

U.S. Office of Personnel Management
Division for Human Capital Leadership & Merit System Accountability
Classification Appeals Program

Dallas Field Services Group
1100 Commerce Street, Room 441
Dallas, TX 75242

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

Appellant: [appellant]

Agency classification: Forestry Technician (Fire)
GS-462-7

Organization: Branch of Fire Management
and Aviation
Division of Resources
[name] State Office
Bureau of Land Management
Department of the Interior
[location]

OPM decision: Forestry Technician
GS-462-7
(parenthetical suffix at agency discretion)

OPM decision number: C-0462-07-05

/s/ Judith L. Frenzel

Judith L. Frenzel
Classification Appeals Officer

May 29, 2003

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's name and address]

Human Resources Officer
[name] State Office
Bureau of Land Management
Department of the Interior
[address]

Director of Personnel
Department of the Interior
Mail Stop 5221
1849 C Street, NW.
Washington, DC 20240

Introduction

On January 31, 2003, the Dallas Oversight Division, now the Dallas Field Services Group, of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [appellant]. The agency administrative report was received on February 27, 2003. The appellant is a full-time seasonal employee assigned to a position currently classified as Forestry Technician (Fire), GS-462-7. The appellant believes that the position should be upgraded to the GS-8 or GS-9 level and that the position is supervisory in nature. The position is assigned to the Branch of Fire Management and Aviation, Division of Resources, [name] State Office, Bureau of Land Management, Department of the Interior, in [location]. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

Background Information

The appellant believes that his position description (PD) accurately lists his major duties and responsibilities, but that the description of the level of knowledge required, supervisory controls, guidelines, complexity, and scope of the position do not accurately reflect the level and importance of his responsibilities as the [name] Tanker Base Manager. He also believes that his duties and responsibilities for providing technical oversight of two temporary employees and the fire retardant contract crew are supervisory in nature and, therefore, his position should be classified and titled as supervisory.

To help decide the appeal, we conducted a telephone audit of the appellant's position on April 3, 2003, and telephone interviews with the appellant's immediate supervisor on April 7 and 9, 2003. In reaching our classification decision, we carefully reviewed the audit and interview findings and all information of record provided by the appellant and the agency, including the official PD, number 3409.

General issue

The appellant compares his position to others within the Department of the Interior and the Department of Agriculture in support of his belief that his position should be classified at a higher grade. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's position to others as a basis for deciding his appeal.

Position information

The position provides support to the State Aviation Manager at the [name] Interagency Dispatch Center and serves as manager of the [name] Tanker and Fixed Wing Base. The primary purpose of the position is technical oversight of the base operations. The base serves as a reload base for single engine air tankers contracted to provide retardant release and distribution services during the fire season in eastern [state] and northern [state] and operates approximately four months of the year. Although the base has the capability to support air tankers, none are permanently assigned.

The appellant normally begins work about one month prior to the start of the fire season to learn any new provisions or requirements of the fire retardant contract and to update the aviation reference library and pilot briefing packets. During fire season, one or two temporary employees are normally hired by the State Aviation Manager to assist the appellant in maintaining tanker base operations. These positions are the assistant tanker base manager and the ramp manager.

In addition to responsibility for the general operation and maintenance of the air tanker base, the appellant serves as the project inspector, ensuring adherence to the full-service retardant contract by the contract crew employed at the base. He ensures that the contract crew is following established procedures and safety rules and ensures that the fire retardant is properly mixed and loaded. If he finds problems with contract crew operations, the appellant brings them to the attention of the contact crew supervisor. If there is a serious safety issue, the appellant has the authority to immediately suspend operations. He must then contact the State Aviation Manager in order to get the situation resolved.

