120 Howard Street, Room 760
San Francisco, CA 94105

U.S. Office of Personnel Management
San Francisco Oversight Division

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

Appellant:	[Appellant]
Position:	Wildlife Biologist GS-486-9
Organization:	[Installation] U.S. Forest Service U.S. Department of Agriculture [Installation city and state]
Decision:	Wildlife Biologist GS-486-9
OPM decision number:	C- 0486-09-01

Signed by Denis J. Whitebook
DENIS J. WHITEBOOK
CLASSIFICATION APPEALS OFFICER

December 2, 1996
DATE

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision 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).

Introduction

On July 8, 1996, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [appellant], whose position is classified as Wildlife Biologist, GS-486-9. However, she believes that the duties and responsibilities of her position warrant upgrading to the GS-11 level. Prior to filing her appeal with OPM, [appellant] filed a classification appeal with her agency. In a letter to her from her agency dated September 20, 1995, the current classification of the position was sustained. The appellant works at the [Installation], U.S. Forest Service, U.S. Department of Agriculture, [city and state]. We have accepted and decided her appeal under 5 U.S. Code 5112.

This appeal decision is based on a careful review of all information submitted by the appellant and her agency. In addition, telephone interviews were conducted with her and her immediate supervisor to gather more information about the duties and responsibilities of the position. The appellant's official position description (number N2041) is a standard document used by the Forest Service to describe the duties of a Wildlife Biologist, GS-486, at the GS-9 level in a Forest Service [activity]. The appellant's supervisor has certified to the accuracy of the position description. However, the appellant believes that it does not accurately describe her duties and responsibilities. [The appellant] and her agency have been unable to mutually resolve this issue. In such cases it is OPM policy to decide the appeal based on a review of the actual duties and responsibilities that management has assigned and that the appellant performs.

Position information

Based on our review of the information in the case file, supplemental material furnished by the appellant, and findings from our interviews, the appellant performs a variety of duties providing technical advice and analysis on all issues impacting the wildlife and rare plants on the [installation]. Her duties include the following:

1. Prepares wildlife management input for the [activity's] land management staff, and planning and interdisciplinary teams which include representatives of other resource programs such as timber, fire, fuels, recreation, and minerals. She prepares certain sections (parts 3 and 4) of environmental assessments/impact statements, as well as developing biological assessments. She gathers, compiles and analyzes data on wildlife habitat, and assesses the impact of [activity] resource management activities on the habitats of wildlife and rare plants. She makes recommendations to protect various habitats. These duties take up to 90% of her work time.

2. Works with other Federal and State wildlife resource agencies to gather information for wildlife management plans. Develops plans for [activity] educational activities and manages partnership programs covering wildlife and rare plants. These duties take up to 10% of her work time.

The appellant's position description, other material of record, and results of our phone interviews furnish much more information about her duties and responsibilities and how they are carried out.

Series, title and appropriate standard

The appellant's duties and responsibilities are typical of positions classified in the Wildlife Biology Series, GS-486, and neither the appellant nor her agency disagrees. The appropriate title for her position is "Wildlife Biologist." The major duties of the position are best evaluated by comparison to the grade level criteria in the classification standard for the Fishery Biology Series/Wildlife Biology Series, GS-482/486, dated January 1991. We noted above that the appellant spends about 10% of her time working with other agencies to gather information for wildlife management plans and performs some educational activities. However, only duties that occupy at least 25% of an employee's time can affect the grade of a position (Introduction to the Position Classification Standards, page 23). Therefore, we will not evaluate those duties in this decision.

Grade determination

The GS-482/486 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. Our evaluation with respect to the nine FES factors follows.

Factor 1, Knowledge required by the position, Level 1-6, 950 points

This factor measures the nature and extent of information or facts that a worker must understand to do acceptable work. To be used as a basis for selecting a level under this factor, a knowledge must be required and applied. The agency assigned Level 1-6, but the appellant believes that Level 1-7 is met.

