

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

Dallas Oversight Division  
1100 Commerce Street, Room 4C22  
Dallas, TX 75242-9968

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

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

**Agency classification:** Fire Management Officer  
GS-401-13

**Organization:** Fire and Aviation Management Branch  
Division of Operations  
[name of state] State Office  
Bureau of Land Management  
Department of the Interior  
[city and state]

**OPM decision:** GS-401-13  
title at agency discretion

**OPM decision number:** C-0401-13-01

/s/ Bonnie J. Brandon

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Bonnie J. Brandon  
Classification Appeals Officer

July 31, 2000

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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:

[appellant's name]  
[appellant's address]

### Agency:

Personnel Officer  
[state] State Office  
Bureau of Land Management  
Department of the Interior  
[address]

Director  
National Human Resources Management  
Center  
P.O. Box 25047  
Denver, Colorado 80225

Director of Personnel  
Department of the Interior  
Mail Stop 5221  
1849 C Street, NW.  
Washington, DC 20240

## **Introduction**

On April 12, 2000, the Dallas Oversight Division of the U.S. Office of Personnel Management accepted a classification appeal from [appellant]. The appellant is employed as the [state] State Fire Management Officer in the Fire and Aviation Management Branch, Division of Operations, [state] State Office, Bureau of Land Management (BLM), Department of the Interior, in [city and state]. His position is classified as Fire Management Officer, GS-401-13. He believes his position should be graded at the GS-14 level. We have accepted and decided this appeal under section 5112 of title 5, United States Code.

On November 7, 1999, the appellant was reassigned to his current position description as a result of a position review. The agency classifier who reviewed the position concluded that it was properly classified at the GS-13 level. The position review resulted only in a change to the title (from Supervisory Fire and Aviation Management Specialist to Fire Management Officer) and a redescription of the position's major duties and responsibilities. On March 30, 2000, BLM's National Human Resources Management Center issued an advisory opinion that sustained the classification of the position. The appellant disagrees with his agency's decisions. Specifically, he disagrees with the levels assessed for Factor 2, Supervisory Controls, and Factor 3, Guidelines, in the evaluation of his program management duties and responsibilities. He also states that his current position description does not reflect the national scope of his position and does not document his responsibility for radio communication work.

To help decide the appeal, we conducted telephone audits with the appellant and his first-line supervisor. In reaching our decision, we reviewed all information of record furnished by the appellant and his agency as well as materials provided in conjunction with our telephone audits.

## **Position information**

The BLM is responsible for managing 264 million acres of land, about one-eighth of the land in the United States. Most of the lands are located in the western United States, an area dominated by extensive grasslands, forests, high mountains, and deserts. In [state], BLM is responsible for about 22 million acres that represent more than 40 percent of the state's land base. The remaining public lands, about 16 million acres, are under the control of other Federal agencies such as the National Park Service, the U. S. Forest Service (USFS), the Bureau of Indian Affairs, and the Department of Defense.

As the State Fire Management Officer (SFMO), the appellant functions in a staff position as the technical authority on multiple programs affecting the ecological relationship of public, State, private, and USFS lands in [state]. He provides leadership, policy formulation, direction, and supervision in four program areas: fire management, search and rescue, aviation management, and radio communication. The appellant and the BLM [state] State Director jointly set statewide goals for Fire and Aviation Management programs. These programs include fire suppression, prescribed fire, fire prevention, smoke management, fuels management, and the application of Geographic Information System (GIS) and Global Positioning System (GPS) technology. The appellant develops and implements comprehensive fire management plans in order to forecast initial fire attack requirements, establish and prioritize hazardous fuels reduction activities, and

chart the use of prescribed fires to achieve ecosystem rehabilitation objectives. Plans are implemented using GIS and GPS technology to pinpoint burn locations and isolate ecosystem characteristics. [state] has become the lead state for national fire GIS and GPS dispatching systems and is the clearinghouse for fire GIS information. As the SFMO, the appellant is the [state] statewide coordinator for fire management activities.

Because fire poses a high risk to life, property, and equipment, the appellant briefs the State Director and deputy daily about fire conditions and operations. The State Director has delegated certain authorities to the appellant so that fire-related duties can be carried out effectively. These delegations include the authority to coordinate logistics and suppression operations statewide, suspend prescribed fire activities when warranted, relocate resources, prohibit burning on BLM lands, and enter into agreements to provide for the management, fiscal, and operational functions of combined agency-operated facilities. Several times a year, the appellant participates in Multi-Agency Committee meetings where agreements are established to set priorities for combined resources and plans for resource deployment.

