

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



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

**Classification Appeal Decision**  
**Under Section 5112 of Title 5, U.S. Code**

**Appellant:** [appellants' names]

**Position:** Forester  
GS-460-9

**Organization:** Department of Agriculture  
[a national forest]

**Decision:** Forester  
GS-460-9

**OPM decision number:** C- 0460-09-02

Signed by Alfred Herrera  
ALFRED HERRERA  
ACTING CLASSIFICATION APPEALS OFFICER

June 15, 1998  
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]

Personnel Officer  
[a national forest]

[Appellant's name and address]

Personnel Director  
[a forest service region]

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## **Introduction**

On November 26, 1997, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [appellant's name] and [appellant's name].. Their positions are currently classified as Forester GS-460-9. However, the appellants believe their positions should be graded at GS-11. They work in the Silviculture Department, [a ranger district], [a national forest], Forest Service, U.S. Department of Agriculture, [city and state]. We have accepted and decided their appeal under 5 U.S. Code 5112.

## **General issues**

The appellants make various statements about their efforts to have their position descriptions updated, and about their agency's evaluation of their position. In adjudicating this appeal, our main concern is to make our own independent decision on the proper classification of their positions. By law, we must make that decision solely by comparing their current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Therefore, we have considered the appellants' statements only insofar as they are relevant to making that comparison.

The appellants compare their positions to several GS-11 forester positions. 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 appellants' positions to others as a basis for deciding their appeal.

Like OPM, the appellants' agency must classify positions based on comparison to OPM standards and guidelines. However, the agency also has primary responsibility for ensuring that its positions are classified consistently with OPM appeal decisions. If the appellants consider their positions so similar to others that they all warrant the same classification, they may pursue the matter by writing to their personnel office. In doing so, they should specify the precise organizational location, classification, duties, and responsibilities of the positions in question. If the positions are found to be basically the same as theirs, the agency must correct their classification to be consistent with this appeal decision. Otherwise, the agency should explain the differences between their positions and the others.

## **Position Information**

The appellants are assigned to identical position descriptions in the [a ranger district]. The appellants serve as project silviculturist with responsibility for “. . . development, planning and application of silvicultural methods and practices to meet specific resource objectives and develop a desired future condition that meets management direction.” (See the introduction to the appellants' position description number [ a PD number]). The appellants' position description has been certified as accurate by both the appellants and their supervisor. The position description and other material of record furnish much more information about the appellants' duties and responsibilities and how they are performed.

### **Series, Title, and Standard**

The appellants work as project silviculturists on a Forest Service ranger district. The work requires a professional knowledge of forestry science in order to assure that silviculture decisions support forest management goals. We find that the appellants' positions are best covered by the Forestry Series, GS-460. The appellants each supervise one forestry technician position. The supervisory work takes just 10 percent of their time. The supervisory work does not occupy enough time to meet the minimum level for consideration (i.e., 25 percent) required by the General Schedule Supervisory Guide. Thus, we have not considered the appellants' supervisory work in either the titling or grading of their positions. The appellants' positions are then nonsupervisory and so are properly titled Forester. The appellants' work is best evaluated by means of Part I of the standard for the Forestry Series, GS-460. Neither the agency nor the appellants disagree with our findings for series, title, and appropriate standard.

### **Grade Determination**

Part I of the GS-460 standard 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. Because the factor level descriptions of the standard describe *minimum* criteria, positions assigned a certain factor level always meet or exceed the standard's criteria. Thus, it is expected that the appellants' actual duties and responsibilities will often exceed the criteria for the awarded level. The critical issue is whether the appellants' duties and responsibilities fully meet the criteria for the next higher level.

Neither the appellants nor their agency disagree with our evaluation of factors 2, 3, 5, 6, 7, 8, and 9. We therefore discuss those factors briefly, while discussing factors 1 and 4 more thoroughly. Our evaluation with respect to the nine factors follows.