At Level 1-6 (described on pages 10-12 of the standard), at a minimum an employee must have professional knowledge of established scientific methods and techniques of wildlife biology 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). At this level wildlife resource assignments are amenable to a variety of standard treatments and proven techniques. They are noncontroversial in terms of methodologies used, are associated with past and planned use, and support existing protection, avoidance, or mitigation efforts. At Level 1-6 the employee applies a general knowledge of agency and state procedures and statutes affecting conservation of a wildlife resource. Assignments consist of a variety of professional activities such as preparing resource planning reports involving conventional or straightforward biological concerns. Wildlife Biologists at this level participate in interdisciplinary teams providing specialized review and recommendations on plans, policies and/or procedures affecting wildlife management.

At Level 1-7 (pages 12-15) at a minimum an employee must have professional knowledge of wildlife biology applicable to an intensive wildlife resource program, or a subject matter program, such as applied in a habitat evaluation program or a pervasive animal damage control program. At this level the employee applies professional knowledge and skill to modify or adapt standard techniques, processes, and procedures, and to assess, select, apply precedents, and devise strategies and plans to overcome significant resource problems related to species production, protection, habitat restoration, construction, or program management and evaluation. This includes intensive knowledge and competence in advanced techniques of a highly complex area of fish and/or wildlife biology sufficient to serve as a troubleshooter, specialist, or coordinator.

Wildlife Biologists at Level 1-7 apply knowledge of the biological characteristics, conditions, and interrelationships of aquatic and terrestrial biota, or of wildlife resources and ecological systems to establish production procedures independently, or to evaluate resource or water management projects. At this level they apply knowledge and skill to analyze data or to prepare studies and reports on the impact of various management or public practices on a resource, or on the complementary or competitive impact of the development, modification, or change in the use of one resource on another. Level 1-7 is also used in assessing the environmental impact and making recommendations on such programs as hydropower and pipeline projects, and military activities.

All of the knowledges described above are generic enough to describe the kind of knowledge that typically should be found in any positions classified to Level 1-7 in the GS-486 series.

In addition, the third work illustration on page 13 of the standard for Level 1-7 describes preparing environmental assessment/impact statements to evaluate environmental consequences of proposed actions or Federal projects. Such assignments relate to activities such as logging operations, damming, road building, mining, farming and grazing agreements, building construction, military activities, or other activities that impact on wildlife resources or their habitat.

As previously noted, the appellant spends a large portion of her time preparing wildlife management input, and writing certain sections of environmental assessments/impact statements relating to wildlife (especially threatened wildlife) and rare plants on the [activity]. In particular, she writes the wildlife and rare plant sections of environmental assessments in Chapter 3 (Affected Environment), and Chapter 4 (Environmental Consequences). Environmental assessments are documents required by the National Environmental Policy Act (NEPA). Her sections are prepared to respond to proposed timber sales on the [activity] in order to assess the effect of logging operations on wildlife and rare plants and their habitats. These documents also address timber thinning projects around roads, and construction or expansion of recreation areas on the [activity]. The appellant provided two work examples of what she believes to be her most complex work in environmental assessments, and we have focused on these in this decision. They are the [activity] Salvage Sales 1996 Environmental Assessment and Biological Evaluation, and the environmental assessment on the [activity] Thinning Project prepared in 1995. Precedent decisions and OPM central office guidance indicate that the fact that an individual has responsibility for preparing environmental assessments or portions of impact statements does not, by itself, mean that the work meets the intent of Level 1-7. Generally speaking,

no particular duty in any line of work is ever, in and of itself, worth a particular grade or factor level. The work should be evaluated in terms of the overall intent of the Factor Level and illustrations.