The [facility], located in [city], is the most significant interagency facility in the state for fire management activities. The BLM [state] State Office has permanent lead agency responsibility for this facility. The [facility] employs the latest technology in aircraft tracking and management. It is one of 11 interagency geographic centers throughout the country that supports emergency response and fire prevention efforts; coordinates emergency response resources such as equipment, aircraft, and personnel; and provides vital communications between multiple agencies in emergency situations. The [facility] is responsible for a geographic area that includes [two states, two large national parks, and portions of two other states]. The appellant is responsible for coordinating agreements and representing the BLM, USFS, and other associated agencies in issues dealing with this multistate area. The appellant resolves any conflicts among participating agencies, including aircraft and smoke jumper issues with other states.

Fire management programs and operations are carried out by BLM staff located in [the state's] five districts: [names of districts]. The appellant regularly communicates with the Districts' Fire Management Officers (FMO's) to develop staffing proposals; discuss budgetary issues, fire activity, and program priorities; and collaborate on statewide readiness reviews before the fire season begins. The appellant ensures that adequate personnel (mostly trained career seasonal employees, e.g., firefighters and smoke jumpers) are available for deployment during the fire season (April–October). The appellant manages the state's aviation support resources in readiness for initial attack actions: (1) an air tanker and lead plane located at [district]; (2) two fixed-wing detection aircraft stationed at [districts]; (3) a single-engine air tanker at [district]; (4) a helicopter and crew at [district]; and (5) a shared helicopter and single-engine air tanker at [city and state]. He negotiates agreements and memorandums of understanding with Federal agencies in [five states] for the use of these aircraft.

The appellant provides program direction for fire information and education. He determines the budget for firefighter training at the Fire and Rescue Academy, located on the [name of college] campus. He serves as an instructor for basic fire and aviation management courses and promotes employee participation in interagency workshops and seminars.

The appellant manages the radio communications program, working closely with the State of [state] to provide radio coverage for 54 sites located on BLM-managed lands. He is responsible for the deployment (by Fiscal Year 2005) of a \$2.4 million dollar digital radio system that is intended to improve communication at remote locations.

The appellant works closely with SFMO's in nine other Western states to develop program policy recommendations for approval by BLM's national office. The SFMO's meet regularly as a management team in order to identify programwide concerns and establish task force teams and committees to develop and suggest remedies. Teams and committees are ongoing in nature. Currently, the appellant chairs [a national committee]. Other assignments include membership on the Wildfire Joint Apprenticeship Training Committee and the Great Basin Coordination Group. Last year, the appellant collaborated with another SFMO to develop a proposal for a national policy regarding Fire Trespass and Fire Cost Recovery activities. The proposal, which required Department-level approval, was implemented.

The appellant personally supervises seven positions assigned to the Fire and Aviation Management Branch, Division of Operations: the State Aviation Manager (GS-2101-12), the GIS Analyst (GS-401-12), the Fire/Fuels Management Specialist (GS-401-12), the Interagency Smoke Management Specialist (GS-401-12), the Fire Training and Prevention Manager (GS-1712-11), the Telecommunications Specialist (GS-391-12), and the [facility] Manager (GS-455-12). Two unencumbered nonsupervisory positions are also allocated to the branch, a GS-401-12 Assistant State Fire Management Officer and a GS-9 State Fire Education Prevention and Training Specialist. The appellant is the second-level supervisor for two Electronics Technicians (GS-856-11) and one Telecommunications Specialist (GS-391-11). These three positions are directly supervised by the GS-12 Telecommunications Specialist. The appellant is also the second-level supervisor for three Range Technicians (GS-455-5/8/9), who are directly supervised by the [facility] manager. Individuals from several Federal agency cooperators are also assigned to the [facility].

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

The duties and responsibilities assigned to most positions are covered by one occupational series, and the series determination is clear. Some positions, however, such as the appellant's position, are a mix of duties and responsibilities covered by several series. His position serves as [the state's] senior expert in fire and aviation management and requires extensive knowledge and experience in all levels of fire suppression, prescribed fire, fire prevention, fuels management, and aviation fire support. The State of [state] and the [geographic area] include a wide range of vegetation and habitats located in high mountains, deserts, forests, and grasslands. The appellant's work necessitates a broad general knowledge and understanding of ecosystem management and the principles of multiple-use management of public lands. The appellant does not contest the agency's assignment of his position to the GS-401 series. We concur that the appellant's position is best covered by the GS-401 series.

The GS-401 series contains no prescribed titles. The title assigned by the agency is *Fire Management Officer*. We agree that this is an appropriate title because it represents the position's primary role and responsibilities.

There are no grading criteria for positions classified in the GS-401 series. In such cases, the *Introduction to the Position Classification Standards* (July 1999) prescribes applying criteria in a standard or standards for related kinds of work. The standard selected for cross-series comparison should cover work as similar as possible with respect to:

- the kind of work processes or subject matters of the work performed;
- the qualifications required to do the work;
- the level of difficulty and responsibility; and
- the combination of classification factors that have the greatest influence on the grade level.

