

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

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

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

Appellant: [name]

Agency classification: Forestry Technician
GS-462-5

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

OPM decision: Forestry Technician
GS-462-5

OPM decision number: C-0462-05-01

/s/ Bonnie J. Brandon

Bonnie Brandon
Classification Appeals Officer

December 7, 2001

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]

[name of and address for appellant's designated representative]

[appellant's human resources office]

USDA-OHRM-OD
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Introduction

On July 20, 2001, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [the appellant]. We received his agency's administrative report on August 13, 2001. The appellant is a full-time seasonal employee assigned to a position currently classified as Forestry Technician, GS-462-5. The appellant believes that the duties performed warrant the position being upgraded and the title changed to Lead Forestry Technician. The position is assigned to [names of District, National Forests, Region], U.S. Forest Service, Department of Agriculture, in [geographic location]. We have accepted and decided his appeal under section 5112(b) of title 5, United States Code.

We conducted a telephone audit with the appellant on September 14, 2001, and a telephone interview with the appellant's first-level supervisor on September 19, 2001. In deciding this appeal, we fully considered the audit findings and all information of record provided by the appellant and his agency, including his current work assignments and position description (PD) of record, [number].

General issues

In July 2000, the appellant's immediate supervisor submitted a PD correction notice to the human resources office to add supervisory duties to the appellant's position. The appellant would spend less than 20 percent of his time supervising four to five GS-462-4 temporary or seasonal employees during four or five months of the summer season. According to the documentation in the appeal record, no formal action was taken to revise the appellant's PD. In a memorandum dated August 4, 2001, the supervisor states that she removed supervisory duties from the appellant's position in mid-April 2001. Our fact-finding confirms that the appellant no longer performs the supervisory responsibilities that his supervisor assigned during the period July 2000 to April 2001. By law, we cannot consider past duties when adjudicating classification appeals. Section 5112(b) of title 5, United States Code indicates that we can consider only current duties and responsibilities in classifying positions. Consequently, we based this appeal decision on the current duties and responsibilities assigned by management to the appellant's position and performed by him.

Position information

The immediate supervisor certified that the appellant's position description is current and accurate. The appellant, however, believes that his PD should include the responsibilities he has in overseeing the work of seasonal crew members. We will address the appellant's concerns later in this decision.

We view a PD as adequate for classification purposes when it is considered so by a person knowledgeable of the occupation and the classification standards and is supplemented by current information about the position's organization, functions, programs, and procedures. Based on our fact-finding, there are some minor discrepancies in the description of the appellant's duties. For example, the appellant does not collect, compile, and summarize information for recreation data management systems, and he does not perform safety hazard analyses of public use areas.

However, these discrepancies in the PD are negligible and not grade controlling. We find that the PD is generally accurate and adequate for classification purposes.

The appellant's duties are related to [a specific] Demo Program, a national test case that has an effect on national acceptance of the program and receives congressional scrutiny. The [specific] demo program is divided into the following three sections: maintenance/rover, interpretation, and fee collection. Although the appellant is specifically assigned to the maintenance and rover section, he is not excluded from performing duties in the fee collecting and interpretive sections. For example, the appellant collects money from the District's viewing scopes twice a season. He is also trained to answer basic questions from Forest visitors regarding the local environment and the natural habitat. However, these fee collecting and interpretive duties do not represent a significant portion of the appellant's time. For the most part, the appellant carries out a variety of maintenance and rover duties in support of his unit's recreation program.

The appellant is responsible for the daily maintenance and minor repairs of the restroom facilities. He assumes responsibility for ensuring that facilities and equipment are properly maintained and accounted for. The appellant also contacts contractors to pump toilets for routine maintenance or in preparation for closing the recreation areas for the season. He inspects the contractor's work to ensure that maintenance is done on the correct toilets and that the area is cleaned up afterward. In addition, he performs some Forest Protection Officer duties that are often associated with public recreational uses of Forest resources, such as patrolling activities to check for compliance of recreational laws, rules, and regulations. The appellant also acts as a roving ranger, performing such duties as providing gasoline and jumper cables to Forest visitors when needed. He occasionally shovels snow to accommodate pedestrian traffic and constructs temporary signs (such as signs to indicate bicycle paths or directions to fee stations) until permanent signs are put up. He may also clean up or paint signs that have been vandalized. The appellant may participate in search-and-rescue missions in coordination with appropriate authorities.