#### *Factor 1, Knowledge required by the position*

This factor measures the nature and extent of information or facts required to do acceptable work and the nature and extent of skill necessary to apply this knowledge. To be used as a basis for selecting a level under this factor, knowledge must be required and applied.

The agency evaluated this factor at Level 1-6.

The criteria for Level 1-6, as described in the Forestry standard, require a professional knowledge of established methods and techniques of the science of forestry which would enable the forester to perform recurring assignments of moderate difficulty, i.e., the methods and techniques are well established, apply to most situations encountered, and do not require significant deviation from the

established methods. The assignments are limited by such characteristics as: unusual or difficult problems are screened out or discussed with the supervisor before carrying out the assignment; the forest area affected is amenable to a variety of standard treatments and proven techniques; or the forest areas assigned are relatively noncontroversial in terms of past and future use, or resource depletion, protection, or rehabilitation problems.

Further, at this level, the work requires a general knowledge and understanding of agency and/or tribal policies, procedures and appropriate statutes affecting the use of forest resources sufficient to utilize such knowledge in the execution of forest resource programs. It requires a limited knowledge of related disciplines such as soil science and hydrology sufficient to utilize such knowledge in activities such as onsite inspection of timber sales for resource protection purposes or the identification of incipient erosion control or watershed problems.

The knowledge and skill required by the appellants' assigned duties and responsibilities best meet Level 1-6. As described at Level 1-6 the appellants' position requires knowledge and skill sufficient to perform recurring assignments of moderate difficulty. For example, the appellants are responsible for analyzing assigned forest areas, determining conditions and, if needed, preparing silviculture prescriptions for stands in the area, to include logging areas and methods. While areas and stands assessed may not all be identical and may have varying combinations of conditions, the examples of situations encountered do not show that they are so unique that they require significant deviation from established practices versus consideration and selection from different approaches or alternative actions in recommending treatment for conditions that have been previously encountered. The work samples provided reflect assignments that while differing in their specifics, are quite similar in terms of broad issues of silviculture (e.g., similar pest problems, similar tree species, and concern for the proper application of forest plans). Examples of actions taken or treatments recommended such as determining stand boundaries, location and use of timber roads, and harvest methods, and inspecting areas for following prescription and resource protection, such as for timber skidding practices and erosion control reflect knowledge requirements at Level 1-6.

We do note that the appellants' work exceeds Level 1-6 in some respects. For instance, their assignments are not screened to remove those that may become relatively more unusual or difficult, and in some instances there may be controversy in terms of past and future use, or resource depletion, protection, or rehabilitation.

The three illustrations provided at Level 1-6 further show the types of assignments envisioned at this level. The appellants' assignments are quite similar to each of the illustrations. They are most like the first and second illustration. The first illustration describes work studying aerial photographs and other references to determine timber road routes; laying out boundaries for cutting or treatment; identifying potential recreation areas; locating land lines or boundaries; or identifying resource characteristics. The second illustration describes work reviewing elements commonly included in their prescriptions, such as recommending and reviewing implementation of skidding practices, road location and use, and protection of resources.

The knowledge required by the appellants' assignments does not meet Level 1-7. The standard describes four criteria for award of Level 1-7.

The first criterion requires professional knowledge of forestry science applicable to a wide range of duties in an intensive forestry resource or subject matter program or program activity, and the skill to solve problems covering diverse forestry situations and assignments. The assignments require sound professional knowledge and skills sufficient to modify or adapt standard forestry techniques and procedures, and to assess, select, and make use of precedents in devising strategies and plans to overcome significant resource problems.