Given the nature of the appellant's work, we find that his staff fire, aviation, and radio communications program management duties are best evaluated by cross reference to the standards for the Rangeland Management Series, GS-454, and the Forestry Series, GS-460. Comparable to the appellant's work, the GS-454 standard covers positions that require professional knowledge and competence in rangeland management in order to protect the natural resources and develop programs for rangeland use and conservation. Also comparable to the appellant's work, the GS-460 standard covers positions that require primarily professional knowledge and competence in forestry science to protect resources against fire and other depredations and to develop comprehensive long-range land management plans. Part I of the GS-460 standard is used to evaluate non-research positions in which nonsupervisory responsibilities are grade controlling. Therefore, Part I is used to evaluate the appellant's nonsupervisory work.

The General Schedule Supervisory Guide (GSSG) is used to grade supervisory work and related managerial responsibilities that:

- are accomplished through the combined technical and administrative direction of others;
- constitute a major duty that occupies at least 25 percent of the position's time; and
- meet at least the lowest level of Factor 3 of the GSSG.

The GSSG will be used to evaluate the appellant's supervisory work and managerial responsibilities.

## **Grade determination**

### ***Evaluation using GS-454 and GS-460 standards***

The GS-454 and Part I of the GS-460 standards are written in Factor Evaluation System (FES) format. FES places positions in grades by comparing their duties and responsibilities with nine grade-influencing factors, each of which is evaluated separately and assigned a point value consistent with factor-level descriptions. In order for a duty or responsibility to warrant a given point value, it must be fully equivalent to the overall intent of the selected description. If the responsibility fails to meet a particular factor-level description in any significant aspect, the lower point value must be assigned. When all the factors have been evaluated, the total points are converted to a grade by using the standard's grade conversion table. The following is a

factor-by-factor analysis of the appellant's work using the GS-454 and GS-460 standards. Grade conversion tables in these two standards have the same point scales.

*Factor 1, Knowledge required by the position*

This factor measures the nature and extent of information or facts the individual must understand to do acceptable work, e.g., steps, procedures, practices, rules, policies, theories, principles, and concepts, and the nature and extent of the skills needed to apply the knowledge.

Level 1-7 requires professional knowledge of a wide range of principles and concepts in an intensive resource or subject-matter program. The individual uses knowledge and skills to modify or adapt standard processes and procedures and assess, select, and apply appropriate precedents. Knowledge of ecological processes and the interrelationships of related disciplines such as wildlife biology, forestry, and soil conservation is needed to plan multiple-use programs. Sufficient administrative and coordinative skills are needed for developing a variety of integrated annual work plans for complex projects and for reviewing and critiquing the operational implementation of the plans. At this level, the specialist serves as the principal expert and technical advisor in a geographic area, provides program management and quality control for a district program, or serves as the senior program specialist for an assigned specialization.

Level 1-8 requires mastery of the profession so that new scientific findings, developments, and advances may be used to solve critical problems of a particularly unique, novel, or highly controversial nature. The individual uses knowledge and skills to develop or refine solutions or recommendations on complex problems, take actions that have a significant impact on existing agency policies and programs, and develop new approaches for use by other program specialists. Typically, the individual is recognized as the technical authority in the resource program. At this level, the specialist serves as a program expert, advising principal program managers at the agency level. The specialist plays a key role in the overall planning and administration of the program by developing long-term, multiple-use plans and regional direction, making inspections of units for evaluation purposes, and maintaining cooperative relationships with other agencies and interest groups.

The appellant's work compares favorably and is fully equivalent to Level 1-8. As the technical authority for the [state] State Office and the [facility], the appellant is responsible for developing and reviewing fire management and air operations programs. He works directly with the State Director to establish goals and objectives for implementation statewide. He is part of the management team that addresses programwide concerns and recommends policy changes and new approaches to fire management and aviation program managers at the Bureau level. The appellant applies a comprehensive knowledge of fire ecology, fire behavior, fire hazard and risk analysis, fuel volume and flammability, smoke management techniques, and aircraft operating characteristics sufficient to deal with the most severe fire incidents. He employs a thorough understanding of multiple-use land resources so that fire management techniques and objectives have complementary effects on woodlands, native grasses, wildlife habitats, and forests. The appellant is responsible for coordinating statewide fire and aviation program activities and for maintaining cooperative relationships with [state's] five field offices, other State and Federal agencies, the BLM national program staff, and other [facility] participating agencies.