The appellant ensures that air tanker flights are coordinated between the aviation dispatcher, airport fixed base operations, and tanker ramp personnel. He is responsible for annually updating and rewriting the tanker base operations, waste water, and crash rescue plans and for providing training to employees on these plans. He must also ensure that employees are trained in first aid, use of fire extinguishers, and airport security. The appellant is also responsible for the overall safety of assigned personnel and aircraft for loading operations and aircraft movement on and around ramps and taxi areas of the air tanker base. He ensures retardant is properly mixed and loaded into air tankers. The appellant conducts initial and daily briefings for pilots, contractor employees, and any additional aircrews assigned to the tanker base. He maintains time and use records for aircraft, equipment and personnel assigned, and he ensures that all required daily logs are completed. The appellant is responsible for assuring the base equipment and facilities are maintained. He provides technical oversight to the assistant tanker base manager and the ramp manager positions. These positions are filled by temporary appointments which last for the duration of the fire season (approximately four months). The PD and the record information provide much more information.

Series determination

GS-462 Forestry Technicians provide practical technical support in forestry research efforts; in the marketing of forest resources; or in the scientific management, protection, and development of forest resources. Fire management and suppression are a part of protection of forest resources. The record shows the appellant's position requires wild land fire fighting experience. The appellant does not question the series and we agree with the agency's determination that the position is properly assigned to the GS-462 series.

Title and standard determination

The appellant believes his position should be classified as a supervisor. Although the appellant serves as the tanker base manager and spends 15 percent of his time providing technical oversight to an assistant manager and/or a ramp manager, he does not exercise the level of

supervision necessary to evaluate the work by reference to the General Schedule Supervisory Guide (GSSG).

The GSSG requires that supervisory authorities must fully meet the intent of Level 3-2 and must constitute a duty which occupies 25 percent or more of the supervisor's time. This minimum requirement must be met before any work performed by contractors may be considered. To meet Level 3-2, supervisory duties must include planning work and preparing schedules for completion of work, evaluating work performance of subordinates, counseling or instructing employees on both work and administrative matters, interviewing candidates for positions, effecting minor disciplinary measures, and developing performance standards. While the appellant provides limited training on safety issues and procedures to the temporary employees, he does not develop performance plans or provide formal evaluations of their performance. Any disciplinary problems are referred to and handled by the State Aviation Manager. Therefore, the appellant does not exercise the range of authority for the minimum amount of work time required for coverage by the GSSG for grading or titling purposes.

Part I of the General Schedule Leader Grade Evaluation Guide (GSLGEG) is used to evaluate leaders who, as a regular and recurring part of their assignment, lead three or more employees of one-grade interval work below grade GS-9. Although Part I does not specifically state that seasonal employees in one-grade positions are not to be considered, established OPM guidance states that the intent of the GSLGEG is that a work leader must spend 25 percent or more of his or her work time leading three or more full-time employees on a regular and recurring basis. The appellant serves as the team leader of the air tanker base operations and personnel which will normally include the assistant tanker base manager and the ramp manager. On rare occasions, the State Aviation Manager may have to hire up nine additional temporary employees to assist with aviation activities during extreme fire seasons. However, this is not a regular occurrence and has not happened within the last two years. Additionally, when additional temporary employees are hired, it is of a short duration and leading them does not constitute a regular and recurring activity within the meaning of the position classification process. In addition, the appellant does not spend a sufficient amount of time leading the one or two temporary employees to meet the minimum criteria for coverage under the GSLGEG.

The appellant's position is properly titled Forestry Technician. As allowed in the GS-462 standard, the agency may add a parenthetical suffix to identify duties and responsibilities which reflect specific knowledge and skills necessary for the work.

The position classification standard for the GS-462 series does not contain grade level criteria. The standard refers the user to the Grade Level Guide for Aid and Technician Work in the Biological Sciences, GS-400 (Guide) for determining grade level.

Grade determination

The GS-400 Guide is written in Factor Evaluation System (FES) format and uses nine factors. Under the FES, each factor level description describes the minimum or "threshold" 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 in the Guide follows.

Factor 1, Knowledge required by the position

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

At Level 1-5, the employee uses knowledge of the technical methods and procedures related to the professional field supported, of management practices, and of the agency's policy and programs to lay out, schedule, organize, and execute the details of either a wide variety of types of limited operational projects or one-at-a-time (often long range) multi-phased projects requiring the use of specialized, complicated techniques.

