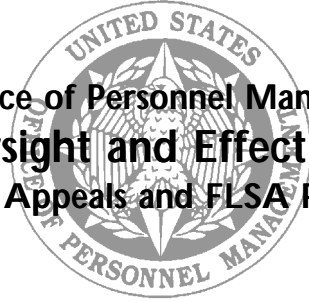


U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs



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

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

Appellant: [The appellant]

Agency classification: Forestry Technician
GS-462-8

Organization: [The appellant's organization]
Bureau of Land Management
U.S. Department of Interior

OPM decision: Forestry Technician
GS-462-8

OPM decision number: C-0462-08-01

Carlos A. Torrico
Classification Appeals Officer

April 17, 2000
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 address]

[Appellant's servicing personnel office]
Bureau of Land Management
U.S. Department of the Interior

Director
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Introduction

On February 9, 1999, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [the appellant] whose position is currently classified as Forestry Technician, GS-462-8. However, he believes that his duties and responsibilities warrant classification at the GS-9 grade level. [The appellant] works at the [appellant's organization and duty station] Bureau of Land Management (BLM), U.S. Department of Interior. Prior to appealing to OPM, [the appellant] filed a classification appeal with the BLM. In a letter to the State Director, [the appellant's State Office], dated January 25, 1999, from the Director, National Human Resources Management Center, BLM, the agency sustained the current classification of the position. We have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

General issues

This appeal decision is based on a careful review of all information submitted by the appellant and his agency, as well as telephone interviews by an OPM representative with the appellant, his supervisor, and the District Fire Management Officer. Both the appellant and his supervisor have certified to the accuracy of the appellant's official position description (number F2010), which is a standard description used by the agency to describe technician work devoted to fuels management and fire prevention in a District or Resource Area.

Position information

The appellant performs a variety of duties devoted to fuels management, fire prevention, fire trespass and suppression in the [appellant's organization]. Up to 80% of his time is devoted to work in fuels management consisting of developing and implementing fuel treatment and burn plans (including slash disposal) in support of resource objectives identified by resource specialists. In this capacity he determines conditions for burn, personnel and equipment needed, identifies perimeter lines, ensures State environmental clearances are obtained, and initiates follow up of project results. Fire prevention duties include implementing the District's Fire Prevention Plan, including coordinating closures or restrictions placed on the use of public lands during periods of extreme fire danger. The [appellant's organization] is one of three Resource Areas under the [appellant's District Office]. It covers 420,000 acres including seven counties and parts of two states [names of States]. The Fire Management Office is located in the District Office.

The appellant's position description, record information, and the results of our interviews furnish more information on the appellant's duties and how they are performed.

Series, title and standard determination

The agency has classified the appellant's position in the Forestry Technician Series, GS-462, and the appellant does not disagree. As described in the series definition of the GS-462 series coverage standard (dated December 1991 and reissued in HRCD-7, July 1999), positions in that

series primarily require a practical knowledge of the methods and techniques of forestry and other biologically based resource management fields. Among other aspects, forestry technicians like the appellant provide practical technical support in the scientific management, protection and development of forest resources. The primary purpose of the appellant's position is to apply a practical knowledge of forestry to fuels management in the [appellant's organization]. Like positions in the GS-462 series, the basic objective is to furnish technical support in the management and protection of forest resources. Given the nature of the appellant's duties we concur with the agency's determination that the position is appropriately classified in the GS-462 series. The authorized title for this position is *Forestry Technician*.

The standard for the GS-462 series contains no grade level criteria. It directs that positions in that series are graded by application of the grading criteria in the Grade Level Guide for Aid and Technical Work in the Biological Sciences, GS-400, dated December 1991. Our application of the grading criteria in that guide follows.

Grade determination

The Grade Evaluation Guide for Aid and Technical Work in the Biological Sciences 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 aspects, 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.

The appellant does not disagree with his agency's evaluation of factors 2, 3, 4, 5, and 7. We therefore discuss those factors briefly, while discussing factors 1, 6, 8, and 9 more thoroughly. Our evaluation with respect to the nine FES factors follows.