The appellant currently oversees the activities of three full-time seasonal employees, providing technical direction of work. At times, he performs some administrative duties such as ensuring that timesheets are properly completed and providing input for performance appraisals for the seasonal workers.

A GS-460-9 Supervisory Forester supervises the appellant. The appellant's PD and other material of record provide more information about his duties and responsibilities and how they are performed.

Series, title, and guide 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. The appellant does not question the series of his position, and we agree with his agency's determination that the position is properly assigned to the GS-462 series.

The appellant believes the title of his position should be *Lead Forestry Technician* because he previously had some leader responsibilities for lower-graded seasonal employees. For example, he approved leave, established work schedules, interviewed and selected previous crew members, and assigned ratings for performance appraisals. The appellant's immediate supervisor now performs these duties for the seasonal employees. Through our fact-finding, we determined that the appellant currently acts as technical advisor to crew members, but he does not provide any substantial leader duties that meet the criteria in Part I of the General Schedule Leader Grade Evaluation Guide. Part I 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, OPM provides guidance in issue 22 of the *Digest of Significant Classification Decisions and Opinions* that states the intent 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 criteria in Part I are intended to evaluate the difficulty and responsibility of executing a broad range of leader duties performed over a continuing group of employees. While leading less-than-full-time employees may be considered in evaluating leader work, that work may not be considered in determining basic coverage of Part I. Since the appellant oversees the work of only seasonal employees, his position does not meet the basic criteria for application of Part I. In his appeal, the appellant compares his "leader" duties and responsibilities to the criteria in Part II of the Guide. Clearly, the appellant's position does not meet the criteria for application of Part II because that part is used to classify positions whose primary purpose is, as a regular and recurring part of their assignment and at least 25 percent of their duty time, to lead a team of other GS employees in accomplishing two-grade interval work. Since the appellant's position does not meet the criteria in either Part I or Part II of the Guide, *Forestry Technician* is the proper title for his position.

Criteria for determining the grade of positions in the GS-462 series are contained in the Grade Level Guide for Aid and Technical Work in the Biological Sciences, GS-0400 (dated December 1991). Therefore, we used the GS-400 Guide to grade the appellant's position.

Grade determination

The GS-400 Guide uses the Factor Evaluation System (FES), which places positions in grades by comparing their duties, responsibilities, and qualification requirements with nine factors common to nonsupervisory General Schedule positions. 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. The total points assigned are converted to a grade by use of the grade conversion table in the standard. The following is our evaluation of the appellant's position in terms of the criteria in the Guide.

Factor 1, Knowledge required by the position

This factor measures the nature and extent of information or facts which the employee must understand to do acceptable work and the nature and extent of the skills needed to apply those

knowledges. To be used as a basis for selecting a level under this factor, a knowledge must be required and applied.

At Level 1-4, employees use knowledge of technical methods and procedures to carry out a variety of duties. Also at this level, duties require knowledge of the basic principles of a science to understand and relate the significance of results to the higher objectives of the activity. Technicians at this level assist in the development and execution of plans and guidelines, e.g., planning the work of seasonal labor crews. They may oversee the work of seasonal crews. Comparable to technicians at Level 1-4, the appellant must have practical knowledge of forestry principles with sufficient knowledge of standard forest recreation area operation, maintenance, and use regulations and procedures to perform various assignments in support of his unit's recreation program. Similar to technicians at Level 1-4 who assist in developing and executing plans and guidelines, the appellant must have knowledge of recreation operation and maintenance plans to establish maintenance schedules, inspect cleanup operations, and oversee the work of seasonal crews. The knowledge required for the appellant's responsibilities as a Forest Protection Officer is also consistent with Level 1-4. The appellant's position fully meets Level 1-4.

