

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

Dallas Oversight Division  
1100 Commerce Street, Room 4C22  
Dallas, TX 75242-1027

**Classification Appeal Decision**  
**Under section 5112 of title 5, United States Code**

**Appellant:** [appellant's name]

**Agency classification:** Supervisory Forester  
GS-460-11

**Organization:** [District, National Forest, Region]  
Forest Service  
U.S. Department of Agriculture  
[location]

**OPM decision:** Supervisory Forester  
GS-460-11

**OPM decision number:** C-0460-11-04

/s/ Bonnie J. Brandon

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Bonnie Brandon  
Classification Appeals Officer

October 18, 2001

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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:**

**Appellant:**

[appellant's name and address]

**Agency:**

[local HR Operations Center]  
Forest Service  
U.S. Department of Agriculture  
[address]

Regional Human Resources Office  
Forest Service  
U.S. Department of Agriculture  
1720 Peachtree Road, NW.  
Atlanta, GA 30309

USDA-OHRM-OD  
U.S. Department of Agriculture  
J.L. Whitten Building, Room 402W  
1400 Independence Avenue, SW.  
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## **Introduction**

On July 11, 2001, the Dallas Oversight Division of the U.S. Office of Personnel Management accepted a classification appeal from [the appellant]. We received his agency's administrative report on August 13, 2001. The appellant's position is currently classified as Supervisory Forester, GS-460-11. He believes the classification should be at the GS-12 grade level. He works on [two Ranger Districts], [a specific] National Forest, [Region], Forest Service, U.S. Department of Agriculture. He is administratively assigned to [a specific] Ranger District, located in [city, state]. We have accepted and decided this appeal under section 5112 of title 5, United States Code.

In reaching our decision, we have carefully reviewed the information of record provided by the appellant and his agency. An Oversight Division representative also conducted telephone interviews with the appellant; his immediate supervisor, [a] District Ranger; and [another] District Ranger.

## **Position information**

The appellant provided background information on the evolution of his position. According to him, [one of the two Districts] recently decided not to fill a vacant Resource Assistant position. Instead, last winter, that position's responsibilities were added to the appellant's position, which was performing work only on the [other] District. With this addition of work, the appellant became responsible for programs on both [Districts]. The two districts have heavy recreation resource areas along with other resource program areas. The appellant correctly understands that volume of work does not necessarily affect the classification of a position. He believes, however, that the complexity of his work has increased with these additional duties and responsibilities.

The appellant is assigned to position description number [number]. The appellant's supervisor believes the position description is accurate. The appellant believes the position description is missing information on some of his minor duties, but, otherwise, it is accurate. We found that those minor duties do not impact the classification of the position, and, thus, the appellant's position description is adequate for classification purposes.

The appellant is responsible for planning and executing the recreation, fire, and lands and special uses resource programs and the fleet management, safety, and facilities programs on [two specific Districts] of [a specific] National Forest. The appellant also has responsibilities as the human resource coordinator for programs such as the Senior Community Service Employment Program, Student Conservation Association, Youth Conservation Corps, volunteer campground hosts, and other volunteers.

The two districts cover 300,000 acres and five counties. The districts have 16 developed recreation sites, over 200 dispersed recreation sites, 13 hiking trails that encompass 100 miles, and heavy visitor recreation use. The districts have over 100 active special use permits, including recreation outfitters and various lands permits. The fire management programs include fire prevention and suppression activities and prescribed burnings of approximately 20,000 acres

annually. The district offices are located 23 miles apart, which amounts to a 30- to 40-minute drive between the two offices. The appellant alternates the days he works in each district.

On [one] District, the appellant supervises an organization that includes Forestry Technicians at the GS-8, GS-7, and GS-6 grade levels. Also on the [same] District is a new Forester position currently being filled at the GS-9 level. On the [other] District, the organization includes Forestry Technicians at the GS-8, GS-6, GS-5, and GS-4 grade levels. The appellant's subordinates perform work in the recreation and fire program areas while he alone performs work in the lands and special uses program. The appellant's organizations have volunteers and special program workers who are involved in cleanup work; trail, sign, and road maintenance; visitor greeting and information; and district special events. The appellant reports to [the two] District Rangers and is assigned administratively under [one] District Ranger.

