



**UNITED STATES OFFICE OF PERSONNEL MANAGEMENT**

Washington, DC 20415

Human Capital Leadership  
and Merit System  
Accountability Division

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

**Appellant:** [Name of appellant]

**Agency classification:** Park Manager  
GS-025-13

**Organization:** [Appellant's organization/location]  
National Park Service  
U.S. Department of the Interior

**OPM decision:** Park Manager  
GS-025-13

**OPM decision number:** C-0025-13-01

/s/ Robert D. Hendler

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Robert D. Hendler  
Classification and Pay Claims  
Program Manager  
Center for Merit System Accountability

August 1, 2006

\_\_\_\_\_  
Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision.

There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the *Introduction to the Position Classification Standards*, appendix 4, section G (address provided in appendix 4, section H).

**Decision sent to:**

[Appellant's name and address]

[Address of appellant's servicing human resources office]  
National Park Service

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## **Introduction**

On April 4, 2006, the San Francisco Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [name of appellant]. On April 20, 2006, we received the agency's complete administrative report. The appellant's position is classified as Park Manager, GS-025-13, but he believes that the complexity of his supervisory duties and responsibilities warrant upgrading to the GS-14 level. The appellant's position is located at the [name of appellant's installation/location], National Park Service (NPS), U.S. Department of the Interior. We have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

## **General issues**

The appellant compares his duties to higher graded park manager positions at other installations, thus indicating that his position should be considered for a higher grade. By law, we must classify positions solely by comparing current duties and responsibilities to OPM position classification standards and guidelines (5 U.S.C. 5106, 5107, and 5112). In adjudicating this appeal, our only concern is to make our own independent decision on the proper classification of his position. Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's position to others, which may or may not be classified correctly, as a basis for deciding his appeal.

## **Position information**

Both the appellant and his supervisor have certified to the accuracy of the appellant's official position description (PD) [number]. The appellant is the park manager (i.e., superintendent) of the [name of appellant's installation/park], which currently employs forty-two individuals, approximately half of whom are seasonal employees working six to eight months of the year. He spends all of his time supervising employees and managing all aspects of the installation including the development, administration and coordination of numerous programs designed to preserve nationally significant park resources, and provide for visitor use and enjoyment of the fossil resources present at the park. The scope of his duties cover natural and cultural resource management, a paleontology research program, a park law enforcement program, facility maintenance, land protection and land acquisition, oversight of several scenic and fossil easements on private land within the monument, and fiscal responsibility for program and project budgets. He has regular contact with Federal and State government senators and representatives, their field operations staff, county government officials, and local citizens and landowners in the area. Many of his contacts with local landowners are contentious because of significant disagreements on land and water use, grazing rights, and infringement on fossil resource areas. These responsibilities are addressed in greater detail in the appellant's PD.

In reaching our classification decision, we have carefully reviewed all information furnished by the appellant and his agency, including his official PD which we find is sufficient for classification purposes and is incorporated by reference into this decision. In addition, to help decide the appeal we conducted separate telephone interviews with the appellant and his immediate supervisor.

**Series, title, and standard determination**

The agency has classified the appellant's position in the Park Ranger Series, GS-025, titling it Park Manager, and the appellant does not disagree. We concur with the agency's title and series determination. The GS-025 classification standard does not contain grading criteria for supervisory or Park Manager positions. Therefore, because the appellant spends all of his work time supervising employees and performing related managerial responsibilities, and fully meets the coverage criteria for grade level evaluation by application of the General Schedule Supervisory Guide (GSSG), we have applied the grading factors in the guide to determine the grade of the appellant's work.

The appellant disagrees with the NPS assignment in the GSSG of Levels 1-2, 2-2, and 3-3. He agrees with the assignment of Levels 4A-4, 4B-4, 5-6, and 6-4. After careful review, we concur with the NPS assignment of Levels 1-3 for Scope, 4A-4, 4B-4, 5-6, and 6-4, and thus have not specifically addressed them in our discussion that follows.