Factor 1, Knowledge required by the position, Level 1-5, 750 points

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

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

and must be adept at combining this knowledge with resourcefulness, initiative, and independent judgment in locating precedents and resolving the details inherent to application.

At Level 1-6 (pages 14-18) the employee uses knowledge of the technical methods and procedures, management practices, agency policies and programs, and an extensive familiarity with the methods and practices of the science or discipline supported. This level is typical of those science technicians who demonstrably exceed the next lower level. Technicians at this level 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 routine administrative or professional work in support of higher level research scientists or program/project managers. The guide indicates that not all technician positions can realistically be structured to reach this level due to a variety of organizational reasons including the amount and type of high level work available in the organization, the scientist's or organization's willingness to delegate authority and controls for programs and projects, and the availability, number and/or assigned responsibilities of on-site professional workers.

The appellant's position meets Level 1-5. Similar to that level he applies knowledge of the technical methods and procedures relating to support of the professional field of forestry, particularly as it relates to fuels management and fire prevention. He applies BLM's policies and local plans (e.g., slash disposal and annual burn plans) to laying out, scheduling, organizing and executing a wide variety of limited operational burn projects which require the application of diverse technical knowledge depending on the purpose of the burn. He deals with dissimilar specialized fuels treatment alternatives (i.e., employing chemical, mechanical or biological methods) and fuels inventory methods for both timber and range fuels. Like Level 1-5 he also participates in one-at-a-time projects which may include several phases where nonstandard technical problems must be addressed thus requiring interdisciplinary coordination with others, e.g., wildlife biologists and resource specialists who provide guidance on specialized procedures and protective measures. The appellant's position is similar to example 6 on page 13, under Level 1-5 of the standard where the technician schedules and executes a variety of responsible projects related to range conservation programs. The example shows the technician planning and organizing a project, overseeing field action and preparing detailed reports and serving as the unit's witness in court on the facts as required; developing preliminary plans for implementing improvements and overseeing implementation; working with others in preparing preliminary designs and plans; and monitoring the effectiveness of agency or contractor crews in performing a variety of precedented types of work, ensuring the technical adequacy of the completed work.

Similar to example 6, the appellant develops and implements plans (fuel treatment and burn plans) for both forest and/or range fuel types. He develops prescribed burn plans for the Resource Area from resource objectives developed by resource specialists. In planning and organizing for a project he researches available information and makes specific burn plans to meet the combination of objectives. To implement prescribed burn plans, he determines conditions for the burn, personnel and equipment needed to do the burn, and serves as the burn boss. The appellant coordinates the timing

of the burn to ensure weather and other environmental conditions are satisfactory, and that proper State environmental clearances are obtained. He initiates follow up of project results by monitoring the effectiveness of the project, and inspects contracts and/or leads employees in implementing plans. This would include leading a group of employees during a burn or inspecting contract performance for chemical and mechanical slash disposal work.

The appellant's position does not meet Level 1-6. While we recognize that the appellant must apply a thorough knowledge of the methods and techniques of fuels management, the knowledge and skills required to perform those duties are limited to that particular aspect of forestry technical support, rather than a broader knowledge and extensive familiarity with the methods and practices of forestry as described at Level 1-6. His burn projects represent one component in support of forest management, rather than the design, coordination and execution of complete conventional projects. The development and execution of burn plans is less complex, and does not equate to work performed by post-trainee scientists doing standardized professional assignments as discussed at Level 1-6. As previously mentioned, the guide notes that not all technician positions can realistically be structured to reach Level 1-6 due to a variety of organizational reasons including the amount and type of higher level work available, the degree of delegation and control for programs and projects, and the availability of on-site professional workers. Our fact-finding disclosed that due to the number and availability of on-site professional employees the appellant's opportunity to perform work at Level 1-6 is limited. The record indicates that within the [appellant's] Resource Area alone there are a significant number and variety of higher graded professionals on staff to provide guidance to the appellant on an interdisciplinary basis. These include foresters, range management specialists, a botanist, wildlife and fish biologists, and natural resource specialists. These individuals perform the higher level work in the resource area. In addition, the appellant submits his proposed burn plans for review and approval to the [appellant's District Office] professional Fire Management Officer (FMO) prior to implementation. The FMO has responsibility for the fire program, approves burn plans, and retains overall control for fire projects and fire management. Given the above limitations on the appellant's delegated authority and control over his work, the nature of his projects, and the availability of higher graded professional staff, the position does not reach Level 1-6.

