

U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs



San Francisco Oversight Division
120 Howard Street, Room 760
San Francisco, CA 94105

Classification Appeal Decision
Under Section 5112 of Title 5, United States Code

Appellant: [The appellant]

Agency classification: Forestry Technician
GS-462-7

Organization: [The appellant's installation]
U.S. Forest Service
U.S. Department of Agriculture

OPM decision: Forestry Technician
GS-462-7

OPM decision number: C-0462-07-01

Carlos A. Torrico
Classification Appeals Officer

April 13, 1999
Date

As provided in section 511.612 of title 5, Code of Federal Regulations, 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 the Introduction to the Position Classification Standards, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[the appellant's address]

[the appellant's servicing personnel office]

Personnel Director
U.S. Forest Service
U.S. Department of Agriculture
P.O. Box 96090
Washington, D.C. 20013-6090

Director
Office of Human Resources Management
U.S. Department of Agriculture
J.L. Whitten Building, Room 320W
1400 Independence Avenue, SW
Washington, D.C. 20250

Introduction

On September 18, 1997, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received from [the appellant] an appeal of the classification of his position. His position is currently classified as Forestry Technician, GS-462-7. However, he believes it should be classified at the GS-9 level, and possibly assigned to the Contracting Series, GS-1102. He works at [the appellant's installation]. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

General issues

This appeal decision is based on a careful review of all information submitted by the appellant and his agency, as well as telephone interviews with the appellant, his former team leader, the current supervisor, and a contract specialist in the province. The appellant's supervisor has certified to the accuracy of the appellant's official position description (number N5001). However, the appellant does not believe that the position description accurately reflects his duties and responsibilities. Both the appellant and his agency have been unable to resolve this issue. In such cases it is OPM policy to decide the appeal based on an assessment of the duties that management has actually assigned and that the appellant performs.

The appellant makes various statements about his agency and its evaluation of his position. By law, we must classify positions solely by comparing their duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to standards and guidelines is the exclusive method for classifying positions, we can consider the appellant's statements only in so far as they are relevant to making that comparison.

Position information

The appellant is a Forestry Technician in [the appellant's installation] and has worked in the area for approximately eleven years. He performs a variety of forestry technical support duties including overseeing timber stand improvement surveys conducted by contractors, collecting technical data needed to prescribe stand treatment, and developing schedules and plans for monitoring and inspecting timber stand improvement and reforestation activities. Our interviews disclosed that a significant portion of his time (up to 50%) is spent in overseeing contractor performed work done on District lands.

The results of our interviews and other material of record furnish much more information about the appellant's duties and responsibilities and how they are performed.

Series, title and standard determination

The appellant performs a "mix" of forestry technician and oversight of work performed by contractors on the forests covered by the District. Each type of work is carried out for up to 50% of the appellant's time. The appellant believes that because he is involved with monitoring

contractor performed work, his position should be classified in the Contracting Series, GS-1102. In cases such as the appellant's, where incumbents perform aspects of work in different occupational series, it is necessary to determine the paramount knowledge required to perform the duties of the position, the reason for the position's existence, the mission or function of the organization to which the employee is assigned, the normal lines of promotion, and the recruitment sources were the position to become vacant and be filled. For the purpose of this position, we find that the forestry technician knowledges are the primary knowledges. Similar to positions described in the series definition of the classification standard for the Forestry Technician Series, GS-462 (dated December 1991), the appellant's work primarily requires that he apply a practical knowledge of the methods and techniques of forestry and other biologically based resource management fields. He applies that knowledge in the marketing of forest resources and the scientific management, protection, and development of forest resources. To carry out his assignments the appellant needs to apply a knowledge of forestry practices, methods and techniques to oversee contractor performance of timber stand improvement and reforestation projects in the District. This knowledge would include familiarity of the forest types and species and the complex silviculture problems in the area. These knowledges are paramount for writing and monitoring the technical portions of contracts, with the basic knowledge of contract provisions and procedures being secondary to the position. The main reason for the position is to fulfill forestry technician work for the agency. The organizational function of the agency is to: (1) preserve the landscapes and their wild and scenic characteristics for the indefinite future; (2) maintain biodiversity at all ecosystem scales for plants, fish, and wildlife; and (3) sustain development for people in providing high quality recreational experiences, long-term sustained yield of timber, forage and other resource products and services consumed by society. The forestry technician and forestry related occupations are the main lines of promotion for the position, and the recruitment source is based on those individuals with knowledge and expertise in forestry. For all of the preceding reasons, the GS-462 series is the most appropriate series. The prescribed title for this position is Forestry Technician. Positions in that series are evaluated by reference to the grading criteria in the Grade Level Guide for Aid and Technical Work in the Biological Sciences, GS-400, dated December 1991, as discussed below.