**Grade determination**

The GSSG is a cross-series guide used to determine the grade level of supervisory positions in the General Schedule. The GSSG has six evaluation factors, each with several factor-level definitions and corresponding point values. Positions are evaluated by crediting the points designated for the highest level met under each factor, and converting the total to a grade by using the point-to-grade conversion chart in the guide.

*Factor 1, Program scope and effect*

This factor assesses the general complexity, breadth, and impact of the program areas and work directed, including its organizational and geographic coverage. It also assesses the impact of the work both within and outside the immediate organization. To assign a factor, the criteria dealing with both scope and effect, as defined below, must be met.

*Scope*

This element addresses the general complexity and breadth of the program (or program segment) directed; or the work directed, the products produced, or the services delivered. The geographic and organizational coverage of the program (or program segment) within the agency structure is included under this element. The agency assigned Level 1-3 for Scope and we concur.

*Effect*

This element addresses the impact of the work, the products, and/or the programs on the mission and programs of the customers, the activity, other activities in or out of government, the agency, other agencies, the general public, or others.

At Level 1-2, the services or products support and significantly affect installation level, area office level, or field operations and objectives, or comparable program segments; or provide services to a moderate local or limited population of clients or users comparable to a major portion of a small city or rural county.

Level 1-2 addresses two different scenarios, i.e., positions involved in the provision of support services internal to an organization (where effect is on installation level, area office level, or field office level operations), and positions involved in the delivery of externally-oriented, line functions within a designated geographic area (where effect is on a moderate, local, or limited population of clients or users).

At Level 1-3, the activities, functions, or services accomplished directly and significantly impact a wide range of agency activities, the work of other agencies, or the operations of outside interests (e.g., a segment of a regulated industry), or the general public. At the field activity level (involving large, complex, multi-mission organizations and/or very large serviced populations) the work directly involves or substantially impacts the provision of essential support operations to numerous, varied, and complex technical, professional, and administrative functions. An illustration for externally-oriented work at this level is a position providing service directly to the general public, furnishing a significant portion of the agency's line program to a moderate-sized population of clients.

The appellant's position does not meet Level 1-3. Although the primary activities and services provided by the appellant's position are directed toward a moderate-sized population consisting of the general public, unlike Level 1-3 it does not furnish a significant portion of the agency's line program to the general public. The range of his installation's activities are geared toward a single agency function (earth history, fossil beds and related paleontology) which, although somewhat unique, constitutes a limited component of the entire NPS line program covering the full spectrum of park services. The appellant points out that the work of his installation impacts that of other agencies, particularly five Bureau of Land Management (BLM) districts near the [name of appellant's park]. He notes that his park oversees and advises local BLM staff on the management, curation, and research plans concerning the fossil resources in those districts, and deals directly with them on designation of prescribed fire burns. However, this is limited in effect and cannot be considered as directly and significantly impacting a wide range of BLM's varied and numerous bureau activities required at Level 1-3. The appellant also indicates that monument staff advise local Native American tribes, various universities, and research activities and institutes on fossil and paleontology issues. However, this does not directly and significantly impact the operations of outside interests as envisioned at Level 1-3.

Because the appellant's position does not meet both elements of Level 1-3, Level 1-2 is assigned with 350 points credited.

### *Factor 2, Organizational setting*

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

The discussion under Factor 2 of the guide notes that a position reporting to a deputy or full assistant chief position is credited as reporting to the chief. For example, a position reporting to the deputy of an SES position should be credited as if reporting directly to the SES level position. However, an assistant chief position which does not share fully in the authorities and responsibilities of the chief constitutes a separate, intervening, reporting level under the guide. A supervisory position reporting to such a position would be treated as if reporting to a position one level below the chief. The GSSG defines “deputy” as a:

position that serves as an alter ego to a manager of high rank or level and either fully shares with the manager the direction of all phases of the organization’s program and work, or is assigned continuing responsibility for managing a major part of the manager’s program when the total authority and responsibility for the organization is equally divided between the manager and the deputy.

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

At Level 2-3, the position is accountable to a position that is SES level, flag or general officer military rank, or equivalent or higher level; or to a position which directs a substantial GS-15 or equivalent level workload; or to a position which directs work through GS-15 or equivalent level subordinate supervisors, officers, contractors or others.