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

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

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

The appellant's position meets Level 2-3 (pages 19-20) which is the highest level for this factor described in the guide. Similar to that level the supervisor assigns work in terms of project objectives and basic priorities. The appellant independently plans and carries out the projects, selecting the approaches and methods to be used in solving problems in accordance with specific instructions, previous training, and accepted practices. Those cases involving deviations from accepted practices and controversial points are referred to the supervisor. This is comparable to Level 2-3 where the

employee identifies the work to be done to fulfill project requirements and objectives, plans and carries out the steps required, seeks assistance as needed, independently coordinates work efforts with outside parties, and characteristically submits only completed work.

The appellant's completed recommendations, plans, designs, reports, and correspondence are reviewed on occasion for general accuracy, conformity to purpose, and sound judgment. This is like Level 2-3 where the review is usually in the form of an assessment as to how the technician resolved technical and related administrative problems encountered, e.g., meeting deadlines, developing solutions to problems encountered, producing projects and administering operations which are both technically sound and complete in terms of the user's needs, the project's objectives, and the established requirements of the organization.

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

Factor 3, Guidelines, Level 3-3, 275 points

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

The guidelines used by the appellant meet Level 3-3, which is the highest level for this factor described in the guide (page 22). His guidelines include State, Federal and local fire laws, BLM instructions (Bureau, State Office and District), BLM policies and regulations, and the basic guidelines of cooperating program entities. Like Level 3-3 these guidelines are available but general in nature, and are not always completely applicable to the work. At times the appellant independently selects, evaluates, and applies the guides and makes adaptations as necessary. He exercises judgment in applying standard practices to new situations, knowing when to refer to the supervisor for assistance. Many of his guidelines are limited to general functional statements and/or work samples which are not always directly related to the core problem of the assignments or have gaps in specificity. Like Level 3-3 he must exercise judgment to independently apply the guidelines or extend their applicability to situations not specifically covered.

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

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

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

The appellant is responsible for a variety of assignments which involve differing and unrelated processes and methods as described at Level 4-3 (pages 23-24), which is the highest level for this factor described in the guide. The appellant's responsibilities include planning and completing assignments, determining the best methods for executing assignments, and coordinating work with others. He independently executes a defined portion of the fire management plan. This meets Level 4-3 where there exists a number of possible courses of action for planning as well as executing the

work and the employee is given the leeway or is otherwise expected to exercise discretion in choosing from among them.

The appellant faces a wide range of fuels and fire management activities, each with unique and different procedures depending on the objectives. However, like Level 4-3 the problems encountered have established precedents and procedures, complicated by a highly variable work environment. The appellant uses his judgment to determine the best method, solution, decision, according to the problem or situation. This is similar to Level 4-3 where judgment is required in applying a wide range of conventional, established approaches, methods, techniques and solutions to new situations.

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

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

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

The appellant's position meets Level 5-3 (page 25), which is the highest level for this factor described in the guide. Similar to that level he applies conventional technical solutions and practices to a variety of problems encompassing fuels management, fire suppression, fire prevention, and fire trespass. Like the example noted under Level 5-3, the appellant has responsibility for the ongoing operation of the resource area's fuels management projects to ensure achievement of program performance objectives outlined in the fuels/natural resources management plans of the organization. His work directly affects the execution of the resource area's program efforts to manage the forests within its jurisdiction.

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

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

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

Personal Contacts

The appellant makes frequent and ongoing contacts with other BLM employees, Forest Service employees, Fish and Wildlife Service employees, landowners, [name of State] employees, private businesses, and local schools. These contacts meet Level 6-2 (pages 25-26) where personal contacts are with employees in the agency, inside and outside of the immediate organization, and with the general public, contractor personnel, or special users. The appellant's contacts do not meet Level

6-3 (page 26) where contacts are made on a nonroutine basis and the role of each party is developed during the course of the meeting. Contacts at Level 6-3 are regularly established with (a) a variety of noted subject matter experts from other Federal agencies, universities, private foundations, and professional societies; (b) influential local community officials; (c) newspaper, radio, and television reporters; (d) legal representatives of private landowners; or (e) representatives of organized landowner or special interest groups. The appellant noted that any such contacts would be made by the Resource Area Managers or [appellant's District] District Fire Management Officer.