Based on our review, we find that the appellant's position meets Level 1-6, but falls short of the minimum knowledge requirements described at Level 1-7. Like Level 1-6, in both the [activity] and [activity] projects, the appellant applied professional knowledge of established scientific methods and techniques of wildlife biology to a recurring assignment containing moderately difficult aspects. As the [Activity] Wildlife Biologist she is regularly assigned the task of preparing relevant sections of environmental assessments, and the methods and techniques for their preparation are well established. Like Level 1-6, the wildlife affected by these two projects (e.g., wolverine, peregrine falcon, bald eagle, flammulated owl, pileated woodpecker) are amenable to standard treatments and proven techniques to retain the optimal habitat given the scope of the logging projects. For instance, to retain bird nesting (bald eagle, falcon) on the [area] 21 project, removal of dead, dying and diseased trees, as well as green trees, was recommended in order to encourage the growth of larger ponderosa pines which serve as nesting areas for certain birds. Where rare plants are affected, closure of old logging roads prevents destruction of certain plants, and also prevents easy access by hunters to elk areas. Like Level 1-6, the appellant's work in the two environmental assessments was associated with past and planned use, and supported existing protection and mitigation efforts.

In preparing and writing the [activity] environmental assessment, and a supporting landscape analysis, the appellant contends that she had to develop new techniques for analyzing forest timber stand data in order to perform a habitat evaluation of the [activity] River watershed. She believes that like Level 1-7 the project required her to modify standard techniques, processes and procedures, and devise strategies and plans to overcome significant resource problems related to species protection and habitat restoration. She mentions her use of the computerized Geographic Information Systems (GIS) software which produces an extensive database containing information collected by [installation] silvicultural staff on the status of timber stands in the [activity]. GIS data is reflected on maps with attached information on timber stands such as types of trees, their diameter, location, numbers per stand, etc. It is essentially an inventory of the forest. Working closely with a staff forester who is highly knowledgeable of computer software applications, particularly the use of the ArcView mapping system and GIS, the appellant was able to identify specific geographic areas which are suitable habitat for wildlife on the [activity]. She believes that by developing computer queries, and specifying to the forester what her needs were, she modified standard techniques for performing the landscape analysis. We cannot agree. Although we recognize the appellant's creativity in formulating queries to obtain information on specific stand data relevant to wildlife habitats, we do not view this effort as tantamount to modifying or adapting standard techniques or processes to overcome significant resource problems related to species protection or habitat restoration. Both the GIS and ArcView systems are standardized systems commonly used in the Forest Service to capture timber stand data information. With the help of a skilled forester, the appellant was simply able to closely specify the stand inventory, thus identifying the potential habitats of wildlife on the [activity].

Development of a query method is another tool to refine stand data. Unlike Level 1-7, her efforts in that regard were not for the purpose of devising strategies and plans to overcome significant

resource problems related to wildlife protection or habitat restoration. The purpose was to determine where wildlife could potentially live on the [activity], thus creating an inventory of geographic areas to be aware of when reviewing proposals for logging operations. Based on our discussions with the appellant and review of both environmental assessments, it is apparent that she used standard scientific techniques, processes, and procedures. Her discussions in Chapter 3 of both studies present well known, published data on habitats of certain wildlife and rare plants, and include historical data on the presence of various kinds of wildlife on the [activity]. In addition, her discussions of the impact on wildlife and rare plants of various alternatives in Chapter 4 for each species mentions standard scientific methods and techniques for mitigating the effects of logging operations. Although the appellant did have to research and select the appropriate standard techniques, and she may have deviated from them, she did not modify or adapt them as described at Level 1-7. Rather her knowledge is much more typical of Level 1-6 as previously noted. Although her environmental assessment work was thorough, it did not require professional knowledge and skill in the science of wildlife biology to modify or adapt standard techniques, processes, and procedures, and to assess, select, apply precedents, and devise strategies and plans to overcome significant resource problems as described at Level 1-7. We did not identify any modification or adaptation of scientific standard techniques, etc., meeting Level 1-7 grade-level criteria in the two environmental assessments reviewed. Therefore, the appellant's position does not meet the minimum knowledge requirements needed to award Level 1-7, and Level 1-6 is assigned.

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

Factor 2, Supervisory controls, Level 2-4, 450 points

This factor covers (1) the nature and extent of direct or indirect controls exercised by the supervisor, (2) the employee's responsibility, and (3) the review of completed work. The agency evaluated this factor at Level 2-3, but the appellant feels that her position meets Level 2-4.