The appellant believes that because he reports to one of four GS-15 level “deputies” to the regional director (whose position is SES), that his position should be credited at Level 2-3. We disagree. The [name of appellant’s region] consists of fifty-seven parks and sites. For purposes of span of control, the regional director has divided the region into four separate components, establishing four separate, GS-15 level positions which individually direct and oversee their assigned portion of the region’s sites and major programs. The appellant’s supervisor is assigned oversight over eighteen programs, which includes full supervisory authority over nine separate park managers (superintendents). While his PD indicates that that he serves as an “alter ego of and principal advisor to the [name of region] Regional Director” with respect to his assigned organizations and program functions, this alone does not meet the definition of a fully operating “deputy” or assistant chief within the context of the GSSG. Multiple positions reporting to a chief cannot each be construed as fully functioning deputies. The definition of deputy in the GSSG refers to *a* position which shares fully in the direction of *all* phases of the organization’s program and work, or is assigned continuing responsibility for managing a major part of the manager’s program, but the total authority and responsibility for the organization in such cases must be *equally divided* between the manager and the deputy. The definition in the guide excludes some positions, informally referred to as “deputy” by agencies, which require expertise in management subjects but do not include responsibility for directing either the full organization or an *equal half* of the total organization. While the appellant’s supervisor manages a portion of the regional director’s program, his authority is not equally divided with the regional manager, equivalent to an equal half of the total organization.

Based on the preceding discussion, the appellant's position meets Level 2-2, in that his position is accountable to a position that is one reporting level below the first SES position (i.e., [name of region] Regional Director) in the direct supervisory chain.

This factor is credited at Level 2-2 and 250 points are assigned.

*Factor 3, Supervisory and managerial authority exercised*

This factor covers the delegated supervisory and managerial authorities which are exercised on a recurring basis.

To meet Level 3-3, a position must meet either paragraph 3-3a or 3-3b as discussed below.

At Level 3-3a, a position exercises delegated managerial authority to set a series of annual, multi-year, or similar types of long-range work plans and schedules for in-service or contracted work. These positions assure implementation (by lower and subordinate organizational units or others) of the goals and objectives for the program segment (s) or function(s) they oversee. They determine goals and objectives that need additional emphasis; determine the best approach or solution for resolving budget shortages; and plan for long range staffing needs, including such matters as whether to contract out work. These positions are closely involved with high level program officials (or comparable agency level staff personnel) in the development of overall goals and objectives for assigned staff function(s), program(s), or program segment(s). For example, they direct development of data; provision of expertise and insights; securing of legal opinions; preparation of position papers or legislative proposals; and execution of comparable activities which support development of goals and objectives related to high levels of program management and development or formulation.

The appellant's position does not fully meet Level 3-3a. Similar to that level, he has authority to establish annual work plans for the installation to comply with the Government Performance and Results Act (GPRA), is involved in developing a five-year strategic plan establishing mission goals and interpretive themes for the park, and has significant input to the region's overall General Management Plan (GMP). He also determines which local program goals need more emphasis, and decides on the best approach to resolve un-funded budget items. However, in contrast to Level 3-3a, planning for staffing is done more on an immediate, short term basis rather than long range, including plans for contracting out work. In contrast to Level 3-3a, given the small number of permanent, full time staff there is an absence of lower and subordinate organizational units (there is only one supervisory job which covers the maintenance section), the appellant is personally responsible for assuring implementation of the park's goals through direct contact and oversight of his subordinate employees. Unlike Level 3-3a, the appellant's position is not closely involved with high level program officials (comparable to agency level staff personnel) in the development of overall goals and objectives for functions and programs. In developing plans he works closely with regional office and Denver Service Center staff, rather than high level program officials found at NPS or Department of the Interior headquarters levels. Consequently, he is not directly involved with the kinds of tasking typical of high level coordination noted at Level 3-3a including the securing of legal opinions, preparation of position

papers or legislative proposals, and similar activities supporting the development of goals related to high levels of program management and development or formulation.

