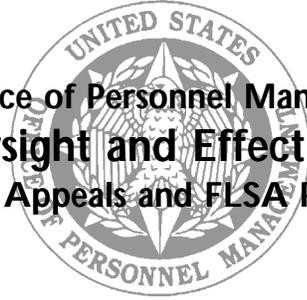


U.S. Office of Personnel Management  
Office of Merit Systems Oversight and Effectiveness  
Classification Appeals and FLSA Programs



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

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

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

**Agency classification:** Civil Engineering Technician  
GS-802-9

**Organization:** [appellant's activity]  
Forest Service  
Department of Agriculture  
[geographic location]

**OPM decision:** Civil Engineering Technician  
GS-802-9

**OPM decision number:** C-0802-09-39

/s/ Bonnie J. Brandon  
Bonnie J. Brandon  
Classification Appeals Officer

1/25/00  
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]

[servicing personnel office]

Acting Director, Office of Human Resources  
Management  
U.S. Department of Agriculture  
J. L. Whitten Building, Room 316W  
1400 Independence Avenue, SW.  
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Classification and Employment Division  
Office of Human Resource Management  
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## **Introduction**

The Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [the appellant] on October 7, 1999. [The appellant] is a Civil Engineering Technician, GS-802-9, assigned to the [appellant's activity], Forest Service, Department of Agriculture, [geographic location]. [The appellant] believes that his position should be classified as Civil Engineering Technician, GS-802-11.

In reaching our classification decision, we have carefully reviewed all information submitted by the appellant and his agency, including the official position description [number], dated June 17, 1999. We also considered information obtained during telephone interviews with the appellant, his supervisor, and agency personnel officials. Both the appellant and his supervisor agree that the official position description is accurate.

## **General Issue**

The appellant believes that his position compares favorably with GS-11 positions at other locations. To support this belief, he submitted a position description and evaluation statement for a GS-11 civil engineering technician at another national forest. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM standards and guidelines (sections 5106, 5107, and 5112 of title 5, United States Code). Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's position description to others as a basis for deciding his appeal.

Like OPM, the appellant's 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 appellant considers his position so similar to others that they all warrant the same classification, he may pursue the matter by writing to his agency's personnel headquarters. In doing so, he 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 his, the agency must correct their classification to be consistent with this appeal decision. Otherwise, the agency should explain to the appellant the differences between his position and the others.

## **Position information**

The appellant is responsible for planning and implementing on-the-ground operations within the road management zone that encompasses [three ranger districts]. A brief description of the appellant's major duties involving road maintenance, travel management, and road management follows.

### *Road maintenance*

- Determines if maintenance levels on system roads are accurate and makes changes to support management goals and objectives, develops maintenance proposals for contract maintenance work, and develops and administers road maintenance and procurement contracts. Serves as the contracting officer representative on projects to determine if work meets contract specification and standards.
- Develops road maintenance packages, determining amount of normal maintenance work that will be required throughout the life of timber sales.
- Coordinates development of alternative transportation options from existing facilities and recommends road closures.
- Coordinates and negotiates with cooperators and permittees in the preparation of annual maintenance plans.
- Ensures that inspections of bridges, except for major concrete or steel bridges, are conducted. Determines and schedules the routine maintenance for the bridges.

### *Travel Management*

- Works with the transportation inventory coordinator to gather traffic data.
- Provides information to the transportation inventory coordinator and the public about road maintenance, closures, conditions, and restrictions.
- Implements seasonal road restrictions, monitors restricted roads for compliance with Forest requirements, and takes action when violations occur.

### *Road management*

- Assists permittees in completion of applications for use of roads for commercial hauling and prepares Road Use Permits for the District Ranger's signature.
- Assists engineers in developing and following up on Memorandums of Understanding with cooperators.
- Makes recommendations to the Forest sign coordinator for new signs and replacement needs.
- Assists law enforcement officers in investigating vehicle accidents and enforcing traffic regulations.

The appellant serves under the supervision of a GS-11 Supervisory Maintenance Engineer and provides some supervision to a GS-7 assistant. The position description and appeal record provide more information about the appellant's duties and responsibilities.

