

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



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: Resource Management Specialist
(Wilderness Coordinator)
GS-401-13

Organization: [appellant's organization]
National Park Service
U.S. Department of the Interior
[city, state]

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

OPM decision number: C-0401-13-03

/s/ Bonnie J. Brandon

Bonnie J. Brandon
Classification Appeals Officer

December 27, 2000

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 and address]

Agency:

[servicing human resources office]

Director of Personnel
Department of the Interior
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Introduction

The Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [the appellant] on August 25, 2000. [The appellant] is a Resource Management Specialist (Wilderness Coordinator), GS-401-13, assigned to the [appellant's activity], National Park Service (NPS), U.S. Department of the Interior, [city, state]. [The appellant] believes that his position should be classified as Resource Management Specialist (Wilderness Coordinator), GS-401-14. We have accepted and decided the appeal under section 5112 of title 5, United States Code (U.S.C.).

In reaching our classification decision, we carefully reviewed all information furnished by the appellant and his agency, including the official position description [number]. The appellant and his supervisor agree that the official position description is accurate except for the ratio of regional versus national program duties and the hazardous waste duties, which are no longer performed by the appellant. We also considered information obtained during telephone interviews with the appellant and his supervisor.

General issues

The appellant provided information for consideration in deciding his appeal. This information included various statements about a general grade creep within the NPS; the historic reluctance of the NPS to recognize its wilderness responsibilities; how the NPS could accommodate both the appellant and the supervisor holding the same grade; and a request for minority consideration. By law, a classification appeal decision is based on comparing the appellant's current duties and responsibilities to OPM position classification standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Therefore, we have considered the appellant's statements only insofar as they are relevant to making that comparison.

Position information

The purpose of the appellant's position is to provide oversight for the implementation of the agency's wilderness initiatives within [an NPS region] and to assist in the development of the NPS wilderness program. Currently, the work of the position is focused on the national program. The supervisor estimates that 90 percent of the appellant's time is currently spent on the national program and 10 percent on the regional program. As national program initiatives are finalized and implemented, the emphasis will shift to the regional program. The supervisor indicated that this shift should occur during the next year and a half. The position description and other material of record furnish more information about the appellant's duties and responsibilities.

Series, title, and standard determination

The appellant does not contest the series and title of his position. We concur with the agency's assignment of the position to the GS-401 General Biological Science Series. Like positions in the GS-401 series, the appellant's position involves a combination of several professional fields with none predominant. The work requires professional knowledge and understanding of ecosystem management and the principles of multiple-use management of public lands.

There are no titles prescribed for the GS-401 series. The agency may construct a title consistent with guidance in the *Introduction to the Position Classification Standards*.

Since there is no published standard for the GS-401 series, the standard for the GS-460 Forestry Series is used to determine the grade level. Positions in the GS-460 series are concerned with the development, production, conservation, and utilization of the natural resources of forests and associated lands. The work includes the inventory, planning, evaluation, and management of resources such as timber, soil, land, water, wildlife and fish habitat, minerals, forage, and outdoor recreation, including wilderness. Similar to positions in the GS-460 series, the appellant's position involves management and preservation of wilderness resources within the regional and national wilderness program.

Grade determination

Part I of the GS-460 standard uses the Factor Evaluation System (FES) format. The FES employs nine factors for evaluating the position. Under the FES, each factor level describes the minimum characteristics needed to receive credit for that level. Therefore, if a position fails to meet the criteria in a factor level description *in any significant aspect*, it must be credited at a lower level. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level. The standard assigns specific points for each factor level. After all factors are evaluated, the total points are converted to a grade level based on the grade conversion table in the standard.

The appellant does not disagree with the agency's evaluation of Factors 7, 8, and 9. We disagree with the agency's evaluation of Factor 7. We concur with the agency's determination for Factors 8 and 9 and will not discuss them further in this decision. Our evaluation of Factors 1 through 7 follows.

Factor 1, Knowledge required by the position

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

Work at Level 1-8 requires a mastery of the profession to the extent that the individual is capable of applying new scientific findings, developments, and advances to the solution of critical problems of a particularly unique, novel, or highly controversial nature. This includes problems for which current information is inconclusive, or is in the form of suppositions or theories as to their effectiveness in treating specific resource oriented problems.

At Level 1-8, a comprehensive knowledge of forestry and the principles of multiple-use management of forest resources is required. This knowledge must be sufficient to develop or refine solutions or recommendations on complex problems, to take actions which have significant impact on existing agency policies and programs, to project developmental trends and future needs, and to extend existing techniques or develop new approaches for use by others. Typically, the employee is recognized as a technical authority in the particular subject-matter or

resource program. Extensive knowledge of the latest technological advances in a particular area of forestry is applied to evaluate their effectiveness and usefulness and to develop plans and procedures to incorporate such advances into the resource management process. Comprehensive knowledge of agency and/or tribal policies, procedures, and applicable statutes governing the use of forest resources is applied in the design and oversight of forestry programs.

At Level 1-9, mastery of the profession is required to the extent that the employee (1) is capable of generating new hypotheses, developing new concepts, and planning and directing or planning and executing long-range programs and projects of national significance or (2) serves as a nationally recognized consultant and expert in a broad resource or subject-matter program which impacts on a number of resources.