To meet Level 3-3b, a position must exercise at least eight of the fifteen responsibilities listed at that level. Our analysis of those responsibilities follows:

Responsibility 1 is credited. It involves using subordinate supervisors, leaders, team chiefs, group coordinators, committee chairs, or comparable personnel to direct, coordinate, or oversee work; and/or providing similar oversight of contractors. Given the geographic dispersion of work sites at the park, and various specialized functions, the appellant uses a combination of a supervisor, and several team leaders/work coordinators to direct and oversee work.

Responsibility 2 is credited. It involves exercising significant responsibilities in dealing with officials of other units or organizations, or in advising management officials of higher rank. As a park manager, the appellant has a significant coordinative and advisory role with higher ranking regional officials, and a public relations role with external organizations having interest in the park.

Responsibility 3 is credited. It involves ensuring reasonable equity (among units, groups, teams, projects, etc.) of performance standards and rating techniques developed by subordinates, or assuring comparable equity in the assessment by subordinates of the adequacy of contractor capabilities or of contractor completed work. The appellant carries out the first portion of this responsibility in relation to standards developed by the subordinate supervisor, and team leaders/work coordinators

Responsibility 4 is not credited. It involves direction of a program or major program segment with significant resources (e.g., one at a *multi-million* dollar level of annual resources). The installation's annual operating budget is approximately \$1.3 million, over which the appellant has full authority for use of the funds. He notes that in addition, certain project funds are allocated to the park each fiscal year which in Fiscal Year 2006 totaled \$1,093,575. These funds cover such items as equipment replacement, collection cataloging, prescribed burning, cyclic maintenance, and construction. However, these funds are to be used only for the specified project or activity, thus the appellant does not have authority over the direct use of the funds. Changes in use can only be approved by the NPS fund sourcing manager. Therefore, the appellant does not direct any program segment which is at a multi-million dollar level of annual resources.

Responsibility 5 is credited. Like number 5, the appellant makes decisions on work problems presented by the subordinate supervisor, team leaders and project coordinators.

Responsibility 6 is not credited. Although the appellant evaluates the subordinate supervisor, team leaders and project coordinators, and serves as the reviewing official on evaluations of non-supervisory employees, responsibility 6 specifies that such employees are rated by subordinate supervisors (plural). Because the organization has only one subordinate supervisory position, the appellant's position does not fully meet responsibility 6.



Responsibility 7 is credited. Like number 7, the appellant approves selection for subordinate non-supervisory positions.

Responsibility 8 is not credited. It involves recommending selection for subordinate supervisory positions and for work leader, group leader, or project director positions responsible for coordinating the work of others. The appellant's organization has only one supervisory position, whereas responsibility 8 requires exercising this authority when multiple subordinate supervisory positions are present.

Responsibility 9 is credited. The appellant has authority to hear and resolve at the park level formal group grievances and serious employee complaints.

Responsibility 10 is credited. The appellant has the authority to review and approve serious disciplinary actions (e.g., suspensions) involving non-supervisory subordinates.

Responsibility 11 is not credited. Given the installation's very limited annual training budget, the appellant does not exercise this authority on a recurring basis. Requests to fund non-routine, costly, or controversial training would have to be approved at higher levels within the region.

Responsibility 12 is credited. For contractor performed work done at the park, the appellant determines whether the work meets standards of adequacy necessary for authorization of payment, and so informs the contracting officer or contracting officer's technical representative.

Responsibility 13 is credited. The appellant exercises the authority on a recurring basis to approve expenses like within-grade increases, extensive overtime (particularly for seasonal staff), and employee travel, especially during the fire season.

Responsibility 14 is not credited. The appellant has the authority to approve cash awards for non-supervisory personnel up to \$2,500. However, although he may occasionally draft a PD, he does not recommend changes in position classification. This is because most positions at the installation are on standard, bureau wide PDs which have already been classified. Thus there is no regular opportunity to recommend changes in classification.

Responsibility 15 is not credited. It involves finding and implementing ways to eliminate or reduce significant bottlenecks and barriers to production, promote team building, or improve business practices (e.g., a large production or processing unit). This would apply to large organizations whose missions would be susceptible to the application of such methodological or structural improvements. The work supervised by the appellant does not lend itself to these types of management applications.

