g., multi-State or regional) or highly specialized property. The appellant's position falls short of the Level 1-7 illustration as it has neither the scope with its smaller market area focus nor complexity with its focus primarily on a timber sales program with comprehensive guidelines in place.

Level 1-6 is credited for 950 points.

Factor 2, Supervisory Controls

The supervisor covers the nature and extent of direct and indirect controls exercised by the supervisor, the employee's responsibility, and the degree to which work is reviewed by the supervisor.

At Level 2-3, the supervisor assigns specific projects in terms of issues, organizations, functions, or work processes to be studied and sets deadlines for completing the work. Where two or more projects are involved, the supervisor may assign priorities among the various projects as well as deadlines for attainment of specific milestones within a project. The supervisor or higher grade analyst provides assistance on controversial issues or on the application of qualitative or quantitative analytical methods to the study of subjects for which precedent studies are not available. The employee plans, coordinates, and carries out the successive steps in fact-finding

and analysis of issues necessary to complete each phase of assigned projects. Work problems are normally resolved by the employee without reference to the supervisor, in accordance with the body of accepted office policies, applicable precedents, organizational concepts, management theory, and occupational training. Work is reviewed for conformance with overall requirements as well as contribution to the objectives of the study. Complete work products, such as evaluation reports and staff studies, are also reviewed for consistency of facts and figures, choice of appropriate analytical methods, and practicality of recommendations. Findings and recommendations developed by the employee are reviewed prior to release, publication, or discussion with management officials.

At Level 2-4, the employee and supervisor develop a mutually acceptable project which typically includes identification of the work to be done, the scope of the project, and deadlines for its completion within a framework of priorities, funding, and overall project objectives (e.g., cost reduction, improved effectiveness and efficiency, better workload distribution, or implementation of new work methods). Within the parameters of the approved project plan, the employee is responsible for planning and organizing the study, estimating costs, coordinating with staff and line management personnel, and conducting all phases of the project. This frequently involves the definitive interpretation of regulations and study procedures, and the initial application of new methods. The employee informs the supervisor of potentially controversial findings, issues, or problems with widespread impact. Completed projects, evaluations, reports, or recommendations are reviewed by the supervisor for compatibility with organizational goals, guidelines, and effectiveness in achieving intended objectives. Completed work is also reviewed critically outside the employee's immediate office by staff and line management officials whose programs and employees would be affected by implementation of the recommendations.

The appellant's position meets Level 2-3. Her work is mostly driven by planned timber contract work, and, as at Level 2-3, she uses initiative in carrying out the recurring assignments independently without specific instructions. She plans her own work, resolves problems, and makes adjustments within established policy or overall objectives and priorities. The appellant resolves work problems or issues based on the consideration of accepted timber sale program requirements, formal and on-the-job training, and agency directives. Her experience and knowledge of the timber sale program allows her to work independently with little or no day-to-day supervision. The appellant's work does not receive a detailed review as her duties are largely handled in accordance with established instructions, policies, and guidelines in the form of the CFR or FS manuals and handbooks (e.g., Forest Service Manual 2400 timber management, Forest Service Handbook (FSH) 2409.15 timber sale administration handbook, FSH 2409.18 sale preparation handbook, FSH 2409.22 timber sale appraisal handbook, FSH 6509.17 automated timber sale accounting, FSH 6509.11k bonding administration, and TIM user guides). Similar to Level 2-3, the supervisor defines continuing assignments, provides information on new tasks, and assists with unusual or controversial problems with no clear precedents. For example, the CO assists on controversial or unusual situations involving unique timber sale projects, bid protests, national readjustment of rates, defaults, bonding issues, litigations and appeals, and timber thefts. The supervisor, though he does not review the specific work methods used in completing assignments, reviews the appellant's finished work products (e.g., letters and agreements regarding contract modifications, default packages, award and

closure of contracts, and litigation on sales) to ensure deadlines are met, consistency of facts and figures, and conformity to program-related requirements. Her work receives the limited review consistent with Level 2-3.