As described on page 17 of the standard, at Level 2-3 the objectives of the assignment, priority, and required deadlines are specified by the supervisor. The biologist is expected to plan and carry out the assignment independently in accordance with proven techniques, methods, practices, and previous experience. On assignments that involve, or may potentially involve, controversial use of approaches or modification of standard procedures, the biologist typically will discuss the issues and possible approaches with the supervisor before carrying out the assignment. Completed work is reviewed for adequacy, technical soundness, and accomplishment of specified objectives.

At Level 2-4 (page 17) the supervisor establishes overall goals and resources available. The biologist and supervisor confer on the development of general objectives, projects, work to be done, and deadlines. The biologist is responsible for planning and executing assignments, selecting appropriate techniques and methodology, and determining the approach to be taken. The biologist is expected to resolve most problems that arise and coordinate the work with others in the same or other resource areas or disciplines as necessary. The biologist interprets and applies program policy in terms of established objectives, and keeps the supervisor informed of progress, potentially controversial

problems, concerns, issues, or other matters having far-reaching implications. Completed work is reviewed for general adequacy in meeting program or project objectives, expected results, and compatibility with other work.

The appellant's position exceeds Level 2-3 and meets Level 2-4. Like Level 2-4, the appellant's supervisor establishes the overall goals of assignments and specifies the resources available to carry out the work. They jointly confer on general objectives and progress in performing environmental assessments in accordance with NEPA requirements. They also discuss the effects of certain projected timber sales on the forest. The appellant plans and carries out her assignments independently, selecting the appropriate techniques and methods to meet project objectives. Since her supervisor is not a wildlife biologist, she is expected to resolve most technical problems that might arise on her own, or refer the more unique ones to the Forest's Wildlife Biologist. Like Level 2-4 she regularly coordinates her work with other members of the [activity's] resource staff including fuels, fire, and timber management. She also participates on interdisciplinary resource teams to provide wildlife habitat guidance on ecosystem management, and comments on the potential effects of logging or recreation activities on the [activity]. She keeps her supervisor informed of work progress and controversial issues having far-reaching implications, e.g., effects of extensive timber thinning on habitats of endangered species and rare plants. The supervisor indicated that he reviews the appellant's work products, such as environmental assessments/impact statements, for general adequacy in terms of how timber sales would impact the need for preserving a specific wildlife habitat, and whether NEPA program requirements have been met. He does not review the basic technical soundness of her assessments, but is more concerned with the expected outcome, and whether the work meets [activity] wildlife program objectives and supports the [Installation] Resource Management Plan.

The factor description for Factor 2 in the appellant's position description describes supervisory controls comparable to Level 2-3. Based on our findings the agency should amend the discussion of Factor 2 to reflect how the position actually operates.

This factor is evaluated at Level 2-4 and 450 points are credited.

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

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

At Level 3-3 (page 18) a number of general guidelines are available, and broad objectives have been established. Although guidelines that are available may not be completely applicable to the work situation, the biologist uses judgment in determining which appropriate alternatives should be used. The employee uses judgment interpreting and adapting guidelines for application to specific situations or problems. In cases where guidelines lack specificity, the employee makes generalizations from several guidelines in carrying out work efforts, analyzes results, and recommends changes. The employee determines when problems require additional guidance.

At Level 3-4 (page 18) guidelines are often inadequate to deal with the more complex or unusual problems, or with novel, undeveloped, or controversial aspects of wildlife resources and management. The precedents and guides may point toward conflicting decisions; recent court decisions may appear to require a technical decision at variance with existing guides; or there may be relatively few precedents or guides which are pertinent to specific problems, or proven methods are incomplete. The employee is required to deviate from or extend traditional methods and practices, or to develop essentially new or vastly modified techniques or methods for obtaining effective results, or propose new guidelines.

The appellant's guidelines meet Level 3-3. They include agency and Forest Plans, the NEPA, Endangered Species Act, precedents, standard scientific evaluation methods and techniques, established objectives, etc. Unlike Level 3-4, we did not find guidelines that were often inadequate, or that the appellant had to deal with complex or unusual problems or novel, undeveloped, or controversial aspects of wildlife resources and management. The appellant uses her judgment in selecting, interpreting, and adapting the available guidelines to accomplish her work. Where guidelines lack specificity, she makes generalizations and adapts available guidelines, e.g., the Deadwood environmental assessment and supporting landscape analysis. However, she does not have to develop new or vastly modified techniques, or propose new guidelines, in order to effectively carry out her projects.