Level 1-9 requires mastery of the profession in order to generate new hypotheses, develop new concepts, and direct or execute programs and projects of national significance. Typical of this level is a position that serves as a nationally recognized consultant and expert in a broad resource or subject-matter program which impacts on a number of resources. This description exceeds the level of knowledge the appellant is required to have and apply to perform the full range of SFMO duties.

This factor is evaluated at Level 1-8 (1550 points).

### *Factor 2, Supervisory controls*

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. Controls are exercised by the supervisor in the way assignments are made, instructions are given to the employee, priorities and deadlines are set, and objectives and boundaries are defined. Responsibility of the employee depends upon the extent to which the employee is expected to develop the sequence and timing of various aspects of the work, to modify or recommend modification of instructions, and to participate in establishing priorities and defining objectives. The review of completed work depends upon the nature and extent of the review.

At Level 2-4, the supervisor establishes the overall goals, objectives, and resources available. The specialist and supervisor confer on the development of general objectives, projects, and deadlines. The specialist independently constructs an action plan and selects techniques, methods, and procedures for completing assignments. The specialist is expected to resolve most problems that arise and to coordinate the work with others in the same or other disciplines as necessary. The employee keeps the supervisor informed of progress and potentially controversial issues or matters that have far-reaching implications. The supervisor reviews completed work for general adequacy in meeting objectives, expected results, and compatibility of other work.

At Level 2-5, the employee operates within the context and constraints of national legislation, agency policy, and overall agency objectives as they pertain to the resource area. The employee is responsible for independently determining the validity and soundness of programs and plans, formulating new programs, initiating new projects or activities, developing standards and guides, and carrying out programs, projects, studies, and investigations. The employee's recommendations and decisions are considered technically authoritative, are normally accepted without significant change, and vitally affect work operations throughout the agency. When work is reviewed, it is primarily in relation to broad policy requirements and administrative controls such as budgets.

The appellant's position fully meets Level 2-4. Broad, general objectives for BLM's Fire and Aviation Management program are established at the national level. Within these parameters, the appellant and the State Director jointly establish statewide Fire and Aviation Management goals based on the appellant's recommendations. The State Director has delegated broad fire management authorities to the appellant which allow him to: override field office FMO



decisions, close areas in times of high fire hazard, approve up to \$100,000 in emergency funding, and enter into interagency agreements that involve fiscal expenditures. The appellant serves as the Incident Commander for BLM-managed lands in [state], and in this capacity, he has overall command of personnel and equipment resources during wildfire emergencies. The appellant discusses issues and problems with his division chief, the deputy, and the State Director on a consultation basis. He is the final technical authority within BLM-[state] in matters pertaining to fire management. The manner of accomplishing the activities of the Fire and Aviation Management Branch is left to the appellant's fire management expertise and experience. Completed work is primarily reviewed for effectiveness in meeting program objectives and conformance with applicable laws, regulations, and Bureau policies.

The appellant's position does not fully meet Level 2-5. He does not independently formulate new BLM programs, policies, or objectives or initiate new projects or activities. The appellant's recommendations and decisions do not vitally affect work operations throughout BLM and the Department.

This factor is evaluated at Level 2-4 (450 points).

### *Factor 3, Guidelines*

This factor covers the nature of guidelines and the judgment needed to apply them. Guidelines refer to standard guides, precedents, methods, and techniques such as governing statutes, agency manual of standard procedures and techniques, land management plans, action plans and annual work plans, and historical data.

At Level 3-3, guidelines include program action plans, manuals of standard procedures and practices, and other literature. Because available guidelines may not be completely applicable to the work situation, the specialist uses judgment in determining which alternatives should be used. When guidelines lack specificity, the specialist makes generalizations from several guidelines. The employee determines when problems require additional guidance.

At Level 3-4, guidelines are often inadequate to deal with the more complex or unusual problems or with novel or controversial aspects of the work. Precedents or guides may point to conflicting decisions and proven methods may be incomplete to cover the problems at hand. The specialist is required to deviate from conventional methods and practices or develop essentially new and vastly modified techniques and methods to obtain effective results.

At Level 3-5, specialists are largely occupied with major problems that are highly unusual or of national significance. There may be little information (guidelines) available. Guidelines that do exist are broadly stated and nonspecific and require extensive interpretation. The specialist must exert a high degree of judgment, originality, and creativity in such areas as interpreting and converting general legislative or agency objectives and policies into specific plans and programs.