The appellant operates with more independence in deciding a course of action with competing priorities than that normally expected at Level 2-3. She prioritizes her workload among the [number] forests, requiring intensive coordination skills to meet the varying deadlines and demands involved in traveling to each forest for meetings, audits, bid openings, and other contractual obligations. However, the appellant's position does not meet Level 2-4, where supervisors outline overall objectives and available resources. Level 2-4 describes the employee and supervisor jointly determining timeframes, assignment scope, and possible approaches. In contrast, the appellant's work involves implementing existing guidelines to ensure timber sale contract work complies with established requirements. She performs specific tasks required by laws, regulations, and agency standards guiding the zone's timber sale operations. This environment type limits the appellant's opportunities to negotiate with the supervisor on pre-defined, concrete timeframes, assignment scope, and work approaches as expected at Level 2-4. Level 2-4 describes work frequently providing definitive interpretation of regulations and study procedures, and the initial application of new methods. This requires considering the appellant's degree of supervision within the context of the complexity, difficulty, and knowledge required in performing the work as well as the degree to which the nature of the work permits exercising judgment and making independent decisions and commitments. Her work requires judgment and decision-making to identify problems and deficiencies through timber sale contract reviews and audits. This and other work falls short of the Level 2-4 description of frequently interpreting, i.e., beyond following and adhering to, regulations and applying new methods.

We reviewed the supervisor's PD and evaluation statement. The agency credited his position at Level 2-4, in part, by stating:

Independently constructs an action plan, selecting techniques and establishing methods and procedures for completing the assignments. The forester is responsible for coordinating the work with specialists in other resources or disciplines (e.g., engineering) and resolving problems that occur directly with the interested parties.

The agency has not delegated any authority to the appellant to commit the zone to a course of action. Instead, contracts, modifications, extensions, and other binding agreements are approved and signed by her supervisor as the zone's CO. The CO has full responsibility for the accuracy and integrity of the activities and documents associated with administering the zone's timber contracts. And as stated in his PD, the supervisor's position is considered "...the expert and authoritative source of information concerning contract content, accepted interpretation, and proposed course of action." We conclude it is the supervisor's position, not the appellant's, which has responsibility for work that involves interpreting timber sale contract regulations and establishing work methods and procedures to the extent described at Level 2-4.

Level 2-3 is credited for 275 points.

Factor 4, Complexity

This factor covers the nature, number, variety, and intricacy of tasks, steps, processes, or methods in the work performed; the difficulty in identifying what needs to be done; and the difficulty and originality involved in performing the work.

At Level 4-3, work principally involves dealing with problems and relationships of a procedural nature rather than the substance of work operations, issues, or other subjects studied. At this level, the employee analyzes the issues in the assignment, then selects and applies accepted analytical techniques such as task analysis, work simplification, work-flow charts, workload measurement, and trend analysis to the resolution of procedural problems affecting the efficiency, effectiveness, or productivity of the organization and/or workers studied. Projects usually take place within organizations with related functions and objectives, although organization and work procedures differ from one assignment to the next. Typical organization efficiency assignments involve observing work in progress to identify and resolve problems in work-flow, work methods and procedures, task distribution, overall workload, forms and record keeping, span of control, and organizational structure. When performed, evaluative studies involve measurement of current work output, group productivity and accomplishments, or identification of current resource needs (staff, supplies, equipment, and space). Typically, the employee prepares a narrative report containing a statement of the issue or problem, background, observations, options for change, and recommendations for action. Findings and recommendations are based upon analysis of work observations, review of production records or similar documentation, research of precedent studies, and application of standard administrative guidelines (e.g., staffing guidelines or performance and production standards).