The appellant's position requires knowledge of tanker base operational procedures; aircraft emergency procedures to train others or assist in emergency situations; contract administration to assure conformance with specifications; safety practices regarding aircraft tanker loading limitations; and the mixing, pumping, and metering equipment and systems used for retardant, and the ability to diagnose and repair or adjust that equipment. As at Level 1-5, the appellant uses knowledge of technical methods and procedures related to fire management and suppression and the agency's policy and programs. He uses this knowledge in order to schedule, organize, and execute air tanker base operations. The work also requires knowledge of basic administrative functions, facilities maintenance, and the ability to establish and maintain working relationships with airport personnel, contractors, and others involved in fire program operation. For example, as in Level 1-5, the appellant assesses needs, plans for, and works with air tanker pilots, contract crews, and airport personnel in order to expedite the deployment of air tankers to fire areas. He also develops plans and schedules for approval by the State Aviation Manager for monitoring operations, reporting contractor compliance, and has authority to suspend operations for violations of safety regulations.

The appellant does not have the responsibility for design, coordination, and execution of projects typical of Level 1-6. Technicians at Level 1-6 are recognized experts in a narrow specialty area of a scientific field. They have administrative and/or technical assignments, projects, and responsibilities 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. Examples in the Guide include project planning, adapting designs, coordinating, and executing a field pest management program and managing a function to maintain and improve wildlife or fish habitat for an area or unit of a forest. Well defined processes and procedures limit the appellant's authority and control over the assignment. The appellant's air tanker base assignment is more defined and narrow in scope than those typical of the 1-6 level.

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

Factor 2, Supervisory controls

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. Controls are exercised by the supervisor in the way assignments are made, instructions are given to the employee, priorities and deadlines are set, and objectives and boundaries are defined. Responsibility of the employee depends upon the extent to which the employee is expected to develop the sequence and timing of various aspects of the work, to modify or recommend modification of instructions, and to participate in establishing priorities and defining objectives.

At Level 2-3, the highest level described in the Guide, the supervisor or other designated authority initially provides direction on the priorities, objectives, and/or deadlines for types of work previously performed by the unit and therefore covered by precedent. Assignments new to the organization or unusual assignments may be accompanied with a general background discussion, including advice on the location of reference material to use. The technician plans and carries out work independently, coordinates work efforts with outside parties, and usually submits only completed work. The employee will submit proposals for resolving significant problems. Completed work is assessed on results and how problems were resolved. Data is customarily accepted without detailed review.

Typical of Level 2-3, the State Aviation Manager assigns work in terms of priorities, deadlines, and objectives to be achieved. The appellant and his supervisor regularly meet and collaborate on assignments where the appellant may make recommendations on priorities and objectives and the supervisor makes the final decision. The supervisor provides instructions on new assignments or major changes to current assignments. As at Level 2-3, the appellant performs his duties independently with the supervisor available for unusual or complex problems. Fire suppression work is of an emergency nature and the appellant may need to make immediate decisions to ensure the safety of personnel, equipment, and the facility. These decisions are often irrevocable and the appellant may initiate them without first consulting his supervisor. Work is reviewed based on technical accuracy and adequacy in meeting priorities and objectives. This fully meets and does not exceed the supervisory controls envisioned at Level 2-3.

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

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment needed to apply them. Guides used in General Schedule occupations include, for example, desk manuals, established procedures and policies, traditional practices, and reference materials.

At Level 3-2, 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 employee must use judgment in selecting the appropriate guideline because of the number, similarity, linkage, and overlapping nature of the guides. Most important, however, is that the guidelines contain criteria to solve the

core question or problem contained in the assignments, though the applicability may not be readily apparent.

The appellant has numerous guides available including the Interagency Tanker Base Operations Guide, Contract Administration Handbook, aircraft flight manuals, FAA regulations, Incident Command System Air Operations standards, Department of the Interior and Forest Service Directives, and local policies and directives, etc. The appellant must use judgment in selecting the appropriate guide and apply it to a problem or situation or in answering questions with only minor interpretation. The type of guidelines used by the appellant and judgments he makes when using them is consistent with positions at Level 3-2.