### **Series, title, standard, and guide determination**

The appellant's position is covered by the GS-460 Forestry Series. This series includes positions that require primarily professional knowledge and competence in forestry science. Positions in this series are titled *Forester*. Since the appellant has supervisory responsibilities and meets the supervisory classification criteria, his title is *Supervisory Forester*.

The appellant's nonsupervisory forestry work is graded by the GS-460 standard. He does not disagree with the agency's evaluation of his nonsupervisory work. We also agree with the agency's analysis, which found this work at the GS-11 grade level. The appellant contests the agency's evaluation of his supervisory duties and responsibilities. The General Schedule Supervisory Guide (GSSG) is used in grading these duties. He specifically disagrees with the analysis of factor 3, supervisory and managerial authority exercised; factor 5, difficulty of typical work directed; and factor 6, other conditions. Since we agree with the agency's determinations on the other GSSG factors, we only discuss in this decision the contested factors.

### **Grade determination**

#### ***Evaluation using the GSSG***

##### ***Factor 3, Supervisory and managerial authority exercised***

The appellant's agency credited the position with meeting level 3-2c. The appellant believes his position meets level 3-3b.

As at level 3-2c, the appellant plans work to be accomplished by subordinates, sets and adjusts short-term priorities, and prepares schedules for completion of work; assigns work to subordinates based on priorities; evaluates subordinates' work performance; gives advice, counsel, and instruction to employees on both work and administrative matters; hears and resolves complaints from employees, referring more serious unresolved complaints to a higher level manager; effects minor disciplinary measures, such as warnings and reprimands, recommending other action in more serious cases; identifies developmental and training needs of employees and provides for needed training; and finds ways to improve production or increase

the quality of the work directed. The appellant meets 8 of the 10 supervisory responsibilities listed for level 3-2c.

To meet level 3-3b, one must exercise all or nearly all of the delegated supervisory authorities and responsibilities described at level 3-2c and, in addition, at least 8 of the 15 authorities described below.

Under Authority #1, a supervisor uses any of the following to direct, coordinate, or oversee work: supervisors, leaders, team chiefs, group coordinators, committee chairs, or comparable personnel; and/or provides similar oversight of contractors.

The appellant has three subordinate positions that oversee the work of General Schedule (GS) employees; workers in hosted programs such as the Senior Community Service Employment Program (SCSEP), the Student Conservation Association (SCA), and the Youth Conservation Corps (YCC); volunteers; and/or contractors (who do work such as cleaning toilets and collecting garbage). Although the appellant uses the three positions to supervise others, under the classification system, these positions technically are not “supervisors” and the agency has not classified them as such. Therefore, they are not officially recognized as “supervisors.”

We agree with the agency that the subordinates are not technically classified as “supervisors.” To be classified as a supervisor, among other requirements, one must at least meet level 3-2 and exercise supervisory responsibilities for at least 25 percent of the time. The authority exercised by the appellant’s subordinates in overseeing the work of volunteers; contractors; and SCSEP, SCA, and YCC workers does not fully meet level 3-2. For example, using level 3-2c as a reference point, the work in overseeing volunteers and hosted program workers does not involve the appellant’s subordinates interviewing candidates and recommending appointment, effecting minor disciplinary actions, evaluating work performance, providing training and development, or developing performance standards. Consequently, the subordinates’ work in overseeing these types of workers does not meet the standard for “supervisory” work. On the other hand, the appellant’s two subordinate positions that oversee three GS employees do exercise the authorities described at level 3-2c. However, since this supervisory work does not account for at least 25 percent of their time, they cannot be classified as “supervisors.”

Authority #1 is meant to credit a supervisor who directs at least two or three persons who are officially recognized as subordinate supervisors, leaders, or comparable personnel. Since this is not the case for the appellant’s position, Authority #1 is not credited.

Under Authority #2, a supervisor exercises significant responsibilities in dealing with officials of other units or organizations, or in advising management officials of higher rank. The appellant’s position meets this authority. In directing programs at both districts, the appellant is required to deal with Federal, State, county, and city officials. For example, he deals with the U.S. Army Corps of Engineers, members of the [State’s] Forestry Commission, county judges, city mayors, and local school superintendents. He also advises the District Rangers and deals with other district resource managers on program matters.