At Level 4-4, work involves gathering information, identifying and analyzing issues, and developing recommendations to resolve problems with the effectiveness and efficiency of work operations in a program or program support setting. Work at this level requires the application of qualitative and quantitative techniques frequently requiring modification to fit a wider range of variables. Projects usually consist of issues that are not always susceptible to direct observation and analysis. Difficulty is encountered in measuring the effectiveness and productivity due to variations in the nature of processing information. For example, assignments may involve compiling voluminous workload data from a variety of sources with different reporting requirements and formats. Originality in refining existing work methods and techniques is characteristic of Level 4-4.

The agency credited the appellant's position at Level 4-4, but we found the position meets Level 4-3. She is responsible for providing oversight, coordination, and advice on, and support to the zone's forests on timber sale contract preparation, assembly, accounting, and reporting related matters. Similar to Level 4-3, her work requires considering and analyzing timber sale issues and factors (e.g., contract type, timber value, etc.), and then identifying the appropriate course of action to ensure timber contracts comply with laws, regulations, and agency requirements. The appellant, CO, and zone FSR meet with the forest employees to review timber sales and stewardship contracts. Her work requires applying fact-gathering techniques to compile, track, and review for adequacy and accuracy the large amount of timber contract-related information and required documents. The appellant's work entails ensuring mitigation measures in NEPA decision documents are covered by appropriate contract provisions, reviewing cruise plans for

consistency with contracts, verifying calculations are correct, conducting bid openings, ensuring bidder compliance, and making sure all agency reporting requirements are met.

The appellant performs audit- and oversight-type functions throughout the life of a timber contract. For example, she reviews the data inputted in TIM by the forests for all gate activities. In addition to ensuring all numbers and calculations are correct during the gate 3 sale review, the appellant makes certain the forest completes all agency reporting requirements when the contract is awarded. She also audits timber sale accounts to confirm the adequacy and accuracy of payments, bonding, and all other post-award requirements. The appellant conducts audits of each forest's NATSCALE tickets, identifying anomalies in account records and recommending changes, when necessary, to the process used by the forest to receive, maintain, and issue truck receipts and books in order to more effectively and efficiently accomplish work. Her evaluative and auditing work is consistent with the Level 4-3 description involving recommending changes based on an analysis of observation, review of records, and application of guidelines.

The appellant's position does not meet Level 4-4. Her work does not involve refining work methods and techniques, revising the methods to collect workload data, adopting new measures, or other work comparable to that described at Level 4-4. Instead, the appellant performs a variety of timber sale project functions related to preparing and administering timber sale contracts. She analyzes the timber sale appraisal and report to, e.g., ensure the timber project complies with agency policies and procedures, manuals and handbooks, laws and regulations, NEPA documents, and other requirements; make certain all sale provisions required by NEPA documents are covered in the contract; examine the sale map for accuracy; and ensure the correctness and consistency of reported data such as volume, logging method, contract type, specified road information, haul information, road maintenance deposits and requirements, brush disposal deposits and requirements, erosion control requirements, temporary road information, and fire liability calculations. She requests, coordinates, and approves the changes needed to the timber sale contract, bid package, prospectus, advertisement, and map.

As bid officer for zone-sized sales, the appellant conducts the sealed bid or oral auction in accordance with agency guidelines. Her work involves opening and reviewing bids and guarantees, observing bidders for collusion, determining the bidder's ability to carry out contract requirements, and ensuring the contract is awarded to the highest bidder. After the sale, the appellant ensures the bonding, revenue collection, and other financial and accounting information is current and correct. Her work requires identifying and preventing problems or recommending solutions by completing timber sale procedures, tasks, and forms based on an analysis of factual information or processes and the application of established standards, methods, and techniques. Unlike the appellant's position, projects at Level 4-4 usually consist of issues that are not always susceptible to direct observation and analysis or involve situations where information is conflicting, incomplete, or difficult to obtain.