The appellant's work exceeds Level 3-3 and fully meets Level 3-4. Guidelines the appellant uses are in the form of laws, regulations, manuals, Executive Orders, and instruction memorandums that deal with diverse issues such as hazardous materials, environmental protection, and

personnel and public safety. BLM Handbook 9213-1, Standards for Fire and Aviation Operations 2000, provides the appellant with definitive operational policies, procedures, and guidelines for managing wildland fire and aviation operations. It supplements BLM Manual 9213, Fire Presuppression. The Handbook is the culmination of input from SFMO's, BLM's Washington Office, and cooperating fire management agencies. It is highly informative and promotes program consistency among BLM's state fire management and aviation organizations. SFMO's work collaboratively as a management team, on a regular basis, to develop fire and aviation management program policy recommendations and strategies. However, the agency's Office of Fire and Aviation retains the authority to review and approve recommendations and to issue Bureau-wide program directives. Guidelines available to the appellant are sometimes incomplete and inadequate to deal with new or growing programs such as smoke management and prescribed fires. This requires the appellant to deviate from conventional methods and practices or vastly modify existing techniques and methods to obtain effective results.

The appellant's work does not meet Level 3-5. He does not deal with major problems that are highly unusual or of national significance, and existing guidelines do not require extensive interpretation. His duties and responsibilities do not require him to engage in interpreting and converting general legislative objectives into specific plans and programs.

This factor is evaluated at Level 3-4 (450 points).

#### *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.

At Level 4-5, the work is characterized by a variety of assignments and problems arising on a number of geographically and environmentally varied public lands (such as a region encompassing several states). The specialist is independently responsible for coordination, liaison, and planning activities for broad resource programs or for intensive analysis and problem solving in the program area of the employee's expertise. The work involves solving problems concerned with novel, undeveloped, or controversial aspects of rangeland management, forestry, and related fields, such as fire management. The problems are difficult due to such characteristics as the inability to overcome problems in the past. Assignments require the specialist to be especially versatile and innovative in order to recognize new directions or approaches, to devise new or improved strategies to obtain effective results, or to anticipate future trends and requirements in resource use and demands.

At Level 4-6, assignments are concerned with projects or programs of major significance, where methods and practices, such as those for fire management, are in a state of development or are extensively affected by advances in technology. Problems are usually undefined and require extensive analysis to define them. The specialist's actions may alter standard concepts, objectives, or criteria throughout the agency.

The appellant's position fully meets Level 4-5. His duties and responsibilities encompass multiple programs affecting the ecological relationship of public, State, private, and USFS lands in [state] and the [geographic area]. Programs include fire suppression, prescribed fire, fire prevention, smoke management, fuels management, the application of GIS/GPS technology to more effectively perform the work, and management of a statewide radio network. The appellant is responsible for planning and implementing a Narrow Band digital radio replacement system that will be complex to engineer and install in more than 50 locations, most of which are remote. The appellant is responsible for the fire management programs and operations carried out by [the state's] five field offices and for coordinating agreements and representing BLM, USFS, and associated agencies on issues affecting the [facility]. Fire management programs are intensely managed and require the appellant to cultivate good relationships with a wide range of fire management professionals. The appellant is called upon to develop new approaches and innovative techniques to manage the fire and aviation programs and to anticipate future resource demands. Examples of how the appellant works to meet these expectations include developing procedures to recapture costs associated with wildfires caused by identifiable sources such as rail traffic and incorporating GIS/GPS dispatching into fire management and planning.

The appellant's position does not meet Level 4-6. His assignments are not usually undefined or in dispute. They do not concern projects or programs where fire management methods and practices are in a state of development.

This factor is evaluated at Level 4-5 (325 points).

#### *Factor 5, Scope and effect*

Scope and effect 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 5-5, specialists are concerned with such things as resolving critical or highly unusual problems, developing new approaches or techniques for others to use, determining the validity and soundness of programs and plans, and developing standards and guides for the improvement of resource use, development, and protection. Results of the work affect the work of State and local officials, private landowners, top-level administrators of the agency, resource program managers, and technical specialists. The work has considerable influence on the development and/or effectiveness of the policies, programs, and actions of the agency in one or more states or on a regionwide basis.

At Level 5-6, the purpose of the work is to plan and execute or monitor major resource programs or projects for the agency. These are usually of national scope and importance. The specialist often serves as an expert consultant to top level administration within the organization or to a broad national consortium of experts and special interest groups.

The purpose of the appellant's assignments and the effect of his work within and outside the organization fully meet Level 5-5. As the technical authority for the [state] State Office and the [facility], the appellant is responsible for developing and implementing effective fire

management and air operations programs. He is part of the management team that addresses programwide concerns and recommends policy changes and new approaches to fire management at the Bureau level. The appellant is responsible for coordinating statewide fire and aviation program activities and for maintaining cooperative relationships with [state's] five field offices, other State and Federal agencies, BLM's national program staff, and other [facility] participating agencies. The State Director has delegated broad fire management authorities to the appellant which allow him to override field office FMO decisions, close areas in times of high fire hazard, approve up to \$100,000 in emergency funding, and enter into interagency agreements that involve fiscal expenditures.