The appellant's position does not meet Level 1-5. Technicians at this level must have 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 incorporating diverse technical knowledges or one-at-a-time (often long-range) multiphase projects. The appellant's position does not require either diverse technical knowledge or involve multiphase projects expected at Level 1-5.

This factor is evaluated at Level 1-4 and 550 points are credited.

Factor 2, Supervisory controls

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the responsibility of the employee, and the degree to which work is reviewed by the supervisor.

The appellant's position meets Level 2-2. At this level, the supervisor makes assignments by either oral or written work orders including general explanations of what is to be done. The supervisor provides additional specific instructions for new, more difficult, or unusual assignments. Within established procedures, the technician independently executes the tasks associated with recurring and continuing work and makes adjustments to accommodate needed minor deviations in work methods. The supervisor assures that tasks are completed and that the application of guidelines is technically accurate. Similar to Level 2-2, the appellant's supervisor assigns work and the appellant usually decides priorities, coordinating with crew members to perform the work. Consistent with Level 2-2, the appellant independently performs normal, routine tasks and resolves routine problems. His supervisor is readily available for guidance with new or unusual situations, communicating with the appellant by telephone, during visits to the work site, or through notes on message boards. Comparable to Level 2-2, the appellant's

supervisor reviews the work for technical soundness and compliance with policy and requirements.

At Level 2-3, the supervisor makes assignments by defining objectives, priorities, and deadlines. The supervisor provides guidance with unusual assignments. The technician carries out successive steps to complete project requirements and objectives, seeks assistance as needed, and coordinates the work with others. The technician exercises initiative in developing solutions within established guidelines to resolve common technical and procedural problems. The technician refers significant technical or procedural problems to the supervisor or a higher level employee. In such instances, the technician typically develops proposals, with supporting justification, for resolving problems. Completed work is reviewed for technical soundness, appropriateness, and conformity to policy and requirements. The reviews emphasize the quality of the technician's judgment in resolving technical and administrative problems. In contrast to positions at Level 2-3, the appellant's work is relatively routine and does not require the appellant to take the initiative in developing solutions or proposals for significant technical or procedural problems as envisioned at Level 2-3.

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

Factor 3, Guidelines

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

At Level 3-2, procedures for doing the work have been established and a number of specific guidelines are applicable. Guides may range from complex, standardized, codified regulations (such as Federal or agency manuals with agency, bureau, regional, or other supplements) to maps, blueprints, standing operating procedures, oral instructions, equipment or instrument manuals, or standard scientific or technical texts. The guidelines contain criteria to solve the core question or problem contained in the assignments, though the applicability may not be readily apparent, that is, the guides often require careful study and cross referencing. The technician must use judgment in selecting appropriate guidelines because of the number, similarity, linkage, and overlapping nature of the guides.

Similar to Level 3-2, the appellant must use judgment in selecting from a number of guidelines and oral and written instructions. Written guidelines include the Cleaning Recreation Sites Publication, a handbook for Collection Officers, and other recreation-related handbooks. Like Level 3-2, the appellant's guidelines are generally adequate to fit the situation. When the appellant is faced with more complex questions or procedural problems not covered by the guidelines, he refers to the supervisor for assistance. The appellant's position fully meets Level 3-2.

The appellant's position does not meet Level 3-3. At this level, only general guidelines are available, the guidelines have gaps in specificity, or the guidelines are otherwise not completely applicable. The technician exercises judgment independently in applying the guidelines or extending their applicability to situations not specifically covered or uses the guidelines as a basis for making procedural deviations from established administrative or technical methods.

Technicians at this level adapt guidelines when their judgment is based on an understanding of the intent of the guidelines. Unlike technicians at Level 3-3, the appellant is not required to exercise independent judgment in applying general guidelines, extending the guidelines, or making procedural deviations from established methods. Guidelines are available for nearly all areas of his work and do not require the appellant to extend, adapt, or deviate from guidelines as envisioned at Level 3-3.

This factor is evaluated at Level 3-2 and 125 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 involved in performing the work.