Under Authority #3, the supervisor assures equity (among units, groups, teams, projects, etc.) of performance standards and rating techniques developed by subordinates or assures comparable equity in the assessment by subordinates of the adequacy of contractor capabilities or of contractor completed work. The performance appraisal system used in the appellant's agency and organization is a "pass/fail" system whereby predeveloped, standard performance elements are used in employee performance plans. Although they have not done so, the two subordinates who oversee the work of GS employees may supplement or customize the standard performance elements. The appellant does not have to do significant work to assure equity among employees in the rating process since the agency's process is designed for consistency (e.g., all employees are evaluated with a pass or fail rating and evaluated according to standard performance elements). The performance system and the organization overseen are not complex enough to meet the intent of Authority #3.

Under Authority #4, a supervisor directs a program or major segment with significant resources (e.g., one at a multimillion dollar level of annual resources). The programs directed by the appellant do not meet the intent of this element. The appellant has responsibility over budgets (covering salaries, supplies, overtime, etc.) that are approximately \$500,000 in each district. Additionally, each district receives appropriations for certain special construction or maintenance projects. Recently, funds have been appropriated for several large projects. On [one] District, approximately \$600,000 has been funded for bathhouse and redesign projects at [a camp] and [another site]. On [one] District, approximately \$400,000 has been funded for construction at [a site]. The money for these projects will be spread out over several years. Such large projects are not funded every year; rather, they come along every three to four years. Typically, construction and maintenance projects run from \$50,000 to \$300,000 during the year on each district. Therefore, the appellant's programs do not routinely reach the multimillion dollar annual budget level, and Authority #4 is not met.

Under Authority #5, the supervisor makes decisions on work problems presented by subordinate supervisors, team leaders, or similar personnel, or by contractors. As with authority #1, Authority #5 is meant for supervisors who direct officially recognized subordinate supervisors, leaders, or comparable personnel. As we previously discussed, the appellant does not have officially recognized subordinate supervisors, and, thus, his position does not meet this aspect of Authority #5.

Under Authority #6, the supervisor evaluates subordinate supervisors or leaders and serves as the reviewing official on evaluations of nonsupervisory employees rated by subordinate supervisors. As with Authorities #1 and #5, Authority #6 is meant for supervisors who direct officially recognized subordinate supervisors, leaders, or comparable personnel. Since the appellant does not have officially recognized subordinate supervisors, his position does not meet Authority #6.

Under Authority #7, the supervisor makes or approves selections for subordinate nonsupervisory positions.

In the appellant's organization, the Forest Supervisor has been delegated the authority to make, or approve, selections on the Forest. Although the appellant is involved in the hiring process, he does not have the authority to make selections. His authority to hire SCSEP workers, which does

not happen often due to the stable nature of this small workforce, does not meet the intent of Authority #7.

Under Authority #8, a supervisor recommends selections for subordinate supervisory positions and for work leader, group leader, or project director positions responsible for coordinating the work of others, and similar positions.

As with Authorities #1, #5, and #6, Authority #8 is meant for supervisors who direct officially recognized subordinate supervisors, leaders, or comparable personnel. Since the appellant does not have officially recognized subordinate supervisory positions, his position does not meet Authority #8. Furthermore, in the appellant's organization, the District Rangers have authority to officially recommend selections to the Forest Supervisor.

Under Authority #9, a supervisor hears and resolves group grievances or serious employee complaints. The appellant has authority to hear and resolve day-to-day employee complaints. While the appellant would still be involved in handling more formal, serious complaints and grievances, these would also require the involvement of the District Rangers, and possibly the Forest Supervisor. Since the appellant does not have authority to resolve serious complaints and grievances, Authority #9 is not met.

Under Authority #10, the supervisor reviews and approves serious disciplinary actions (e.g., suspensions) involving nonsupervisory subordinates. In the appellant's organization, the District Rangers have been delegated authority to recommend serious disciplinary actions, such as suspensions and removals, to the Forest Supervisor. The appellant would be involved in these cases, but not to the extent described in Authority #10. Therefore, this authority is not met.