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 agency evaluated this factor at Level 4-3, but the appellant believes it meets Level 4-4.

We find that the appellant's work in preparing environmental assessments and biological evaluations involves the complexities described at Level 4-3 on pages 19-20 of the standard. We did not identify the types of complexities described at Level 4-4 (page 20).

In both the [activity] environmental assessments the appellant's work involved analyzing the full range of habitat diversity covering specific endangered, threatened, sensitive, and management indicator species, as well as rare plants. Like Level 4-3, the appellant assessed the impact of various proposed alternatives and management practices on the environmental conditions and critical habitats of animals and plants. In making decisions she had to consider information bearing on the competing resource values, conflicting industrial and resource protection/environmental demands (e.g., needs of logging industry and small business in the area vs. protection of wildlife habitat), how various alternatives would change the existing habitat, etc. Like Level 4-3 her work requires the application of different and unrelated processes and methods to perform analyses and evaluation of environmental conditions,

proposed management practices, ecological systems, critical habitat, impact of logging on the resources, and assessing the value of wildlife resources.

Level 4-4 requires the application of many different and unrelated biological concepts, processes and methods. The appellant believes that by using new computer technology (i.e., ArcView and GIS) for the analysis of timber stand data in the [activity] River watershed, she extended or modified existing techniques, and applied many different and unrelated processes and methods. As previously mentioned under Factor 1, both kinds of computer software used are standardized systems utilized in the Forest Service to capture timber stand data information. The fact that she participated with another employee in developing queries to use the software would not constitute the degree of extension or modification of existing techniques reflected at Level 4-4.

At Level 4-4 the biologist regularly encounters interdependent resource and socioeconomic problems requiring flexibility and judgment in the application of biological methodologies and practices to obtain a balance between program requirements and policies. For instance, Level 4-4 assignments may involve conflicting special interest groups or tribal demands that influence the redirection of management priorities, objectives, and agency policy. There is no indication that the appellant's work involved such complexities requiring the application of so many different and unrelated biological concepts as described at Level 4-4.

The appellant's assignments have required her to make decisions which included considerations about the interrelationship of wildlife resources as described at Level 4-3. As noted above, these included several factors which affected her decision making process. However, her assignments did not meet the complexity of Level 4-4. Her work did not typically involve administrative and resource problems; environmental problems with conflicting requirements; and resolutions which may have serious implications for industry, commercial concerns, or the general public.

The appellant's work also does not meet Level 4-4 in that the record does not reflect that she was regularly required to relate new work situations to precedent situations, or develop compromises which required substantial effort to overcome resistance to change when it was necessary to modify an accepted method or approach.

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.

At Level 5-3 (page 22) the purpose of the work is to investigate and analyze conventional wildlife resource problems and/or environmental conditions to recommend or implement solutions that satisfy resources management objectives. Typically, the work requires the biologist to identify common

problems, e.g., habitat conditions, or impact of construction projects. The work affects the adequacy of protection, management and use of wildlife resources by assessing conditions and notifying others about the need to study apparent problems.

At Level 5-4 (pages 22-23) the purpose of the work includes developing new or improved techniques or criteria for the conduct of projects. Assignments may involve advisory, planning or review services on specific problems. Work may involve unusual problems, development of new approaches or techniques, and validation of programs and plans associated with studies that are prepared for management and administrative use. Work situations at this level may be complicated by administrative problems, including the availability of funds and personnel resources, accuracy of databases, and information/exchange methodologies. The results of work at Level 5-4 affect the work of state and county officials, tribal organizations, and program managers or technical specialists in outside agencies. The work also influences the effectiveness or acceptability of agency goals, projects, programs, and objectives. Activities typically involve problems which impact or affect the continued existence of a resource or resource area.