The appellant's work does not meet Level 3-3 in that guidelines for his use are, for the most part, standardized with specific procedural requirements provided. Unlike the appellant, a technician at Level 3-3 regularly works with new requirements or applications for which only general guidelines are available. Technicians at this level often have assignments where most of the 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. At Level 3-3, 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. The appellant rarely encounters guidelines that are not directly related to core problems of assignments. Procedural deviations from established methods or adapting guidelines must be approved by the appellant's supervisor.

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

Factor 4, Complexity

The complexity 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, the highest level described in the Guide, the work requires the performance of various technical duties which involve differing and unrelated processes and methods. The Guide provides examples involving different areas of work that more fully describe the intent of this factor level. At Level 4-3, there exist a number of possible courses of action for planning as well as executing the work and the employee is given leeway or is otherwise expected to exercise discretion in choosing from among them.

The appellant's work meets but does not exceed Level 4-3. Consistent with that level, the appellant must perform or oversee a wide range of duties related to the operations of the air tanker base. As the primary project inspector, the appellant must oversee, with exacting attention to detail, the mixing of the retardant, and test the mixture to ensure it meets density guidelines using specialized test equipment. He is responsible for ensuring the contract crew

maintains adequate levels of fire retardant available for mixing and distribution. The appellant is also responsible for facility maintenance and for coordinating a wide variety of activities and maintaining appropriate records. Equivalent to Level 4-3, decisions are made based on a variety of factors, including estimated size and duration of a fire, fire fighting activities, pilot and aircraft flight time limitations, and adjacent airport priorities and considerations. Decisions can be irrevocable once set into action, as well as costly. Safety considerations are of paramount importance due to nature of work and potential for accidents.

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

Factor 5, Scope and effect

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. Effect measures such things as whether the work output facilitates the work of others, provides timely services of a personal nature, or impacts on the adequacy of research conclusions.

The appellant's work meets but does not exceed Level 5-3 which is the highest level described in the Guide. At this level, the work involves applying conventional technical and administrative solutions and practices to a variety of problems. In research environments, a major consideration for performing the work is to be closely involved in almost all phases of the scientist's study and have responsibility for selected phases. In other situations, a major consideration for performing the work is to ensure that established operations criteria, rules, or methods are adhered to. Work products directly affect the design and execution of experiments; the operation of systems, programs, or equipment systems; or the adequacy of such activities as long range work plans, field investigations, testing operations, or research conclusions.

Comparable to Level 5-3, the purpose of the appellant's position is to provide logistical services in support of area interagency aerial fire suppression activities. He does this through his duties as tanker base manager and primary project inspector for the full service fire retardant contract. The appellant also must ensure that employees working at the air tanker base receive appropriate training in the operating procedures, safety requirements, and emergency procedures. As at Level 5-3, he ensures that laws, rules, regulations, and procedures concerning the operation of the air tanker base are adhered to. The appellant can make decisions which may effect costs of fire suppression, result in the loss of nature resources or property, or affect the safety of individuals involved in area fire suppression efforts.

This factor is evaluated Level 5-3 and 150 points are credited.

Factor 6, Personal contacts and Factor 7, Purpose of contacts

These two factors are calculated together to recognize the interrelationship. Final point credit is determined by identifying where the evaluation of each factor intersects in the table in the Guide.

At Level 2, personal contacts are with employees in the agency, inside and outside of the immediate organization. In other work situations, personal contacts may be with the general public, contractor personnel, or special users. The contacts are usually established on a routine basis, though the employee's authority may not be initially clear to the person contacted.

As at Level 2, the appellant routinely interacts with subordinates, coworkers, supervisor, local airport personnel, other air tanker base managers, contract crews, pilots and their crews, other fire management personnel, and the general public on a recurring basis.

The appellant's personal contacts do not meet Level 3 where contacts are made on a nonroutine basis, may take place in a variety of settings, and the role of each party is developed during the course of the meeting. At Level 3, contacts are regularly established with, a variety of noted subject matter experts, influential local community leaders, various media reporters, legal representatives of private landowners, or representatives of organized landowner or special interest groups. In contrast, most of the appellant's contacts occur on a routine basis, normally at the air tanker base, and are mostly with local personnel and the general public from the surrounding area.