Under Authority #11, a supervisor makes decisions on nonroutine, costly, or controversial training requests related to employees of the unit. The appellant approves routine training such as fire training, off-road vehicle certification, defensive driving, and first aid. For recreation technicians, he approves a week-long course on recreation management at a nearby university. Because of strict State water testing standards, he also approves certification training for water treatment operators. These examples are not of a nonroutine, costly, or controversial nature as described in Authority #11. Therefore, this authority is not met.

Under Authority #12, the supervisor determines whether contractor performed work meets standards of adequacy necessary for authorization of payment. The appellant and two of his subordinate employees oversee contractors who perform such work as cleaning toilets and campsites and collecting garbage during the period May through September. When needed, contractors may perform cleanup work at various other times (e.g., cleaning up trees and debris after an ice storm). The appellant and his subordinates serve as the contracting officer's representative for these contracts. They all share the responsibility for inspecting the work to ensure its adequacy.

Authority #12 is intended to credit supervisors who regularly oversee the work of contract employees in a manner somewhat comparable to the way in which a supervisor directs the work of subordinate employees. In the appellant's case, the nature of the contract work and the

amount of contract work do not meet the full intent of Authority #12. The contractors perform cleanup work rather than more substantial, technical work which would require significant, careful oversight on the part of the appellant and his subordinates. The appellant's oversight of this kind of contract work is not comparable to the difficulty of overseeing his own subordinates' work. Also, the contractors regularly perform work for only half of the year rather than on a routine basis throughout the year. Lastly, the appellant shares responsibility with subordinates for inspecting the work performed by contractors, which lessens his personal responsibility in this area.

Under Authority #13, a supervisor approves expenses comparable to within-grade increases, extensive overtime, and employee travel. The appellant exercises these authorities. During times of heavy recreation use (holidays) and involved fire management activities, the appellant approves extensive overtime for his employees. He also approves within-grade increases and employee travel.

Under Authority #14, the supervisor recommends awards or bonuses for nonsupervisory personnel and changes in position classification, subject to approval by higher level officials, supervisors, or others. The appellant recommends awards for his employees. However, he does not meet the full intent of Authority #14. The appellant's agency encourages use of standard position descriptions (PD's). There is some latitude, however, to customize a PD or to request an upgrade. This sort of situation has occurred in the appellant's organization in the past. In such a situation, the appellant is involved in writing the PD and the District Ranger has responsibility for recommending, or requesting, classification changes by using the SF 52 Request for Personnel Action process. Since the District Rangers have authority to recommend such classification changes rather than the appellant, Authority #14 is not fully met.

Under Authority #15, a supervisor finds and implements ways to eliminate or reduce significant bottlenecks and barriers to production, promote team building, or improve business practices. The appellant has examples of instances where he has improved business practices and promoted team building. These include introducing and instituting weekly safety tailgate meetings; improving documentation forms for recreation schedules and reservations; improving procedures for work center and vehicle inspections; introducing district safety and wellness awards; including Congressional members in district special events; recommending that SCSEP workers wear Forest Service uniforms; and presenting awards to volunteer groups. While worthwhile, these actions do not fully meet the level of significance intended in Authority #15. More significant improvements are envisioned for this authority as a supervisor responds to or prevents the potential for significant program problems or weaknesses.

Since the appellant's position meets only 2 of the 15 authorities, level 3-3b cannot be credited. Instead, level 3-2c is credited for this factor.

#### *Factor 5, Difficulty of typical work directed*

This factor measures the difficulty and complexity of the basic work most typical of the organization directed. This factor is assessed by determining the highest grade which (1) best characterizes the nature of the basic (mission oriented) nonsupervisory work performed or



overseen by the organization directed and (2) constitutes 25 percent or more of the workload (not positions or employees) of the organization. In determining the highest level of work, developmental positions below the normal full performance levels are considered at the full performance levels.