The appellant believes that the majority of his work is Contract Specialist, GS-1102 work. As described in the classification standard for the GS-1102 series (dated December 1983 and March 1990) work in that series includes positions that manage, supervise, perform, or develop policies and procedures for *professional* work involving the procurement of supplies, services, construction, or research and development using formal advertising or negotiation procedures; the evaluation of contract price proposals; and the administration or termination and close out of contracts. The work requires knowledge of the legislation, regulations, and methods used in contracting; and knowledge of business and industry practices, sources of supply, cost factors, and requirements characteristics. Positions in this series are concerned with: soliciting, evaluating, negotiating, and awarding contracts with commercial organizations, educational institutions, nonprofit organizations, and State, local or foreign governments for furnishing products, services, construction or research and development to the Federal Government; administering contracts by assuring compliance with the terms and conditions of contracts, including resolution of problems

concerning the obligations of the parties; terminating contracts by analyzing, negotiating, and settling claims and proposals; analyzing and evaluating cost or price proposals and accounting systems data; planning, establishing, or reviewing contracts, programs, policies, or procedures; formulating and administering policies and procedures to insure achievement of Federal socioeconomic goals, such as those affecting small business, labor surplus areas, and disadvantaged business firms; developing acquisition strategies and directing or managing procurements; and providing staff advisory services in one or more of the specializations in this occupation.

In order to gather more information regarding contracting work covering the appellant's Forest, we interviewed the contract specialist assigned to the Province which services [the appellant's installation]. He stated that he and a group of other contract specialists have the responsibility for performing the GS-1102 work. These duties include writing some of the technical specifications, reviewing the contract for technical and local special situations, monitoring the contract work and making sure that the work is accomplished according to stipulations and procedures outlined in the contract. The contract specialist stated that the appellant does *not* perform the following duties: soliciting, evaluating, negotiating and awarding contracts; terminating contracts; analyzing and evaluating cost or price proposals and accounting systems data; planning, establishing, or reviewing contracts, programs, policies, or procedures; formulating and administering policies and procedures to insure achievement of Federal socioeconomic goals; developing acquisition strategies and directing or managing procurements; and providing staff advisory services in one or more of the specializations in the contract specialist occupation. The appellant also does *not* have a warrant or authorization to allocate funds for contracts. Because the appellant neither applies the full scope of knowledge and skill, nor carries out the duties typical of positions classified in the GS-1102 series as described above, assignment of that series is not appropriate to his position.

While Forestry Technicians may be involved with oversight of contractors, our fact-finding disclosed that some of the appellant's duties in the contracting field are similar to those performed by positions acting as a Contracting Officer's Representative (COR). Consequently, the standard for the Construction Control Series, GS-809 (dated February 1969), was reviewed for its applicability to this position. Construction inspectors and especially construction representatives work with and assist the contractor to discharge his/her contractual obligations on a timely basis, while assuring that the contractor adheres to the provisions of the contract. They confer with contractor personnel on matters of scheduling, work methods, the acceptability of substitute materials, and the quality of workmanship. These duties are described as follows on pages 5 and 6 of the standard:

- Review project plans and specifications prior to contract advertisement to determine practicability from construction standpoint; whether physical obstructions or other construction difficulties have been anticipated; whether materials specified are readily available.