The purpose of personal contacts at Level b 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; discuss technical requirements of equipment with manufacturers and resolve problems concerning the work or the peculiar needs of the organizations; or reach agreement on operating problems such as recurring submission of inaccurate, untimely, incomplete, or irrelevant data. The persons contacted are usually working toward a common goal and generally are reasonably cooperative.

The purpose of the appellant's personal contacts is to exchange information and provide support for aviation fire suppression efforts. Like at Level b, he coordinates air tanker base operations, serves as project inspector for the full service contract, and provides technical assistance and direction to air tanker base employees and contract crew.

The purpose of the appellant's contacts does not meet Level c which are to influence, motivate, interrogate, or control persons or groups. For example, at this level the purpose of the contacts is to influence others who are knowledgeable about the work to adopt, within the organization, methods about which there are conflicting opinions among those in the line of work or persuade others to participate in projects or organizational objectives when there is no requirement for doing so. The persons contacted are characteristically fearful, skeptical, or uncooperative, and skill must be used in the approach made to obtain the desired results. Unlike Level c, most of the appellant's contacts are working toward the common fire suppression goal and are cooperative.

The appellant's position is evaluated at Levels 2b and is credited with 75 points.

Factor 8, Physical demands

This factor covers the physical demands placed on the employee by the work assignment. This includes physical characteristics and abilities, e.g., specific agility and dexterity requirements,

and the physical exertion involved in the work, e.g., climbing, lifting, pushing, balancing, stooping, kneeling, crouching, crawling, or reaching.

At Level 8-2, the work requires some physical exertion, such as regular and recurring running, walking, or bending; walking or climbing over rocky areas, through plowed fields or other uneven surfaces, through dense vegetation, and in mountainous terrain; or climbing ladders or scaffolds to observe, collect, or record research data. In many situations, the duration of the activity contributes to the arduous nature of the job. In other situations, such as a laboratory, there may be special requirements for agility or dexterity such as exception hand/eye coordination.

Comparable to Level 8-2, the appellant's work involves frequent walking and long periods of standing and bending as air tankers are landing, parking, loading, and departing. The appellant is required to lift and carry equipment and other materials weighing less than 50 pounds on a regular basis. The appellant also performs sedentary work when performing administrative duties such as preparing reports and maintaining daily logs. The physical demands of the appellant's position fully meet Level 8-2.

The physical demands of the appellant's position do not meet Level 8-3 where the work requires regular and protracted periods of considerable and strenuous physical exertion such as carrying or lifting heavy objects (over 50 pounds); hacking passages through dense vegetation; or climbing ladders or scaffolds carrying heavy equipment used to install, maintain, or repair research installations.

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

Factor 9, Work environment

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 works in an airport environment. He must use protective equipment such as high visibility clothing, boots, eye protection, and hearing protection. There is exposure to chemicals and moving machinery such as turning propellers and taxiing aircraft. The appellant's working environment is comparable to Level 9-2 where work involves regular and recurring moderate risks or discomforts which require special safety precautions, e.g., working around moving parts, carts, or machines; or irritant chemicals. The appellant must follow procedures for use of protective equipment to minimize risk. Also like positions at Level 9-2, the appellant works both indoors and outside and can experience extreme variations in temperature and weather conditions.

At Level 9-3, 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 pest or animals such as poisonous snakes, where safety precautions cannot completely eliminate the danger. The

appellant's position does not meet Level 9-3 in that though there is some exposure to potentially dangerous situations, it is not regular and recurring and can be reasonably controlled with appropriate safety precautions.

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

Summary

<i>Factor</i>	<i>Level</i>	<i>Points</i>
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. & 7. Personal contacts and Purpose of contacts	2b	75
8. Physical demands	8-2	20
9. Work environment	9-2	20
<i>Total</i>		1,565

The total of 1,565 points credited to the appellant's position falls within the GS-7 grade point range (1355-1600) of the grade conversion table in the Guide.

Decision

The appellant's position is properly classified as Forestry Technician, GS-462-7. The agency may use an appropriate parenthetical suffix.