The appellant's position is comparable to Level 4-2 where assignments consist of performing a variety of routine procedural tasks or one or more complex duties related to regular and recurring technical work, operating a variety of pieces of equipment or one or more complex equipment systems commonly associated with the work site, and/or performing a full variety of the standardized technical support and technical duties associated with the work. Technicians at this level are expected to exercise independence in choosing the right course of action and then selecting and executing the proper task sequences for completing the work. Similarly, the appellant prioritizes and completes assignments, determines the best methods for executing assignments, and coordinates work with others. He performs a variety of technical duties and has ongoing responsibility for technical and limited administrative concerns for his work crew. The appellant also ensures safe and effective utilization of crew and equipment. Work methods are generally already established. Comparable to Level 4-2, the appellant exercises judgment in selecting the best course of action.

At Level 4-3, the work requires the performance of various technical duties, which involve differing and unrelated processes and methods. The decision regarding what needs to be done depends upon the analysis of the subject, phase, or issues involved in each assignment, and the chosen course of action may have to be selected from many alternatives. At this level, technicians independently execute defined portions of more comprehensive long-range projects or assist with several complex experiments, which extend over several weeks. Judgment is also required in applying a wide range of conventional, established approaches, methods, techniques, and solutions to new situations. Unlike positions at Level 4-3, the appellant's work is relatively routine and new or unusual situations rarely occur where he would be required to apply the wide range of techniques and methods characterized at this level. The appellant's work does not typically involve situations where there are several courses of action to choose from.

This factor is evaluated at Level 4-2 and 75 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.

At Level 5-2, the work involves the execution of specific rules, regulations, or procedures, such as those found in common technical manuals, handbooks, and administrative manuals. Completed assignments typically constitute an entire segment of assignments; for example, a technician at this level may run a visitor center on a day-to-day basis. At this level, the quality of day-to-day operations affects the reliability or acceptability of further services. By executing specific rules, regulations, methods, and procedures, the appellant carries out a variety of operations or project plans that typically make up a complete segment of an assignment or project in support of the fee demo program. The appellant performs repetitive tasks that are associated with broader assignments that are the responsibility of others. The appellant's work constitutes only a portion of the assignments necessary to support [a specific] program. His work affects the quality of day-to-day operations of that program. The scope and effect of the appellant's position fully meets Level 5-2.

At Level 5-3, the work involves applying conventional technical and administrative solutions and practices to a variety of problems. Work products at this level 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. In contrast, the appellant's day-to-day maintenance of Forest facilities and various rover duties are fairly routine, and the appellant does not often confront the variety of problems envisioned at Level 5-3. Although the appellant's work affects [a specific] program, that work's influence on the overall effectiveness of the District goals or objectives is not comparable to Level 5-3 where the technician may have responsibility for an ongoing operation in an annual work plan as a performance objective for the organization.

This factor is evaluated at Level 5-2 and 75 points are credited.

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

Factor 6 includes face-to-face contacts and telephone 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. The Guide combines the point values for the two factors into a matrix. For this reason, the factors are addressed jointly.

The appellant's contacts meet Level 2 where personal contacts are with employees in the agency, inside and outside of the immediate organization; the general public; contractor personnel; or special users. The appellant has frequent and ongoing contact with crewmembers on his team. The appellant also has occasional contact with contractors or their representatives, co-workers, and visitors to the Forest. As at Level 2, the appellant's contacts occur on a routine basis in a structured setting. The appellant's contacts do not meet Level 3 where contacts are made on a

nonroutine basis and may take place in a variety of settings where the role of each party is developed during the course of the meeting. Contacts at Level 3 are regularly established with noted subject-matter experts from other Federal agencies, influential local community leaders, or representatives of organized special interest groups. The appellant does not have regular contacts with the type of individuals described at Level 3.

At Level a, personal contacts are established to exchange information about procedures, schedules, or operating problems; explain steps involved in operating equipment; or explain the reason the work is being performed. At this level, factual information, ranging from easily understood to highly technical, is exchanged. The appellant frequently provides technical and occasional administrative guidance to crewmembers. The appellant also establishes contact with contractors and occasionally interacts with and answers general questions from Forest visitors. The purpose of the appellant's contacts fully meets Level a.