- Attend pre-bid and preconstruction conferences to discuss principal construction features and requirements, in terms of methods and equipment.
- Supervise conduct of detailed site survey; set stakes to mark pertinent features; investigate foundation and borrow pits.
- Develop or review specifications for clearing of land, excavation, building access roads and utilities, construction offices, testing facilities, equipment and material maintenance and storage facilities.
- Inform contractor of requirements concerning construction scheduling, progress reporting, safety measures, wage and hour law observance, labor relations, payroll records.
- Observe and investigate construction at all stages to identify problems, report potential problems, and take timely action to recommend changes to designer to solve problems such as unusual foundation conditions.
- Supervise inspection of construction operations for compliance with plans and specifications; interpret plans and specifications; confer with contractor representatives to resolve differences of opinion.
- Review, advise on, and evaluate the contractor's system of inspection.
- Investigate need for contract change orders, considering conditions at work site, field measurements and computations, and local prices, and negotiate costs for changes required.
- Investigate and report on situations in controversy with contractors which may lead to formal claims by the contractor. These may arise from such things as contract changes, labor strikes, unusual weather.
- Record changes and modifications to contract drawings and specifications for use in preparation of "as-built" drawings at completion of construction.
- Coordinate construction operations with contractors and Federal, State, and local agencies involved; and with railroad, pipeline, utility companies and highway officials on relocation of facilities.
- Keep officials of local jurisdictions informed on project operations, and maintain public relations through news media and personal contact with civic and business groups.

Although, as indicated above, positions classified in the GS-809 series are primarily directed toward engineering and construction type projects, the appellant does perform similar duties such as: determining the practicability of various methods and techniques as they apply to reforestation, ecosystem management, maintenance of wildlife habitat; reviewing specifications and site surveys; discussing specialized features of contracts; recording changes and modifications to plans and schedules; and coordinating the field operations on behalf of the contracting officer. Therefore, in addition to application of the Grade Level Guide for Aid and Technical Work in the Biological Sciences, GS-400, we have also evaluated his COR duties by cross-reference to the grading criteria in the standard for the GS-809 series.

Grade determination

Evaluation of Forestry Technician Duties

The Grade Level Guide for Aid and Technical Work in the Biological Sciences, GS-400, (hereafter referred to as the guide) uses the Factor Evaluation System (FES), which employs nine factors. Under the FES, each factor level description in a standard describes the minimum characteristics needed to receive credit for the described level. Therefore, 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. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level. Our evaluation with respect to the nine FES factors follows.

Factor 1, Knowledge Required by the Position - Level 1-5 -750 points

This factor measures the nature and extent of information or facts that a worker must understand to do acceptable work and the nature and extent of the skills needed to apply this knowledge.

The appellant's position meets Level 1-5 as described on pages 10-14 of the guide. That level addresses knowledge of the technical methods and procedures related to the professional field(s) supported, of management practices, and of the agency's policy and programs to lay out, schedule, organize, and execute the details of either: (1) a wide variety of types of limited operational projects incorporating diverse technical knowledges, e.g., limited projects requiring the application of appreciably dissimilar specialized methods, procedures and/or techniques; and/or (2) one-at-a-time multiphased projects, at least some of which have nonstandard technical problems that the technician must coordinate with others to resolve, e.g., technical problems requiring the use of specialized, complicated techniques. At this level, technicians apply a practical knowledge of basic theories and practices of the scientific discipline(s) supported and must be adept at combining this knowledge with resourcefulness, initiative, and independent judgment in locating precedents and resolving the details inherent to application.

Like Level 1-5, the appellant's knowledges include technical methods and procedures concerned with forest management, the agency's policy and programs, and contracts management. The work includes a variety of programs (i.e., timber stand improvement surveys, manual release, wildlife habitat improvement, and contracts compliance) requiring specialized methods, procedures, and techniques. The appellant's position closely matches illustration number 5 under Level 1-5 (page 12) of the standard where the technician develops a schedule and other plans for monitoring and inspecting timber stand improvement or reforestation operations, executes assignments which are precedented, and reports on contractor compliance with contract terms of standard specifications, as appropriate. The appellant renews his Contract Officer's Representative certificate on an annual basis. He manages various contracts from submittal to closure. He monitors the contractors' work and writes reports regarding the progress of the contracts. This compares to the Level 1-5 illustration where the technician interprets and explains standard contract provisions, the rationale behind the technical

methods to be employed, etc., and either obtains compliance or refers noncompliance or unprecedented problems to higher levels, and makes final inspections of projects.