The appellant's position meets Level 5-3, but falls short of Level 5-4. Similar to Level 5-3, the purpose of the environmental assessments/impact statements she prepares is to investigate and analyze conventional wildlife resource problems and issues, examine environmental conditions, and assess alternatives and make recommendations on the best approach that satisfies resources management objectives. She identifies habitat conditions of various wildlife and rare plants on the [activity], and identifies common problems affecting them resulting from logging, construction, and recreation activities. Problems would include such things as reduction in old growth timber which negatively affects bird nesting and feeding areas, reduces tree cover and concealment for wild game, destroys areas and surrounding environments where rare plants thrive, etc. Like Level 5-3, her work affects the adequacy of protection and management of wildlife and plant resources by assessing current habitat conditions, and advising others in different resource fields on the [activity] (e.g., fuels, timber) of the need to be aware of the impact of their program activities on the [activity's] plants and wildlife. Her work in landscape analysis to identify geographic areas of the [activity] containing certain wildlife habitats supports the [activity's] resource management objectives by specifying potential locations of bird habitats that would be impacted by tree thinning, road construction, etc.

The appellant's work does not meet Level 5-4. The record indicates that she has participated in ecosystem management studies, and in the [Activity] Landscape Analysis helped develop a database which facilitated further analysis of threatened, endangered and sensitive wildlife species and their respective habitats. In this process she developed certain computer queries using ArcView and GIS software which identified specific habitat areas on the [activity]. However, at Level 5-4 the purpose of the work includes developing new or improved techniques or criteria for the conduct of projects. As previously noted, developing databases using standardized computer software to facilitate evaluations, and expand geographic areas covered, is not a new technique within the context of Level 5-4.

Although the appellant provides guidance to her co-workers on a regular basis, we do not believe that the purpose of the appellant's work is to provide advisory, planning, or review services on specific problems, programs, or functions as envisaged at Level 5-4. To place this criterion in context we reviewed the factor level relationship table for professional work found on page 16 of The Classifier's Handbook (dated August 1991). Level 5-4 is typically awarded when the first factor is evaluated at Level 1-7 or Level 1-8. At Level 1-7 advisory work is described as staff level work (1) providing advisory, review, and training services to others engaged in the planning and management of Federal, state, local, tribal, and/or privately-owned fish and wildlife facilities or areas, and (2) developing a variety of short (1-3 years) and medium range (3-5 years) integrated plans for fish and wildlife projects including estimates of personnel, equipment, materials and schedules required to carry out the plans. The scope of the appellant's advice is not as broad as described in the Level 1-7 work examples.

At Level 5-4, the work involves unusual problems, development of new approaches or techniques and validation of programs and plans associated with studies that are prepared for management and administrative use. The purpose of the appellant's work does not include all these matters. For instance, a review of the [area] environmental assessment did not disclose unusual problems and it did not involve validation of programs and plans. As noted above, at Level 5-4 work situations may be complicated by administrative problems, including the availability of funds and personnel resources, the accuracy of databases, and information/exchange of methodologies. The record does not reflect that the appellant's work was complicated by these matters.

The appellant's work clearly meets Level 5-3 where the work affects the adequacy of protection, management, and use of wildlife resources by assessing conditions and notifying others about the need to study apparent problems. Those she notifies primarily include other resource and timber management staff on the [activity], as well as technical specialists at the Forest Supervisor's Office. The appellant indicated that her work may affect the work of technical specialists in the U.S. Fish and Wildlife Service since they may work together on projects involving endangered species. Level 5-4 mentions specialists in outside agencies. However, the record does not reflect that her work affects the work of tribal organizations and state and county officials (as opposed to state and county employees with whom she may exchange information or coordinate activities). This factor level criterion measures the direct effect of the work or work product on the position being evaluated. The appellant's work products directly affect the effectiveness or acceptability of the [activity's] activities, but does not include those other entities noted above.

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

Factors 6 and 7, Personal contacts and Purpose of contacts, Levels 6-2 & 7-b, 75 points

Factor 6, Personal contacts

Factor 6 includes face-to-face contacts and telephone contacts with persons not in the supervisory chain.