The appellant's position does not meet Level 5-6 because the purpose of his work is not to plan and execute or monitor major fire management programs or projects that are national in scope and importance. He does not serve as an expert consultant to top level BLM administrators or to a consortium of experts.

This factor is evaluated at Level 5-5 (325 points).

#### *Factor 6, Personal contacts*

This factor includes face-to-face contacts and telephone and radio dialogue with persons not in the supervisory chain. Levels described under this factor are based on what is required to make the initial contact, the difficulty of communicating with those contacted, and the setting in which the contact takes place.

At Level 6-3, contacts are regularly with professional subject-matter specialists in fire management and related disciplines, within the agency; in other Federal agencies, professional societies, and universities; with influential local leaders or State officials; and with newspaper, radio, and television reporters. In many cases, the contacts may be on an ad hoc basis and the role of each party is established and developed during the course of the contact.

At Level 6-4, personal contacts are with high-ranking representatives from outside the agency at national or international levels including Members of Congress, State governors, or nationally recognized spokespersons for nationwide resource conservation groups.

The appellant's position fully meets Level 6-3. His contacts are regularly with fire management and other resource specialists throughout BLM as well as with representatives from other Federal agencies and State and local governments. The role of each party is usually established and developed during the course of the contact.

The appellant's position does not meet Level 6-4. His contacts are not with high-ranking representatives at national levels from outside the agency.

This factor is evaluated at Level 6-3 (60 points).

### *Factor 7, Purpose of contacts*

The purpose of personal contacts ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives. The same contacts used to evaluate Factor 6 are also used to determine the appropriate level for this factor.

At Level 7-3, contacts are to negotiate controversial issues with various parties in a way that obtains agency objectives and retains good will; influence or persuade those who have conflicting interests on the use of resources to reach an agreement that is consistent with BLM's goals and objectives; justify the feasibility of significant fire management program plans and proposals; or influence or persuade other experts to adopt techniques or methods about which there may be conflicting opinions.

At Level 7-4, contacts are to justify, defend, negotiate, or settle highly significant or controversial land management matters. The work may include professional conferences, legislative hearings, or similar meetings where resolution of the issue usually involves a long-range impact beyond the specific issue or geographic area involved.

The appellant's position fully meets Level 7-3. The purpose of the appellant's contacts range from factual exchanges of information to situations involving significant or controversial issues and differing view points, goals, or objectives. The appellant's work requires him to negotiate cooperative agreements with other Federal agencies and State and local governments. His interaction with other SFMO's and BLM national level program representatives also requires persuading them to accept fire management proposals.

The appellant's position does not meet Level 7-4. He is not called upon to defend or settle highly significant or controversial land or fire management matters. The work does not involve representing the agency at professional conferences, in legislative hearings, or similar meetings.

This factor is evaluated at Level 7-3 (120 points).

### *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 the physical exertion of the work.

At Level 8-1, the work is usually performed in an office setting. Visits to land management areas may occasionally involve considerable walking, bending, or climbing.

At Level 8-2, assignments require regular and recurring work in a land management area where there is considerable walking, bending, or climbing, often over rough, uneven surfaces or mountainous terrain.

The appellant's position fully meets Level 8-1. His work is primarily sedentary. Field visits to fires are infrequent. There is no requirement for regular and recurring work consisting of walking, bending, or climbing over uneven surfaces.

This factor is evaluated at Level 8-1 (5 points).

*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 regulations required.

At Level 9-1, work is usually performed in an office setting. There may be occasional exposure to the risks described at Level 9-2 when the employee visits land management areas.

At Level 9-2, the work requires regular and recurring exposure to moderate risks and discomforts such as very low temperatures, adverse weather conditions, or similar conditions.

The appellant's position fully meets Level 9-1. He performs his duties primarily in an office environment or in vehicles or aircraft where there is little exposure to risks or discomforts.

This factor is evaluated at Level 9-1 (5 points).

*Summary*

<b>Factor</b>	<b>Level</b>	<b>Points</b>
1. Knowledge required by the position	1-8	1550
2. Supervisory controls	2-4	450
3. Guidelines	3-4	450
4. Complexity	4-5	325
5. Scope and effect	5-5	325
6. Personal contact	6-3	60
7. Purpose of contacts	7-3	120
8. Physical demands	8-1	5
9. Work environment	9-1	5
<b>Total</b>		<b>3290</b>

A total of 3,290 points falls within the GS-13 range of 3,155 to 3,600 points on the Grade Conversion Table of the GS-455 and GS-460 classification standards. Crediting Level 3-c in applying the GS-455 standard results in the same point values for factors 6 and 7, as discussed above.