This position does not meet Level 1-6 (described on pages 14-18 of the guide) where technicians are recognized experts in a narrow speciality area of a scientific field, and have administrative and/or technical assignments, projects, and responsibility which are hard to distinguish from those assigned to the less experienced (but post-trainee) scientists employed in the same organization to perform standardized professional level research studies, projects, or assignments or to perform routine administrative or professional work in support of higher level research scientists or program/project managers.

The guide explains that not all technician positions can realistically be structured to reach Level 1-6 due to a variety of organizational reasons, including: amount and type of high level work available in the organization; the scientist's or organization's willingness to delegate authority and controls for program and projects; availability, number and/or assigned responsibilities of on-site professional workers, technician supervisors, or work leaders; ability of the technician; and other such limiting factors. The appellant's technician work is limited by a diminishing amount of higher level assignments resulting in a reduction in employees, and the fact that there is a professional Forester available at the District who handles the more complicated aspects of forestry contract oversight.

This factor is evaluated at Level 1-5 and 750 points are credited.

Factor 2, Supervisory Controls - Level 2-3 - 275 points

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and the review of completed work.

The appellant's position meets Level 2-3 (pages 19-20) of the guide, which is the highest level for this factor described in the guide. Like that level the supervisor assigns work, provides general instructions, and sets overall goals and standards for performance. This is similar to Level 2-3 where the supervisor initially provides direction on the priorities, objectives, and deadlines for types of work previously performed by the unit and therefore covered by precedent. The appellant independently carries out work and resolves problems according to established forestry practices and techniques and previously encountered situations. The appellant exercises independent judgment to analyze and resolve problems and select the most appropriate alternative course of action for implementation. This is comparable to Level 2-3 where the employee identifies the work to be done to fulfill project requirements and objectives, plans and carries out the steps required, seeks assistance as needed, independently coordinates work efforts with outside parties, and characteristically submits only completed work.

The appellant's completed recommendations, plans, designs, reports, and correspondence are reviewed on occasion for general accuracy, conformity to purpose, and sound judgment. This is similar to Level 2-3 where the review is usually in the form of an assessment as to how the technician

resolved technical and related administrative problems encountered, e.g., meeting deadlines, developing solutions to problems encountered, producing projects and administering operations which are both technically sound and complete in terms of the user's needs, the project's objectives, and the established requirements of the organization.

This factor is evaluated at Level 2-3 and 275 points are credited.

Factor 3, Guidelines - Level - 3-2 - 125 points

This factor covers the nature of guidelines and the judgment needed to apply them.

The appellant's guidelines include Forest Service manuals, handbooks, and procedures developed to handle unique problems. Environmental assessment reports serve as guides on how to coordinate activities with other resource considerations. The supervisor reported that all contracts handled by the appellant have generic statements that apply to most contracts. This is similar to Level 3-2 described on page 21 of the guide. Procedures for doing the work have been established and a number of specific guidelines are applicable. These guides may range from complex, standardized, codified regulations, to maps, blueprints, standing operating procedures, oral instructions, equipment or instrument manuals, or standard scientific or technical texts.

The appellant's guidelines do not meet Level 3-3 (page 22) where there are only general guidelines available or the most applicable guides are limited to general functional statements and/or work samples which are not always directly related to the core problem of the assignments, have gaps in specificity, or are otherwise not completely applicable.

The appellant selects procedures to meet field conditions and contract specifications. This meets Level 3-2 where the employee must use judgment in selecting the appropriate guideline because of the number, similarity, linkage, and overlapping nature of the guides, e.g., when State law, Federal law, and agency regulations address the same issue. As per discussion with the appellant's supervisor, the appellant does not meet Level 3-3 where the employee exercises judgment independently in applying the guidelines or extending their applicability to situations not specifically covered; uses guidelines as the basis for making procedural deviations from established administrative and/or technical methods; or otherwise adapts guidelines when judgment is exercised based on an understanding of the intent of the guidelines and reacting accordingly.

This factor is evaluated at Level 3-2 and 125 points are credited.

Factor 4, Complexity- Level 4-3 - 150 points

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.

The appellant's position meets Level 4-3 (pages 23-24) which is the highest level for this factor described in the guide. Similar to that level, the appellant is responsible for a variety of assignments which involve differing and unrelated processes and methods. The appellant's responsibilities include planning and completing assignments, determining the best methods for executing assignments, and coordinating work with others. This is like Level 4-3 where there exists a number of possible courses of action for planning and executing the work and the employee is given the leeway or is otherwise expected to exercise discretion in choosing from among them.