The appellants' assignments and responsibilities do not fully meet this first criterion for Level 1-7. The typical types of problems encountered by the appellants reflected in the information of record are not equivalent to diverse forestry situations and assignments that require the need to modify and adapt standard forestry techniques and procedures, *and* to assess, select, and make use of precedents in devising strategies and plans to overcome significant resource problems, as are envisioned in the standard. Assignments at this level would typically involve a range of situations, such as variations in climatic factors, soil types and conditions, terrain, and vegetation on varied forest units that require changing and modifying standard techniques, to develop plans or prescriptions to overcome significant resource problems, like extreme fire dangers, or severe or widespread attacks of pests, insects or diseases, or equivalent types of situations that pose major dangers to continued use or existence of resources. The appellants do make assessments of conditions, make decisions on methods to best accomplish various objectives for the assigned area, and develop prescriptions for stands in assigned projects. However, the examples of areas reviewed and problems encountered do not reflect the range envisioned at this level, and the recommended prescriptions do not reflect the need to address situations that require application of this level of knowledge to adapt or modify practices to deal with significant problems, as intended in the standard, versus consideration and selection of approaches for dealing with problems typically encountered by foresters. The work examples provided by the appellants demonstrate that work is primarily the careful and professional application of standard, well documented, and well precedented forest management techniques to fairly common forest management problems.

The second Level 1-7 criterion requires knowledge of the characteristics, conditions, and interrelationships of forest resources; and the knowledge to independently evaluate, project, and/or prepare studies and reports on the complementary or competitive impact of the development, modification, or change in the use or output of one resource on the other forest resources.

Information in the record does indicate that the appellants need to consider the characteristics, conditions and interrelationships of the forest's resources in preparing prescriptions for stands. The appellants must evaluate the impact of timber harvesting and the techniques used, as well as of other recommended actions, on future harvests and on other resources such as watershed, soil, and wildlife. However, they do this with the cooperation of other resource specialists, e.g, wildlife specialists. This criterion is partially met.

The third Level 1-7 criterion requires a thorough knowledge of agency and/or tribal policies and procedures, and applicable statutes governing the use of forest resources, and familiarity with related disciplines such as entomology, hydrology, plant pathology, wildlife biology, and forest genetics sufficient to utilize such knowledge in the design and execution or oversight of forestry resource programs. The appellants state that they have a thorough knowledge of agency and tribal policies, as well as other applicable statutes and guidelines, and more than the general knowledge of related disciplines cited at Level 1-6. However, the work samples provided do not evidence a need to apply such knowledge in the design and execution, or oversight of forestry programs, as the appellants conduct portions of the overall program within the district, and their supervisor is credited with responsibility for the program in the district. As noted above, a knowledge can only be credited if it is required and applied to the work assigned and performed.

The fourth Level 1-7 criterion requires administrative and coordinative skills to (1) provide advisory, review, and training services to others engaged in the planning and management of Federal, State, or private forestry units, and/or (2) develop a variety of integrated annual work plans for complex projects which often extend over 3-6 years, including estimates of personnel, equipment, and materials, the detailed schedules necessary to carry out the plans, and the attendant skill to review and critique the operational implementation of the plans; or intensive knowledge and competence in advanced techniques of a highly complex area of forest resource management or cooperative forestry sufficient to serve as a "troubleshooter," specialist, or coordinator.

The appellants' assignments and responsibilities do not meet this criterion. They do not involve advisory, review, and training to others engaged in the planning and management of Federal, State or private forestry units. Further, they do not develop the types of integrated annual work plans for complex projects described at this level, nor do they serve as troubleshooter, specialist, or coordinator in the sense envisioned. The training of technicians who may be working in their project areas does not meet this criterion.

The three illustrations provided for Level 1-7 give further information of what the standard envisions as meeting the criteria. The first two illustrations contemplate assignments that involve responsibilities to coordinate and/or develop and oversee a long range forest management program, i.e., timber or land management. The appellants do not perform such duties. The third illustration depicts an expert such as one providing advanced professional forestry advice, training, consulting and review services in a specialty field to other professionals or to State and private organizations. The appellants' duties and responsibilities do not include regular duties of serving as an expert providing such advanced professional advice in a specialty area.