The appellant has nine subordinate positions doing mission oriented work. He has one subordinate position currently being filled at the GS-9 level. The agency estimates that the incumbent of that position will spend 100 percent of his or her time doing GS-9 level work. This accounts for only 18 percent of the appellant's organization's workload. The appellant has three subordinates in positions at the GS-8 grade level (one of these is currently developmental, at the GS-6 level, but has full performance potential to the GS-8 level). According to the agency, the incumbents of these positions spend about 85 percent of their time doing GS-8 level (nonsupervisory) work. This accounts for approximately 46 percent of the organization's workload. Therefore, GS-8 work represents the highest level of work constituting at least 25 percent of the workload of the appellant's organization. The base level of work is therefore GS-8. Level 5-4 is assigned.

#### *Factor 6, Other conditions*

The appellant's position meets level 6-3 of this factor, where a supervisor has full and final technical authority over work at the GS-7 or GS-8 grade level. At this level, extra credit may be given if the supervisory position meets three or more of the eight *special situations* described in the standard. Special situations are credited only if they significantly complicate a position's supervisory and oversight duties and responsibilities.

#### *Variety of work*

This situation is creditable when more than one kind of work, each kind representing a requirement for a distinctly different additional body of knowledge on the part of the supervisor, is present in the work of the unit. A "kind of work" usually will be the equivalent of a classification series. To credit "variety," (1) both technical and administrative responsibility must be exercised over the work and (2) the grade level of the work cannot be more than one grade below the base level of work used in factor 5.

The appellant has nine subordinate positions in the two districts. Five of the positions meet the grade level restrictions of this element in that they are at, above, or one grade below the GS-8 base level found in factor 5. Four of these five positions are in the GS-462 Forestry Technician Series and one is in the GS-460 Forestry Series. Although the GS-462 subordinates' work covers a range of activities, the work does not represent distinctly different bodies of knowledge. Supervising the GS-460 subordinate position also does not require the appellant to have an additional set of different knowledges, since his own position is in the GS-460 Series. This situation is not credited.

### *Shift operations*

This situation is credited when the position supervises an operation carried out on at least two fully staffed shifts.

During peak summer recreation months and holidays, four of the appellant's employees work on the weekends and are off during two weekdays. This represents a "tour of duty" issue rather than shift operations. During this same time, two employees stagger their tours of duty so that one works from 6:00 a.m. to 2:00 p.m. and the other works from 1:00 p.m. to 9:00 p.m. Although the employees are temporarily working on two different "shifts," this does not meet the intent of this special situation. To be credited, the appellant would have to supervise two or more *fully staffed* shifts on a more *permanent* basis.

### *Fluctuating work force or constantly changing deadlines*

This situation is credited when the workforce supervised has large fluctuations in size (e.g., when there are significant seasonal variations in staff) and these fluctuations impose on the supervisor a substantially greater responsibility for training, adjusting assignments, or maintaining a smooth flow of work. Also, this situation is credited when frequent, abrupt, and unexpected changes in work assignments, goals, and deadlines require the supervisor to constantly adjust operations under the pressure of continuously changing and unpredictable conditions.

The appellant does not have a fluctuating workforce, so this aspect is not applicable. Although unexpected conditions frequently arise in the appellant's operation, the extent and impact of these conditions do not match the intent of this special situation. Unexpected problems arise which require the attention of the appellant or some of his employees, but these do not significantly affect the entire operation such that the appellant has to *constantly* adjust the work of all employees. When fires break out on the districts, every employee qualified in firefighting drops current work to help out on the fire. These situations *do* significantly affect the appellant's entire operation, but they do not occur on the constant basis envisioned in this special situation.

### *Physical dispersion*

This situation is credited when a substantial portion of the workload for which the supervisor is responsible is regularly carried out at one or more locations that are physically removed from the main unit, under conditions that make day-to-day supervision difficult to administer.

The appellant oversees the recreation, fire, and lands and special uses programs on two districts. He oversees the work of five subordinates on [one] District and four subordinates on [another] District. The districts encompass 300,000 acres and have main offices located 23 miles apart from each other. A substantial portion of the workload directed by the appellant is carried out in the field. Three of the appellant's subordinates oversee work done in the field by GS employees, volunteers, and host program workers. Even so, the District Rangers expect the appellant to also go out into the field to monitor and follow up on work performed by all of his subordinates. Because of the physical dispersion of the districts' activities, the appellant may be directing work and resolving problems in one place while a subordinate is directing work in another. This

responsibility for monitoring work in the field accounts for a significant amount of the appellant's time and makes supervision more difficult because of the need to be in many different places out in the field (on two districts) to direct, advise on, and monitor work and to resolve problems. This situation is credited to the appellant's position.