The appellant faces a wide range of activities, each with unique and different procedures. Most of the activities are covered by established precedents and procedures, but complicated by a highly variable work environment. The appellant uses his judgment to determine the best method, solution, decision according to the problem or situation. This is similar to Level 4-3 where judgment is required in applying a wide range of conventional, established approaches, methods, techniques and solutions to new situations.

This factor is evaluated at Level 4-3 and 150 points are credited.

Factor 5, Scope and Effect - Level 5-3 - 150 points

This factor covers the relationship between the nature of the work; i.e., the purpose, breadth, and depth of the assignment, and the effect of work products or services both within and outside the organization.

The appellant's position meets Level 5-3 (page 25), which is the highest level for this factor described in the guide. According to the position description, the purpose of the appellant's position is to conduct surveys and exams vital to the planning and implementation of silviculture treatments and assure that the provisions of contracts are adhered to. The appellant spends a significant amount of his time monitoring the implementation of a variety of silvicultural contracts, along with inspections for compliance and recommendations for final acceptance of the contracts. These contracts cover fuel break and fuel buffer projects, manual release, timber stand improvement, etc. These duties are a critical element in the appellant's performance standards. This matches Level 5-3 where the work involves applying conventional technical and administrative solutions and practices to a variety of problems. Similar to Level 5-3, a major consideration for performing the work is to ensure that established operations criteria, rules, or methods are adhered to. For example, like the appellant, employees at Level 5-3 may have responsibility for the ongoing operation of a field site or for execution of a standardized project or program area cited in an annual or comparable work plan as a performance objective for the organization.

The appellant's work affects the District's ability to protect the government's property in relation to present and future timber harvests, and protect and maintain the environmental balance in the forest. This is comparable to Level 5-3 where the work products directly affect the operation of programs or the adequacy of such activities as long range work plans.

Factor 5 is evaluated at Level 5-3 and 150 points are credited.

Factor 6, Personal Contacts and Factor 7, Purpose of Contacts - 6-2/7b - 75 points

Factor 6 includes face-to-face contacts and telephone and radio dialogue with persons not in the supervisory chain. Factor 7 covers the purpose of personal contacts, which ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives.

Personal Contacts

The appellant has frequent and ongoing contact with contractors or their representatives, management, community organizations, special interest groups, employees, co-workers, and visitors to the Forest. These contacts occur in both structured and unstructured settings. These contacts meet Level 6-2 (pages 25-26) where personal contacts are with employees in the agency, inside and outside of the immediate organization, and with the general public, contractor personnel, or special users. The appellant's contacts do not meet Level 6-3 (page 26) where contacts are regularly made on a nonroutine basis and may take place in a variety of settings where the role of each party is developed during the course of the meeting. Contacts at Level 6-3 are regularly established with (a) a variety of noted subject matter experts from other Federal agencies, universities, private foundations, and professional societies; (b) influential local community officials; (c) newspapers, radio, and television reporters; (d) legal representatives of private landowners; or (e) representatives of organized landowner or special interest groups.

Purpose of Contacts

The appellant's contacts are for the purpose of exchanging technical and operational information, developing activities, overseeing work crews, monitoring user activities, resolving issues, obtaining compliance with contracts and permits, ensuring protection of forest lands, promoting agency programs, and receiving input on assigned projects. The appellant's contacts often require tact and persuasion in dealing with individuals who are unaware of or opposed to regulations or policies. The appellant's purpose of contacts meets Level 7b (pages 26-27) where the purpose is to: plan and coordinate work efforts; explain the need to adhere to laws, rules, contract, or lease provisions; discuss inspected work and contract requirements when monitoring activity of contractors; etc. The persons contacted are usually working toward a common goal and generally are reasonably cooperative. The purpose of the appellant's contacts does not meet Level 7c (page 27) where, on a regular and recurring basis, the purpose is to influence, motivate, interrogate, or control persons or groups as described in the examples in Level 7c. At that level, persons contacted are characteristically fearful, skeptical, or uncooperative, and skill must be used in the approach made to obtain the desired results.