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

The appellant's position best fits in the GS-802 Engineering Technician Series which includes technical positions that primarily require application of a practical knowledge of the methods and techniques of engineering and of the construction, application, properties, operation, and limitations of engineering systems, processes, structures, machinery, devices, and materials. Positions in this series do not require professional knowledge and abilities for full performance and, therefore, do not require training equivalent in type and scope to that represented by the completion of a professional curriculum leading to a bachelor's degree in engineering. Civil engineering technicians perform work concerned with buildings, structures, dams, soil mechanics, tunnels, highways, water resources, bridges, airports, railways, and other phases of civil engineering.

The appellant does not dispute the series and title of his position. We concur with the agency's determination that the appellant's position is properly assigned to the GS-802 series with the title of Civil Engineering Technician.

The appellant's supervisory duties do not meet the intent for coverage under the General Schedule Supervisory Guide (GSSG). A position that involves supervisory duties and responsibilities must meet the minimum requirements of the GSSG before the grading criteria are applied to the position. The GSSG is used only if the supervisory work (1) requires the accomplishment of work through combined technical and administrative direction of others, (2) constitutes a major duty occupying at least 25 percent of the position's time, and (3) meets at least Level 3-2 which covers delegated supervisory authorities that are exercised on a recurring basis. In comparing the appellant's position to these minimum requirements, we found that his supervisory responsibilities do not occupy at least 25 percent of his time and that the position does not meet the minimum requirements for Level 3-2. Therefore, these duties are not considered further in this appeal decision.

### **Grade determination**

The GS-802 standard, dated June 1969, defines grade levels under two criteria: *nature of assignment* and *level of responsibility*. Our evaluation of the appellant's position in terms of these two criteria follows.

#### *Nature of assignment*

This factor includes the scope and difficulty of the project and the skills and knowledges required to complete the assignment.

At the GS-9 level, engineering technicians typically perform a variety of work relating to the area of specialization that requires the application of a considerable number of basic but established methods, procedures, and techniques. Assignments usually involve responsibility for independently planning and conducting a block of work which is a complete conventional project of relatively limited scope, or a portion of a larger and more diverse project. These assignments require study, analysis, and consideration of several possible courses of action, techniques, general layouts, or designs and selection of the most appropriate. Often, changes or deviations must be made during progress of an assignment to incorporate additional factors requested after the start of the project or to adjust to findings and conclusions which could not be predicted accurately in the original plans. Assignments typically require coordination of several parts, each requiring independent analysis and solution. When phases are performed by other groups, the technician reviews, analyzes, and integrates their work. Further, assignments at this level require a good understanding of the effect that recommendations made or other results of the assignment may have on an item, system, or process and its end-use application.

GS-11 technicians perform work of broad scope and complexity that requires application of (1) demonstrated ability to interpret, select, adapt, and apply many guidelines, precedents, and engineering principles and practices which relate to the area of specialization and (2) some knowledge of related scientific and engineering fields. Technicians at this level plan and accomplish complete projects or studies of conventional nature requiring the independent adaptation of a general fund of background data and information and interpretation and use of precedents. GS-11 technicians are typically confronted with a variety of complex problems in which considerable judgment is needed to make sound engineering compromises and decisions. Related interests must often be considered, entailing frequent coordinative action with personnel in the fields concerned. The technicians need initiative, resourcefulness, and sound judgment in planning and coordinating phases of assignments and in selecting which of several sound alternatives is to be used in arriving at acceptable engineering compromises. Ingenuity and creative thinking are required in devising new ways of accomplishing objectives and in adapting existing equipment or current techniques to new uses.

In performing his work, the appellant applies a technical knowledge of civil engineering principles and practices. He develops and submits maintenance proposals for construction or repair of ground facilities such as road surfaces and bridges. The appellant maintains records and monitors project construction. He develops cost estimates and construction costs and specifies materials to be used on force accounts (Forest Service crews). On larger projects, the appellant serves as the contracting officer representative, performing a technical review of contract designs to avoid or correct errors of nonconformance with construction specifications and ensuring that the work meets the provisions of the contract standards.