Purpose of Contacts

The appellant's contacts are for the purpose of exchanging technical and operational information regarding prescribed fires, developing fire prevention activities, overseeing work crews, monitoring user activities, resolving conflicts, ensuring protection of forest lands, promoting agency programs, and receiving input on assigned projects. The persons contacted are generally cooperative and working toward a common goal. Such purposes are typical of Level 7b (pages 26-27) where the purpose is to: plan and coordinate work efforts; explain the need to adhere to laws, rules, or contracts; discuss inspected work; etc., with persons who are reasonably cooperative. The purpose of the appellant's contacts does not meet Level 7c (page 27) where, on a regular and recurring basis, the purpose is to influence, motivate, interrogate, or control persons or groups as described in the examples under Level 7c of the guide. In contrast to the appellant's contacts, persons contacted at Level 7c are characteristically fearful, skeptical, or uncooperative, and skill must be used in the approach made to obtain the desired results.

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

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

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

The appellant's work requires physical exertion in hiking over rough, uneven terrain, and in many cases the duration of the activity (such as during the fire season) contributes to the physically demanding nature of the work. His job also involves driving mountain roads in all terrain vehicles. This is comparable to Level 8-2 (page 28) where the work requires some physical exertion, such as regular and recurring walking or climbing over rocky areas, through dense vegetation, and in mountainous areas. At Level 8-2, the duration of the activity (such as most of a work day) contributes to the arduous nature of the job. The appellant's work does not meet Level 8-3 (page 28) where the work requires regular and protracted periods of considerable and strenuous physical exertion such as carrying or lifting heavy objects (over 50 pounds) or hacking passages through dense vegetation. This factor is evaluated at Level 8-2 and 20 points are credited.

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

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

The appellant's work is performed in an office and field environment. Field work includes risk of injury from falls, stains, insect bites, working near motorized equipment, and occasional exposure to poisonous snakes. The area covered includes mountainous areas and high desert areas. Some of the hazards are not year around as the area is closed by snow for a couple months. The work also includes exposure to adverse weather conditions. The appellant's work environment best matches Level 9-2 (pages 28-29) where the work involves regular and recurring moderate risks or discomforts which require special safety precautions, e.g., in a logging or construction site, working outdoors with exposure to adverse weather conditions. The employee at Level 9-2 is required to use protective clothing or gear or to follow procedures to minimize risks. The appellant's work environment does not meet Level 9-3 (page 29) where the work environment involves high risks with regular and recurring exposure to potentially dangerous situations or unusual environmental stress where high risk factors exist which cannot be reasonably controlled. For example, working at great heights under extreme weather conditions, or working closely with toxins or dangerous pests or animals such as poisonous snakes, where safety precautions cannot completely eliminate the danger. We note that the appellant states that he sometimes works in a habitat where poisonous snakes exist. However, we found no evidence that such exposure cannot be reasonably controlled through the use of protective equipment. In addition, his job does not require that he work closely with dangerous animals to the point that it increases his exposure on a regular and recurring basis. This factor is evaluated at Level 9-2 and 20 points are credited.

Summary

In summary, we have evaluated the appellant's position as follows:

Factor	Level	Points
1. Knowledge required by the position	1-5	750
2. Supervisory controls	2-3	275
3. Guidelines	3-3	275
4. Complexity	4-3	150
5. Scope and effect	5-3	150
6 & 7. Personal contacts/Purpose	6-2/7b	75
8. Physical demands	8-2	20
9. Work environment	9-2	<u>20</u>
Total points:		1715

The appellant's position warrants 1715 total points. Therefore, in accordance with the grade conversion table on page 4 of the guide, his position falls within the GS-8 grade range (1605-1850). Thus this position is properly graded at the GS-8 grade level.

Decision

The appellant's position is properly classified as Forestry Technician, GS-462-8.