Factor 6 is evaluated at Level 6-2 and Factor 7 at Level 7b. By reference to the chart on page 27 of the guide, this combination results in a total of 75 points credited for these factors.

Factor 8, Physical Demands - Level 8-2 - 20 points

This factor covers the requirements and physical demands placed on the employee by the work assignment.

The appellant's work requires physical exertion in hiking over rough, uneven terrain. It also involves driving mountain roads in all terrain vehicles. This is comparable to Level 8-2 (page 28) where the work requires some physical exertion, such as regular and recurring walking or climbing over rocky areas, through dense vegetation, and in mountainous areas. At Level 8-2, the duration of the activity (such as most of a work day) contributes to the arduous nature of the job. The appellant's work does not meet Level 8-3 (page 28) where the work requires regular and protracted periods of considerable and strenuous physical exertion such as carrying or lifting heavy objects (over 50 pounds) or hacking passages through dense vegetation.

This factor is evaluated at Level 8-2 and 20 points are credited.

Factor 9, Work Environment - Level 9-2 - 20 points

This factor considers the risks and discomforts in the employee's physical surroundings, or the nature of the work assigned and the safety regulations required.

The appellant's work is performed in an office and field environment. Field work includes risk of injury from falls, stains, insect bites, and motorized equipment. The work also includes exposure to adverse weather conditions. The appellant's work environment best matches Level 9-2 (pages 28-29) where the work involves regular and recurring moderate risks or discomforts which require special safety precautions, e.g., in a logging or construction site, working outdoors with exposure to adverse weather conditions. The employee at Level 9-2 is required to use protective clothing or gear or to follow procedures to minimize risks. The appellant's work environment is not comparable to Level 9-3 (page 29) where the work environment involves high risks with regular and recurring exposure to potentially dangerous situations or unusual environmental stress where high risk factors exist which cannot be reasonably controlled. For example, working at great heights under extreme weather conditions, or working closely with toxins or dangerous pests or animals such as poisonous snakes, where safety precautions cannot completely eliminate the danger.

This factor is evaluated at Level 9-2 and 20 points are credited.

We have evaluated the appellant's forestry technician duties by application of the guide as follows:

Factor	Level	Points
1. Knowledge required by the position	1-5	750
2. Supervisory controls	2-3	275
3. Guidelines	3-2	125
4. Complexity	4-3	150
5. Scope and effect	5-3	150
6. Personal contacts	6-2 and	
7. Purpose of contacts	7-b	75
8. Physical demands	8-2	20
9. Work environment	9-2	<u>20</u>
Total points:		1565

By application of the guide, the appellant's position warrants 1565 total points. Therefore, in accordance with the grade conversion table on page 4 of the guide, his forestry technician duties are graded at the GS-7 level.

Evaluation of COR Duties

The GS-809 standard employs two criteria for evaluating construction inspector positions: *Assignment Characteristics* and *Level of Responsibility*. As previously noted, although the appellant does not perform the full scope of duties typical of GS-809 positions (which generally involve construction and engineering projects), his work does contain some elements characteristic of positions classified in that series.

Assignment Characteristics

Assignment Characteristics covers the type and scope of assignments. Assignments may range from those of the trainee inspector to the journeyman or higher level inspector servicing a large multi-structure project. Personal contacts are included under this factor. Inspectors have personal contacts with the construction foreman and employees. Contacts may range from asking simple questions for information to negotiating cost of changes to the plans with contractor representatives.

As discussed on page 14 of the GS-809 standard, the GS-7 level is the full performance level for construction inspection work and is of normal difficulty. The work involves a broad range of inspection functions for a variety of construction operations, materials, and methods under varying conditions and requirements. Assignments involve inspection of an entire project of limited size or complexity such as, relatively small 1- and 2-story concrete or steel buildings that do not

include any major mechanical installations or other complicating features; or a forest road construction project which involves only clearing, grading, and drainage structures. The appellant's position is comparable to the second example addressing forest road construction where the work would include clearing, reforestation, timber stand improvement and wildlife surveys. At the GS-7 level assignments may include inspection of a phase or minor part of a large project. Examples given are one or more parts of a hydroelectric dam, such as clearing a reservoir site, preparing the foundation, or placing concrete. Similar to GS-7 level assignments, the appellant has contracts which cover portions of [the appellant's installation]. The other portions in the District are covered by the other two technicians assigned to the District. The appellant does have full responsibility for the contracts he is assigned, but the supervisor noted that there is nothing unique or unusual about these contracts. The appellant must review the contract and make changes to match the area under contract and include any technical exceptions, corrections, additions, and/or deletions. At the GS-7 level, contacts include interviewing contractor personnel to assure that labor and safety standards are maintained. The inspectors contact contractors to explain requirements, discuss plans for work accomplishment and scheduling, and assist contractors in complying with contract plans and specifications. The appellant's position matches this level of contact. The appellant's position meets the GS-7 level of assignment characteristics.