*Evaluation using the GSSG*

This guide uses a point-factor evaluation approach with six evaluation factors designed specifically for supervisory positions. The points for all levels are fixed and no interpolation or extrapolation of them is permitted. If one level of a factor is exceeded, but the next higher level

is not met, the factor is credited at the lower level. Points accumulated under all factors are converted to a grade using the guide's point-to-grade conversion table. An adjustment provision is applied if the supervisory work does not fall at least one grade above the base level of the work supervised. When nonsupervisory duties evaluate to a different grade than the position's supervisory duties, the final grade of the position is the grade for the higher level duties.

*Factor 1, Program scope and effect*

Program scope addresses the general complexity and breadth of the program and work directed, including geographic and organizational coverage. Effect addresses the impact of the program areas and work directed on the mission and programs of the agency, the activity, other agencies, other activities in or out of the Government, and the general public.

At Level 1-2, the functions, activities, or services provided have limited geographic coverage and support most of the activities comprising a typical agency field office, an area office, or comparable activities within agency program segments. The services support and significantly affect area office level or field office operations and objectives. Illustrative of this level are positions that direct operating program activities at the section or branch level of a bureau.

At Level 1-3, positions direct a program segment and work that typically encompasses a state or a small region of several states. Activities accomplished directly and significantly impact a wide range of agency activities. At the field activity level, the work directly involves providing essential support operations to numerous, varied, and complex technical, professional, and administrative functions. Illustrative of this level are positions that direct administrative services which support and directly affect bureau operations or a group of organizations which, as a whole, are comparable.

The appellant's position fully meets Level 1-2 but does not meet the definition and illustrative examples that are characteristic of Level 1-3.

This factor is evaluated at Level 1-2 (350 points).

*Factor 2, Organizational setting*

This factor considers the organizational situation of the supervisory position in relation to higher levels of management.

At Level 2-2, the position is accountable to a position that is one reporting level below the first SES or equivalent position in the direct supervisory chain. At Level 2-3, the position is accountable to a position that is SES level or higher.

The appellant reports to the Deputy State Director, Division of Operations, who reports to the State Director. This is comparable to Level 2-2. The appellant's position does not meet Level 2-3.

This factor is evaluated at Level 2-2 (250 points).

*Factor 3, Supervisory and managerial authority exercised*

This factor covers the delegated supervisory and managerial authorities which are exercised on a recurring basis. To be credited with a level under this factor, a position must meet the authorities and responsibilities described for the specific level.

To be credited at Level 3-2, positions must meet one of three descriptions. Level 3-2c is the appropriate description to use in evaluating the appellant's supervisory duties and responsibilities. Level 3-2a contains criteria for evaluating positions that supervise production-oriented work, and Level 3-2b covers supervision in organizations where work is contracted out. Neither Level 3-2a nor Level 3-2b is appropriate for the appellant's position.

The appellant carries out all of the authorities and responsibilities described at Level 3-2c. He develops annual work plans for the Fire and Aviation Management Program that affect his subordinates' work. He collaborates with them on the content of their individual performance standards. He adjusts short-term priorities for his staff throughout the year in response to fire incidents. The appellant evaluates work performance and gives advice, counsel, and instruction to his subordinates on technical and administrative matters. He interacts with his senior program specialists about their work assignments. The appellant and cooperators from other agencies jointly interview applicants for [facility] vacancies; however, the appellant serves as the selecting official. He effects minor discipline, such as warnings and reprimands, and recommends more serious disciplinary actions when circumstances warrant. Annually, he and his staff develop individual development plans. Fire management work requires four or five levels of education, so training plans normally cover long-range education and development. The appellant regularly evaluates fire season performance to identify areas for improvement for subsequent seasons.

To be credited at Level 3-3, positions must meet either paragraph a or b of the factor description. Level 3-3a is applicable to positions that are closely involved with high level program officials, or comparable agency level staff personnel, in developing overall goals and objectives for assigned programs. This is not characteristic of the appellant's position.

Level 3-3b is appropriate for positions that exercise at least 8 of 15 authorities specified in the factor description. The appellant meets six of the elements: 2, 7, 9, 13, 14, and 15. He exercises significant responsibilities for the Fire Management and Aviation programs in [state] and the [geographic area], dealing with field office FMO's, cooperators from other Federal agencies, and State and local representatives. He makes selections for subordinate nonsupervisory positions and hears and attempts to resolve grievances and serious employee complaints. He is responsible for approving expenses comparable to within grade increases and employee travel and for recommending awards, bonuses, and changes in position classification. The appellant searches for and implements ways to improve business practices. Because only six elements are creditable, the appellant's position falls short of the eight elements required to meet Level 3-3b.

This factor is evaluated at Level 3-2 (450 points).