At Level b, the purpose of personal contacts 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; or discuss technical requirements of equipment with manufacturers and resolve problems concerning the work or the peculiar needs of the organization. The persons contacted are usually working toward a common goal and generally are reasonably cooperative. To some extent, the purpose of the appellant's contacts is similar to that expected at Level b. For example, the appellant plans and coordinates work efforts, monitors the activity of contractors, and, to a lesser degree, ensures compliance to laws. The purpose of the appellant's contacts does not, however, fully meet Level b in that the appellant is not routinely called upon to resolve problems concerning the work or needs of the organization. The overall objective of the appellant's contacts is to provide and exchange factual information.

We evaluate these combined factors at Level 2a and 45 points are credited.

Factor 8, Physical demands

This factor covers the requirements and physical demands placed on the employee by the work assignment. This includes physical characteristics and abilities and physical exertion involved in the work.

The appellant's position meets Level 8-2 where the work requires physical exertion such as regular and recurring running, walking or bending; walking or climbing over rocky areas, on uneven surfaces, or in mountainous terrain; or climbing ladders or scaffolds. Similarly, the appellant's physical effort is that normally required in the maintenance and upkeep of recreational facilities and driving over mountainous roads.

The appellant's position does not meet Level 8-3 where the work requires regular and protracted periods of considerable and strenuous physical exertion. Examples include carrying or lifting heavy objects; hacking passages through dense vegetation; or climbing ladders or scaffolds carrying heavy equipment used to install, maintain, or repair research installations. Although the appellant's position requires moderate and, at times, strenuous physical exertion, the work does

not require sustaining that strenuous physical exertion on a regular basis and for a prolonged period of time. The physical demands associated with the appellant's upkeep of restroom facilities does not meet the scale of maintenance or repair of an installation as envisioned at Level 8-3.

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 and occupational health regulations required.

This position meets Level 9-2 where the work involves regular and recurring moderate risks or discomforts that require special safety precautions, e.g., working with irritant chemicals or working outdoors where the technician is exposed to adverse weather conditions. The appellant works in a forest environment with steep terrain where surfaces may be extremely uneven and rocky. The work also includes exposure to adverse weather conditions with risks normally associated with recurring outdoor activity, for example, falls, insect bites. However, the appellant does not have year-round exposure to some of the hazards since the area is closed for a couple of months because of snow. As expected at Level 9-2, the appellant is required to use safety equipment such as boots, gloves, goggles, and hard hats. The appellant's work also involves regular and recurring discomforts that require safety precautions normally associated with irritant chemicals and cleansers.

Level 9-3 describes the work environment as one that involves high risks with regular and recurring exposure to potentially dangerous situations or unusual environmental stress. At this level, the work environment exposes the individual to dangerous situations that cannot be completely eliminated with safety precautions. Examples at this level include working at great heights under frequently extreme weather conditions, and subject to possible physical attack or mob conditions. Although the appellant works in a forest environment with the normal risks associated with this type of setting, he works mostly in established recreational areas. The appellant is not exposed to dangerous situations on a regular or recurring basis as envisioned at this level. The appellant's position does not meet Level 9-3 because the work environment rarely has conditions that cannot be reasonably controlled by appropriate safety precautions.

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

Summary

We have evaluated the appellant's position as follows:

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Knowledge required by the position	1-4	550
2. Supervisory controls	2-2	125
3. Guidelines	3-2	125
4. Complexity	4-2	75
5. Scope and effect	5-2	75
6. Personal contacts and	6-2 and	
7. Purpose of contacts	7-a	45
8. Physical demands	8-2	20
9. Work environment	9-2	20
<i>Total</i>		1,035

The appellant's position warrants 1,035 points. Therefore, in accordance with the grade conversion table in the GS-400 Guide, the position is properly graded at the GS-5 level.

Decision

The appellant's position is properly classified as Forestry Technician, GS-462-5.