#### *Special staffing situations*

This situation is credited when (1) a substantial portion of the workforce is regularly involved in special employment programs that require involvement with employee representatives to resolve difficult or complex human resources management issues and problems; (2) requirements for counseling and motivational activities are regular and recurring; and (3) job assignments, work tasks, working conditions, and/or training must be tailored to fit the special circumstances.

The appellant's work situation is not characterized by the conditions described in this element. This special situation is not credited.

#### *Impact of specialized programs*

This situation is credited when supervisors are responsible for a significant technical or administrative workload in grades above the level of work credited in factor 5, provided the grades of this work are not based upon independence of action, freedom from supervision, or personal impact on the job.

The appellant's base level of work credited in factor 5 is GS-8. He has one position, currently being filled, above the base level at the GS-9 level. However, this one position does not represent a significant workload for which the appellant has technical and administrative oversight responsibility. This special situation is not credited.

#### *Changing technology*

This situation is credited when work processes and procedures vary constantly because of the impact of changing technology, creating a requirement for extensive training and guidance of the subordinate staff. Although changes occur in the appellant's fire management area, they are not of the extent and impact described in this element. This special situation is not credited.

#### *Special hazard and safety conditions*

This situation is credited when the supervisory position is regularly made more difficult by the need to make provision for significant unsafe or hazardous conditions occurring during performance of the work of the organization.

In directing the recreation, fire, and lands and special uses programs on the [two] Districts, the appellant is responsible for ensuring the safety of his employees and the public. Since safety concerns are an issue for subordinates carrying out fire and recreation work, the appellant ensures that regular and frequent safety meetings occur for these employees. His employees receive training in areas such as first aid, defensive driving, and chainsaw use. In the fire

management area specifically, the appellant's employees receive training that enables them to maintain current qualifications and advance in the fire field and safely fight fires and conduct prescribed burns on the districts. The appellant and his fire management subordinates also administer to all district firefighters the annual Work Capacity Test that assesses fitness levels for fire qualifications. Much of the training and certification in the fire programs is handled by the appellant's two subordinate fire management officers (one on each district). The new GS-9 Forester position (Fuels Management Specialist) will also play a role in this training.

In his supervisory capacity, the appellant's responsibility to ensure the safety of his employees while carrying out the work does not *routinely* make his job *significantly* more difficult. In the fire management area, his burden is lessened in that he has three subordinates to assist in ensuring safety and proper training.

The appellant serves as the safety officer on the two districts, and, as such, plans and coordinates meetings and activities that promote and ensure safety for district employees and the public. While this is an additional responsibility for the appellant, this work does not make his *supervisory* work significantly and regularly more difficult.

This special situation is not credited. Since the position does not meet three special situations, Level 6-3 is assigned.

#### *Summary of GSSG evaluation*

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Program scope and effect	1-2	350
2. Organizational setting	2-1	100
3. Supervisory and managerial authority exercised	3-2c	450
4. Personal contacts		
- Nature of contacts	4A-2	50
- Purpose of contacts	4B-2	75
5. Difficulty of typical work directed	5-4	505
6. Other conditions	6-3	975
<i>Total</i>		2,505

The points for the GSSG factors total 2,505, which equates to the GS-11 grade level.

#### *Summary of GS-460 evaluation*

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Knowledge required by the position	1-7	1,250
2. Supervisory controls	2-4	450
3. Guidelines	3-3	275
4. Complexity	4-4	225
5. Scope and effect	5-3	150
6. Personal contacts	6-3	60
7. Purpose of contacts	7-3	120
8. Physical demands	8-2	20
9. Work environment	9-2	20
<i>Total</i>		2,570

The points for the GS-460 factors, covering the appellant's nonsupervisory forestry work, total 2,570, which equates to the GS-11 grade level.

**Decision**

The appellant's position is properly classified as Supervisory Forester, GS-460-11.