*Factor 4, Personal contacts*

This is a two-part factor which assesses the nature and purpose of personal contacts related to supervisory and managerial responsibilities. Subfactor 4A covers the organizational relationships, authority or influence level, setting, and difficulty of preparation associated with making personal contacts involved in supervisory and managerial work. Subfactor 4B covers the purpose of the personal contacts, including the advisory, representational, negotiating, and commitment making responsibilities related to supervision and management.

*Subfactor 4A – Nature of contacts*

At Level 4A-2, frequent contacts are with members of the business community or the general public; technical or operating level employees of State and local governments, and/or higher ranking managers, supervisors, and staff of other work units and activities throughout the field activity or major organization level of the agency.

At Level 4A-3, frequent contacts are comparable to contacts with high ranking managers, supervisors, and technical staff at bureau and major organization levels of the agency; key staff of public interest groups (usually in formal meetings) with significant political influence or media coverage; or Congressional committee and subcommittee staff assistants. Contacts often require extensive preparation of briefing materials or up-to-date familiarity with complex subject matter.

The appellant's position meets Level 4A-3. His managerial duties and responsibilities require frequent interaction with technical staff at the Bureau's Office of Fire Management and Aviation, cooperators from a wide variety of Federal agencies represented within the [facility], and State and local government representatives.

This subfactor is evaluated at Level 4A-3 (75 points).

*Subfactor 4B – Purpose of contacts*

At Level 4B-2, the purpose of contacts is to ensure that information provided to outside parties is accurate and consistent; to plan and coordinate the work with others outside the organization; and/or to resolve differences of opinion among managers, supervisors, employees, or others.

At Level 4B-3, the purpose of contacts is to justify, defend, or negotiate in representing the project, program segment(s), or organizational unit(s) directed, in obtaining or committing resources, and in gaining compliance with established policies, regulations, or contracts. Contacts usually involve active participation in conferences, meetings, or presentations involving problems or issues of considerable consequence or importance to the program or program segment(s) managed.

The appellant's position fully meets Level 4B-3. The appellant represents the state's fire management and aviation program and has the necessary level of authority to commit resources and gain compliance with established policies of the organization.

This subfactor is evaluated at Level 4B-3 (100 points).

*Factor 5, Difficulty of typical work directed*

This factor measures the difficulty and complexity of the basic work most typical of the organization directed, as well as other line, staff, or contracted work for which the supervisor has technical or oversight responsibility.

The appellant personally supervises nine positions and serves as the second-level supervisor for six positions. Seven of the positions the appellant directly supervises are GS-12's, one is a GS-11, and one is a GS-9. GS-12 is the highest grade which best characterizes the nature of the mission-oriented nonsupervisory work and constitutes 25 percent or more of the workload of the Fire Management and Aviation Branch. The factor level applicable to GS-12 or the equivalent is 5-7.

This factor is evaluated at Level 5-7 (930 points).

*Factor 6, Other conditions*

This factor measures the extent to which various conditions contribute to the difficulty and complexity of carrying out supervisory duties, authorities, and responsibilities. Conditions affecting work for which the supervisor is responsible may be considered if they increase the difficulty of carrying out assigned supervisory and managerial duties and responsibilities.

The appellant supervises mostly GS-12 positions. His supervision and oversight duties and responsibilities are comparable to Level 6-5. They require significant and extensive coordination and the integration of a number of important projects or program segments of professional, scientific, and administrative work comparable in difficulty to the GS-12 level. The appellant makes major recommendations that affect the statewide fire management and aviation program. He recasts immediate and long-range goals, plans, and schedules to meet substantial changes in legislation and funding. He intensively manages and coordinates the program to determine which projects or program segments to initiate or curtail. He recommends changes in the organizational structure and resources to devote to particular programs at the branch and field office levels. The appellant is significantly involved in fully implementing GIS/GPS systems throughout the fire management and aviation program segment to improve program safety and effectiveness.

This factor is evaluated at Level 6-5 (1225 points).

*Summary*

<b>Factor</b>	<b>Level</b>	<b>Points</b>
1. Program scope and effect	1-2	350
2. Organizational setting	2-2	250
3. Supervisory and managerial authority exercised	3-2	450
4. Personal contacts		
A. Nature of contacts	4A-3	75
B. Purpose of contacts	4B-3	100
5. Difficulty of typical work directed	5-7	930
6. Other conditions	6-5	1225
<b>Total</b>		<b>3,380</b>

A total of 3,380 points falls within the GS-13 range of 3,155 to 3,600 points on the Point-to-Grade Conversion Chart of the GSSG.

**Decision**

The appealed position's nonsupervisory work and supervisory duties and responsibilities are evaluated at the GS-13 level. The appellant's position is properly classified as GS-401-13 with the title at the agency's discretion.