Since the appellant's position can be credited with 9 of the listed responsibilities, it fully meets Level 3-3b.

At Level 3-4, in addition to delegated managerial and supervisory authorities included at lower levels of Factor 3 (including meeting *both* Levels 3-3a and 3-3b), positions at Level 3-4 must meet the criteria in paragraphs a or b below. As previously noted, the appellant's position does

not meet Level 3-3a. Therefore, we are precluded from crediting Level 3-4. However, in order to be responsive to the appellant's concerns, we have addressed Level 3-4 as compared to his position below.

At Level 3-4a, the supervisor exercises delegated authority to oversee the overall planning, direction, and timely execution of a program, several program segments (each of which is managed through separate subordinate organizational units), or comparable staff functions, including development, assignment, and higher level clearance of goals and objectives for supervisors or managers of subordinate organizational units or lower organizational levels. At this level the supervisor approves multi-year and longer range work plans developed by the supervisors or managers of subordinate organizational units and subsequently manages the overall work to enhance achievement of the goals and objectives. The supervisor oversees the revision of long range plans, goals and objectives for the work directed, and manages the development of policy changes in response to changes in levels of appropriations or other legislated changes. He/she manages organizational changes throughout the organization directed, or major changes to the structure and content of the program or program segments directed, and exercises discretionary authority to approve the allocation and distribution of funds in the organization's budget.

At Level 3-4b, the supervisor exercises final authority for the full range of personnel actions and organization design proposals recommended by subordinate supervisors. This level may be credited even if formal clearance is required for a few actions, such as removals and incentive awards above set dollar levels.

The appellant's position does not meet Level 3-4a. Unlike that level, he does not exercise delegated authority to oversee the overall planning, direction, and timely execution of the entire NPS program, or several program segments of the bureau's program, each of which is managed through separate subordinate organizational units. The appellant oversees one program segment, which does not require management through separate subordinate organizational units, each with its own supervisor or manager. Given the absence of subordinate organizational units with assigned supervisors and managers, he develops multi-year work plans which are approved at higher organizational levels. In contrast to Level 3-4a, he does not manage the development of policy changes in response to changes in appropriations or other legislated changes. Such actions are done at the regional office level. He does not manage major changes to the structure and content of the program segment (s) directed, and does not exercise the authority to approve the allocation and distribution of funds.

Positions at Level 3-4a are found at higher levels in the organizational hierarchy than the appellant's position. They include positions of staff-level program managers responsible for policy development and oversight of agency wide program areas, or managers of several program functions such as at a regional office level. The appellant supervises a field office or program segment, i.e., a park unit within the broader regional organization. Therefore, he does not have the higher level policy, planning, and budgetary authorities associated with positions at those higher organizational levels.

The appellant's position does not meet Level 3-4b. While he is delegated authority to take a variety of personnel actions, prior consultation with regional office staff (including his supervisor) is required before taking any action which may be subject to appeal or review by an outside authority, e.g., adverse actions. In addition, the appellant does not have final authority to make organizational design changes where positions are eliminated, or where the changes are highly unusual or not in keeping with the traditional arrangement of park functions, or appear to have a significant impact on the operational efficiency of the installation. Such actions require higher level review and approval by management officials at the regional office.

*Summary*

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. <i>Program scope and effect</i>	1-2	350
2. <i>Organizational setting</i>	2-2	250
3. <i>Supervisory and managerial authority exercised</i>	3-3	775
4. <i>Personal contacts</i>		
<i>Nature of contacts</i>	4A-4	100
<i>Purpose of contacts</i>	4B-4	125
5. <i>Difficulty of typical work directed</i>	5-6	800
6. <i>Other conditions</i>	6-4	<u>1120</u>
Total points		3520

The total of 3520 points falls within the GS-13 range (3155-3600) on the point-to-grade conversion chart in the GSSG. Therefore, the appellant's position is graded at that level.

**Decision**

The appellant's position is properly classified as Park Manager, GS-025-13.