The appellant's position does not meet the GS-8 inspector level (described on page 15 of the standard) where the assignments are larger and more varied and complex than those typical of the GS-7 grade level. An example of GS-8 level work includes inspection of electrical, mechanical, and structural aspects of construction of multi-story office or residence buildings of moderate size and conventional design. Although the appellant has expertise in timber stand improvement, manual release, wildlife management, and environmental issues for the District, basically the situations encountered involve the same acreage year after year. This is in contrast to the GS-8 level, where the inspector encounters different situations with each construction project which presents different challenges with each project. In addition, contacts at the GS-8 level are more extensive than those of the appellant.

Level of Responsibility

Level of Responsibility covers controls on the work such as guidelines and supervisory controls. It covers the degree of freedom extended to the employees to exercise judgment in accepting or rejecting materials and workmanship. It also covers the degree to which the employee may commit the agency to a given course of action.

At the GS-7 level (pages 14-15) inspectors are expected to interpret plans and specifications relating to construction problems of normal difficulty, that is, those for which there are precedents and those without unusual complications. The supervisor stated that a GS-9 forester oversees the more difficult contracts, including those lacking precedents or having unusual complications. The appellant writes the technical portions of the contract, but this does not involve writing the total contract. Prior contracts are used as templates for newer contracts. At this level, GS-7 inspectors resolve differences between plans and specifications when such differences do not involve

questions concerning cost of engineering design. Here again, the appellant's position matches this level. Since the appellant has expertise in the field, any discrepancies or inaccuracies stated in the contract can be handled by the appellant as long as the discrepancies or inaccuracies do not involve cost or major modifications to the contract.

At the GS-7 level, engineering and supervisory assistance is readily available and is provided as needed to assist in interpreting plans and specifications, and in resolving differences involving complex problems. Technical assistance is also available on unusual specialized trade, craft, or materials problems. As mentioned previously, the supervisor indicated that there is a GS-9 forester available to handle the more difficult contracts, and the former team leader is also available for guidance. Also, if questions arise regarding specifics of the contract, the appellant can always contact a contract specialist for advice. Inspection reports at the GS-7 level are reviewed for accuracy, completeness and adequacy. Unusually difficult and novel problems are discussed with the supervisor. In the appellant's case, the contracts are usually reviewed by a contract specialist.

The appellant's position also matches the GS-7 level where the inspector is typically authorized to approve minor deviations in construction methods and practices which conform to established precedents, do not involve added cost, and are consistent with contract plans and specifications. Decisions by GS-7 inspectors on the acceptability of construction methods and practices, workmanship, materials, and the finished product are considered to be final. When the contractor indicates that he will appeal the inspector's decision, the inspector prepares and presents documentation of his decision for review by the supervisor. In the appellant's case, if there is a problem with a contractor, such as defaulting on the contract, the appellant is responsible for any technical write ups supporting any action that the agency may take. A contract specialist reviews the final product.

The appellant's position does not meet the GS-8 level (pages 15-16). In contrast to the appellant's position, inspectors at the GS-8 level independently interpret plans and specifications relating to construction problems other than those of unusual complexity or controversy, or requiring specialized knowledge. According to the appellant's supervisor, the appellant does not function with the degree of independence typical of GS-8 level of responsibility.

Summary

We have evaluated the appellant's position by application of (1) the Grade Level Guide for Aid and Technical Work in the Biological Sciences, GS-400, and (2) comparison to the grading criteria

in the standard for the Construction Control Series, GS-809, and found that it meets the GS-7 level in both instances. Therefore, this position is properly graded at the GS-7 level.

Decision

This position is properly classified as Forestry Technician, GS-462-7.