In summary, while the appellants' work does exceed some aspects of Level 1-6, such as assignments not being screened, it does not require the application of the same level of knowledge or skill to accomplish the type of assignments intended at Level 1-7, and so does not fully meet the criteria. As noted above, when a position exceeds the criteria for one level, but does not fully meet the criteria of the next higher level, the lower level must be awarded.

This factor is evaluated at Level 1-6 and 950 points are credited.

### *Factor 2, Supervisory Controls*

As expected at Level 2-4, the appellants' supervisor sets the overall objectives and resources available. The appellants independently plan and carry out their assignments within the framework of applicable regulations and goals of the organization. Completed work is reviewed in terms of overall effectiveness and compatibility with other activities. This factor is evaluated at Level 2-4 and 450 points are credited.

While evaluated at Level 2-4, we need to note that *The Classifier's Handbook* has a table on page 16 that illustrates typical FES factor level patterns for professional positions. A review of the table shows that Level 2-3 is typically assigned with Level 1-6 at the GS-9 level. Level 2-4 is not assigned until Level 1-7 at the GS-11 level. However, as summarized above, these positions are not typical in that the appellants have more freedom of action and a greater degree of independence from supervisory direction than is typical at Level 1-6.

### *Factor 3, Guidelines*

The appellants' guidelines best meet Level 3-3. Similar to Level 3-3, guidelines include silviculture guidelines, Federal and agency regulations, and tribal resolutions and goals. As described at this level, the appellants' assignments have aspects that require them to select or interpret existing methods, practices, and instructions or to generalize from several guidelines and techniques in carrying out assignments, such as in developing specific silvicultural recommendations for individual stands. Comparable to Level 3-3, they also use established procedures, techniques and precedents in forest analysis and preparation of prescriptions so they meet agency requirements, but they can exercise judgment in selecting from alternative approaches to achieve objectives. This factor is evaluated at Level 3-3 and 275 points are credited.

### *Factor 4, Complexity*

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

At Level 4-3, assignments consist of a variety of professional work operations in assigned activities such as (a) the inventory of a given resource and its current conditions, (b) the drafting of conventional, short-range plans or prescriptions of resource management or protection, and (c) the inspection of work on-the-ground for conformance to standards and instructions. This level of work is characterized by analyses and evaluations of environmental conditions, characteristics, and values, and the interrelationship of forest resources which may involve considerations such as (a) the need to choose from among alternative locations, techniques, or solutions; or (b) coordination problems caused by interferences or conflicts with other resource uses or functions. The problems are similar



to those previously encountered in the forest area, and the assignments are carried out without substantial adaptation or modification of precedents. At this level, the exercise of originality is less significant than the judgment required to apply a range of conventional approaches and solutions to precedent situations.

The appellants' work best meets Level 4-3. Comparable to this level, the appellants review an assigned forest area through on-the-ground inspection and aerial photographs, determine conditions, identify problems, prepare a silvicultural prescription (with input from other specialists) for improvement, and prepare logging plans or other appropriate action by considering and selecting from possible solutions or actions. Also similar to this level, they are involved with follow up or inspection of ongoing work. As described at this level, the appellants' work is characterized by analyses and evaluations of environmental conditions and characteristics of the area reviewed, its relative values, and the interrelationship of forest resources, such as timber, watershed, and wildlife. Their work may also be affected by persons or groups having particular interests in the uses of forest resources. The examples of problems typically encountered reflected in the work samples provided by the appellants do not reflect the need to substantially adapt or modify precedents versus consideration and selection of appropriate combination(s) of practices common to forestry.

At Level 4-4, foresters independently carry out a wide variety of assignments consisting of diverse and complex technical or administrative problems and considerations. They regularly encounter interdependent resource and socioeconomic problems requiring flexibility and judgment in approach to the problems and in the forestry practices applied, in order to obtain an optimum balance between available economic, staff, or natural resources and the demands of the various publics. These assignments typically involve land management problems requiring in-depth analysis and evaluation of alternatives due to such complicating factors as extensive programmed developmental activity and heavy resource use; environmental problems and conflicting requirements whose resolutions may have serious public or tribal impacts; or strong, conflicting public or tribal demands and pressures to redirect the land management strategies for the use, or the level of use, of different forest resources. These demands may result in appeals to higher level agency officials or formal legal action.