Moreover, illustrations at Level 4-4 describe work of greater difficulty than the appellant's. The first illustration describes an employee who improves information and systems for disseminating information about the agency's programs and workforce to managers at many organizational echelons or geographic locations. The second Level 4-4 illustration describes an employee serving as a management advisor in the bureau or command headquarters of an agency with

responsibility for performing a range of analytical studies and projects related to field program operations in the areas of management and productivity improvement including effectiveness of work methods, manpower utilization, and distribution of functions. In contrast, the appellant serves as a zone-level expert on matters related to procedural aspects, rather than on substantive administrative operations, of the organization's timber sale operations.

Level 4-3 is credited for 150 points.

Factor 6, Personal Contacts

This factor includes face-to-face and telephone contacts with persons not in the supervisory chain. Levels described under this factor are based on what is required to make the initial contact, the difficulty of communicating with those contacted, and the setting in which the contact takes place.

At Level 2, contacts are with employees, supervisors, and managers of the same agency but outside of the immediate office, or employees and representatives of private concerns in a moderately structured setting.

At Level 3, contacts are with persons outside the agency and may include consultants, contractors, or business executives in a moderately unstructured setting. This level may also include contacts with the head of the employing agency or program officials several managerial levels removed from the employee when such contacts occur on an as needed basis.

The agency credited the appellant's position at Level 6-3, but we found the position meets Level 6-2. Similar to Level 6-2, her regular and recurring contacts are with zone and forest employees, supervisors, and managers engaged in different functions and kinds of work. The appellant also has contact with members of the general public where the exact purpose of the contact may be unclear at first but is typically made within the context of the zone's timber sale program.

The appellant has a variety of personal contacts needed to perform her work. The more routine are with FS personnel at the zone and forest levels including, but not limited to, COs, foresters, resource specialists and assistants, FSRs, timber management officers, sale administrators, and harvest inspectors; [region] staff including timber strike team members, sale administrator specialist, TSA coordinator, TIM coordinator, and stewardship coordinator; SBA coordinator; and surety companies. Unlike the appellant's position, Level 6-3 involves regular and recurring contacts of a non-routine nature and with persons outside the agency comparable to consultants, contractors, or business executives in a moderately unstructured setting. The GS-1104 PCS describes the moderately unstructured setting of Level 6-3 where contacts are not routine and the purpose and extent of each is different, identified, and developed during the course of the contact. Level 6-3 contacts, as described in the GS-1104 PCS, include disposal specialists, property managers, and inventory managers from other agencies and departments; property users at different agencies and departments from various functional areas and levels; State and foreign Government representatives and donation recipients; property manufacturers, distributors, retailers, and marketing experts; and property bidders, buyers, and contractors.

The appellant's contacts with timber bidders, buyers, and members of the general public approach Level 6-3. However, these contacts do not occur in the moderately unstructured setting described at Level 6-3. The context, purpose, and development of her contacts are readily and immediately established, as the contacts are typically limited to and defined in focus on the functional operations of the timber sales program, as well as intended to provide factual, procedural-related information on the upcoming sale program, SBA set-aside program, and other timber sales and contract matters. The appellant's role, authority, and responsibility with the persons contacted is promptly and easily established and does not have to be developed during the course of the contact as expected in the moderately unstructured setting of Level 6-3.

Levels 6-2 and 7-b are credited for 75 points.

Summary

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Knowledge Required by the Position	1-6	950
2. Supervisory Controls	2-3	275
3. Guidelines	3-3	275
4. Complexity	4-3	150
5. Scope and Effect	5-3	150
6. & 7. Personal Contacts and Purpose of Contacts	2-b	75
8. Physical Demands	8-1	5
9. Work Environment	9-1	<u>5</u>
<i>Total</i>		1,885

A total of 1,885 points falls within the GS-9 range (1,855 to 2,100) on the grade conversion table in the PCS.

Decision

The position is properly classified as GS-1101-09. The title is at the agency's discretion.