Comparable to the GS-9 level, the appellant's assignments involve coordinating, analyzing, and evaluating project needs and determining priorities. He plans the work and makes decisions independently for short-term projects. For example, the appellant may select a portion of a road to close down, determine which road to obliterate to maximize use of funds, and make decisions

to meet resource, recreation, and public safety concerns. In one instance, the appellant recommended that a portion of [a specific ranger district] that is on county land be turned over to the county for upkeep because it would be more cost efficient for the Forest Service. The appellant's involvement with contract designs for a paved road that had to meet both Forest Service and Bureau of Reclamation specifications is also illustrative of assignments at the GS-9 level. Other examples of assignments provided by the appellant do not exceed the GS-9 level.

The appellant's position does not meet the scope and complexity of the GS-11 level because his work is not characterized by the complex systems requiring design adaptation or the need for creativity that is typical of GS-11 level positions. The road maintenance and management work performed by the appellant is generally performed in accordance with pre-established, standardized regulations. Further, the appellant is not required to interpret and adapt engineering standards or make engineering compromises as envisioned at the GS-11 level.

#### *Level of responsibility*

This factor includes consideration of the nature and purpose of person-to-person work relationships and supervision received in terms of intensity of review of work as well as guidance received during the course of the work cycle.

At the GS-9 level, the supervisor outlines requirements, provides information on any related work being performed, and furnishes general instructions as to the scope of objectives, time limitations, priorities, and similar aspects. The supervisor is available for consultation and advice where significant deviations from standard engineering practices must be made and gives more detailed instructions when distinctly new criteria or new techniques are involved. Standard methods employed are seldom reviewed, but review is made for adequacy and for conformance with established policies, precedents, and sound engineering concepts and usage.

Personal work contacts at the GS-9 level are primarily to resolve mutual problems and coordinate the work with that of personnel in related activities. Contacts may be with agencies for whom work is done, contractors, and architect-engineer firms to clarify points, advise about discrepancies found in meeting contract terms, consider recommendations for acceptable substitutes, and promote adherence to agency standards and good engineering concepts. Contacts outside the agency are usually arranged under supervisory guidance.

At the GS-11 level, technicians have considerable freedom in planning work and carrying out assignments. The supervisor makes assignments in terms of the major objectives, providing background information and advice on specific unusual problems which are anticipated or on matters requiring coordination with other groups. Unusual or controversial problems, or policy questions arising in the course of a project, may be discussed with the supervisor, but technical assistance is infrequently sought or required. The supervisor is usually informally advised of progress, but there is little review during progress of typical assignments. Completed work in the form of recommendations, plans, designs, reports, or correspondence is reviewed for general

adequacy, conformity to purpose of the assignment, and sound engineering judgment. By comparison, technicians at lower grade levels receive advice and guidance on the application of nonstandard methods and techniques or in the solution of complex problems requiring significant deviations from established practice. Contacts are generally with the same groups and for the same purpose as those at lower levels. Because of the increased scope of GS-11 assignments, these contacts tend to become more extensive than at lower levels.

The appellant's supervisor provides broad instructions regarding procedures, objectives, priorities, and timeliness. Work is performed independently; the appellant rarely seeks assistance from his supervisor. The appellant makes the day-to-day decisions concerning road maintenance and management priorities (e.g., closures and maintenance problems), but major projects with substantial impact are subject to approval from higher level officials. He operates in accordance with applicable regulations, and the course of action taken may depend on variances such as budgetary aspects, environmental concerns, public interest, or a combination of the different features. For example, the appellant may be able to get cooperators to perform maintenance for the length of the contract instead of having the Forest hire separate contractors and securing deposits against the cost of maintenance. The appellant's technical decisions are not ordinarily reviewed; however, others, such as the District Ranger, within the Forest provide feedback to the appellant's supervisor regarding acceptability of the appellant's work. Although the appellant participates in making long-term decisions, the actual decision authority rests with higher level personnel. Overall, the appellant's level of responsibility fully meets the GS-9 level.

Although the appellant performs work independently with little technical supervision, his assignments are narrower in scope than envisioned at the GS-11 level. Even though the Forest's shift in emphasis from road construction to road maintenance may have increased the appellant's overall workload, there is no evidence that this change resulted in more complex assignments or a higher level of responsibility. The appellant's contacts with a variety of persons and groups within and outside the Forest Service and the purpose of those contacts are comparable to the description for GS-9 technicians.

## **Decision**

The appellant's position is properly classified as Civil Engineering Technician, GS-802-9.