Further, at Level 4-4 the work requires the forester to independently identify the boundaries of the problems involved, the kinds of data needed to solve the problem, and the criteria and techniques to be applied in accomplishing the assignment. Typically, the work assignments require the forester to relate new work situations to precedent situations, extend or modify existing techniques, or develop compromises with standard forestry practice, to adequately solve the forestry problems. Occasionally, the assignments require substantial effort to overcome resistance to change when it is necessary to modify an accepted method or approach.

The appellants' work does not meet Level 4-4. Their assignments do not typically involve land management problems requiring in-depth analysis and evaluation of alternatives due to such complicating factors as extensive programmed developmental activity and heavy resource use, such as when there is planned major development of resources for increased commercial purposes and already high use of existing recreational areas with rising demand. While environmental controversies

(e.g., spotted owl habitat), logging pressures, conflicting demands from various publics, and tribal relations with the Klamath Tribes can raise complex issues, the record shows that the appellants engage these issues through the application of guidance formulated and negotiated by others to the specifics they encounter on the ground. This level of involvement does not meet the intent of Level 4-4.

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

#### *Factor 5, Scope and Effect*

The appellants' work meets Level 5-3. As described at this level, the appellants have responsibility for forest analysis, development of a silviculture prescription for stands in the area analyzed, gathering and summarizing data, presenting their plan, and involvement in implementation and inspection of ongoing work. Comparable to Level 5-3, their work affects the development and use of natural resources, such as timber, lands, and water, and the socio-economic welfare of the surrounding communities. This factor is evaluated at Level 5-3 and 150 points are awarded.

#### *Factor 6, Personal Contacts*

The appellants' personal contacts are evaluated at Level 6-2. As described at that level, contacts are with Forest Service employees both within and outside the immediate organizational unit, the Klamath tribes, adjacent landowners, contractors and the general public. Twenty-five points are awarded.

#### *Factor 7, Purpose of Contacts*

Factor 7 is evaluated at Level 7-2. As is comparable to this level, the primary purpose of the appellants' contacts are to discuss technical requirements of prescriptions in order to resolve differences concerning recommended actions and to reach agreement concerning differences as to appropriate or allowable practices; to coordinate work with other foresters, technical resource specialists, etc.; to promote utilization and conservation principles and activities, such as to inspect work for adherence to prescriptions and agreed upon treatments. Fifty points are awarded.

#### *Factor 8, Physical Demands*

As is typical of Level 8-2, the appellants' work requires regular and recurring work in a forest area where there is considerable walking, bending, or climbing, often over rough terrain. This factor is evaluated at Level 8-2 and awarded 20 points.

*Factor 9, Work Environment*

As is typical of Level 9-2, the appellants are exposed to moderate risks and discomforts such as adverse weather and a range of hazards inherent in the logging operation that often require the use of protective equipment. This factor is evaluated at Level 9-2 and awarded 20 points.

*Summary*

In summary, we have evaluated the appellants' positions as follows:

<b>Factor</b>	<b>Level</b>	<b>Points</b>
1. Knowledge required by the position	1-6	950
2. Supervisory controls	2-4	450
3. Guidelines	3-3	275
4. Complexity	4-3	150
5. Scope and effect	5-3	150
6. Personal contacts	6-2	25
7. Purpose of contacts	7-2	50
8. Physical demands	8-2	20
9. Work environment	9-2	<u>20</u>
Total Points:		2090

The appellants' positions warrant 2090 total points. Therefore, in accordance with the grade conversion table in the standard, their positions are properly graded at GS-9.

**Decision**

The appellants' positions are properly classified as Forester, GS-460-9.