The appellant's contacts are with employees in the immediate organization; employees within the agency, but outside the immediate organization (e.g., Forest and Regional Offices); and employees from outside the Forest Service, e.g., [installation], U.S. Fish and Wildlife Service.

Our fact-finding disclosed that the appellant has numerous contacts with personnel outside of her agency, but she spends no more than 5%-10% of her time on such contacts. Thus no more than 5-10% of her time is spent on contacts meeting Level 6-3 (page 24) where the contacts are with individuals or groups from outside the employing agency such as biologists and managers from other agencies, contractors, representatives of professional organizations, etc. Her remaining time (90-95%) making contacts is spent with employees within the immediate organization which typifies Level 6-1 (page 24), and with employees in the same agency but outside the immediate organization which compares to Level 6-2 (page 24). Previous OPM decisions and classification guidance indicate that in order for work duties to be grade controlling, they must be regular and recurring. We judge that with the appellant spending only 5%-10% of her time on outside contacts, this is not sufficient to be considered regular and recurring, and therefore cannot impact the grade of the position. Thus the grade controlling contacts in the appellant's position are evaluated at Level 6-2.

Factor 7, Purpose of contacts

Under Factor 7, the purpose of contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives.

The purpose of the appellant's contacts meets Level 7-b (page 25). Similar to that level her contacts are made to plan, coordinate or advise on work efforts such as environmental assessments/impact statements or analysis of landscapes. She works with [activity] resources staff to solve operating problems but, like Level 7-b, all are cooperative and working toward the mutual goals of managing and protecting the [activity's] natural resources.

The position does not meet Level 7-c (page 25) where the purpose is to influence, motivate, interrogate or control persons or groups who hold different opinions or interests, and may be skeptical, fearful, or uncooperative.

Factors 6 and 7 are assigned Level 6-2 and 7-b respectively and a total of 75 points are credited.

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

The agency assigned Level 8-2 (page 26) to this factor and the appellant does not disagree. She performs work in areas requiring considerable walking, bending, and climbing, often over rough, uneven surfaces or mountainous terrain. This meets Level 8-2 where the work requires some physical exertion such as long periods of walking over rough, muddy, uneven, swampy, or mountainous terrain.

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

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

The agency assigned Level 9-2 (page 26) for this factor and the appellant does not disagree. She performs work in an office and field environment. Field work includes risk of injury from falls, strains, and insect bites and includes exposure to inclement weather. She uses safety equipment as required. Her work environment meets Level 9-2 where the work involves regular and recurring exposure to moderate risks and discomforts requiring special safety precautions.

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

Summary

The following factor levels and points have been awarded to the appellant's position:

Factor	Level	Points
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	
7. Purpose of contacts	7-b	75
8. Physical demands	8-2	20
9. Work environment	9-2	20
Total points:		2090

A total of 2090 points falls in the GS-9 range (1855-2100) as indicated in the Grade Conversion Table on page 9 of the GS-482/486 standard. This total is 15 points short of the GS-10 range (2105-2350). In borderline situations, the classifier must determine if there are significant deviations in the patterns of factor level matches for the position being classified when compared with those found in OPM benchmarks and illustrations or in similar agency positions in that occupation, and carefully review the evaluation of each factor level to be sure the interpretation is correct. After completing these two steps, the position is to be classified at the grade indicated by the total points (page 11 of *The Classifier's Handbook*). By comparison to the tables illustrating typical FES factor level patterns for professional positions on page 16 of *The Classifier's Handbook*, we find that Factor 2, Supervisory controls, is evaluated at a higher level than is typical for the GS-9 level. However, the appellant is allowed unusual freedom in carrying out her assignments; therefore, we believe that this factor is properly evaluated at Level 2-4 rather than at Level 2-3. We have also carefully reviewed the other factors and find that we have correctly applied the grade level criteria. Based on our review, the total points awarded remain 2090 and the appellant's position is properly classified at the GS-9 level.

Decision

The appellant's position is properly classified as Wildlife Biologist, GS-486-9.