The appellant's position meets Level 1-8. The appellant serves as [an NPS region] Wilderness Coordinator and provides support to the NPS Wilderness Program Coordinator. At the present time, the appellant spends most of his time on the national program. This work requires a comprehensive professional knowledge of wilderness management policies, procedures, and governing statutes and the ability to apply this knowledge. The appellant is recognized as a technical authority in a program that impacts a number of resources. However, the appellant's work does not require a mastery of the profession intended by Level 1-9. The appellant is not involved in generating new hypotheses concerning wilderness management. He assists the NPS Wilderness Program Coordinator in developing and implementing the NPS wilderness program initiatives and policies based upon the Wilderness Act of 1961 and other laws and regulations relating to wilderness resources. The knowledge required for the appellant's position compares most favorably with Level 1-8.

Level 1-8 (1550 points) is assigned.

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. The supervisor exercises controls in the way assignments are made, instructions are given, 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 degree of review of completed work depends upon the nature and extent of the review. Technical guidance may be furnished by a project leader or other higher graded employee in the organization as well as by the supervisor.

At Level 2-4, the supervisor outlines the overall objectives and resources available. As required, the supervisor and employee will confer on priorities within the assigned area and deadlines for the assignments. The employee independently constructs an action plan, selecting techniques and establishing methods and procedures for completing the assignments. The employee is responsible for coordinating the work with specialists in other resources and resolving problems that occur directly with the interested parties. From time-to-time, the employee meets with the supervisor to review overall progress and to confer on problems that have arisen concerning the

interpretation and application of agency and/or tribal policy to environmentally sensitive and controversial areas. The completed work is reviewed for general adequacy in meeting program or project objectives or for compatibility with other projects.

The supervisory guidance or control at Level 2-5 is exercised through broad general objectives which have been approved for the assigned programs, within the constraints and context of various national legislation, agency policy, and overall agency objectives as they relate to development, protection, and utilization of all forest resources. Within these broad areas of direction, the employee is responsible for *independently* determining the validity and soundness of programs and plans, developing standards and guides, and independently carrying out programs, projects, and studies. The results of the work, including recommendations and decisions, are accepted as technically authoritative. When the work is reviewed, it is primarily in relation to broad policy requirements and administrative controls such as budgets.

The appellant's supervisor provides overall administrative supervision and direction of the regional wilderness program work. The NPS Wilderness Program Coordinator provides oversight and direction of the nationwide work. The appellant independently plans and carries out his assignments and coordinates with other specialists to resolve problems that occur directly with the interested parties. Completed work is reviewed for general adequacy in meeting program or project objectives or for compatibility with other projects. This level of supervision is consistent with Level 2-4. Level 2-5 is not met in that the appellant does not exercise the independence intended in the standard. While the appellant operates relatively free of day-to-day supervision and his recommendations are normally accepted, the supervisor and the NPS Wilderness Program Coordinator exercise substantial program control and have ultimate program responsibility for their respective venues.

Level 2-4 (450 points) is credited.

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment needed to apply them. Since individual assignments vary in the specificity, applicability, and availability of guidelines, the constraints and judgmental demands placed upon the employee also vary. The existence of specific instructions, procedures, and policies may limit the opportunity of the employee to make or recommend decisions or actions. However, in the absence of procedures or under broadly stated objectives, the employee may use considerable judgment in researching literature and developing new methods. For this factor, guidelines refer to standard guides, precedents, methods, and techniques.

Guidelines at Level 3-4 are often inadequate to deal with the more complex or unusual problems, or problems concerned with novel, undeveloped, or controversial aspects of the profession. The precedents or guides may point toward conflicting decisions. Recent court decisions may appear to require a technical decision at variance with existing guides. There may be relatively few precedents or guides that are pertinent to the specific problems, or proven methods of treating the problem under varying conditions are lacking or incomplete. The employee is required to

deviate from, or extend, traditional methods and practices; or the employee must develop essentially new or vastly modified techniques and methods for obtaining effective results.

Work at Level 3-5 is largely occupied with major problems which are highly unusual and for which there is little information (guidelines) available. A high degree of judgment, originality, and creativity is exercised in interpreting and converting general legislative or agency objectives and policies into specific plans and programs; in evaluating problems; in judging direction, extent, and significance of trends and developments; and in adjusting broad programs.

The appellant deals with a variety of guidelines in assisting with the implementation of the wilderness program. Often these guidelines do not cover the specific aspect of the program being addressed, requiring modification of traditional methods and practices or developing new ways to meet program requirements. The lack of specificity in the guidelines and the judgment needed to apply the guidelines are consistent with Level 3-4. While the appellant may exercise a high degree of judgment, originality, and creativity in developing and recommending specific plans, the broad program responsibility intended at Level 3-5 is ultimately exercised by the NPS Wilderness Program Coordinator.

Level 3-4 (450 points) is assigned.

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.

Work at Level 4-5 is characterized by a variety of assignments and problems arising on a number of geographically and environmentally varied lands. The employee is independently responsible for coordination, liaison, and planning activities covering broad resource programs or for serving in an authoritative capacity as an expert conducting intensive analysis and problem solving. The assignments require the employee to be especially versatile and innovative in order to recognize possible new directions or approaches; to devise new or improved techniques or strategies for obtaining effective results; or to anticipate future trends and requirements in resource use and demands.

Assignments at Level 4-6 are concerned with projects or programs of major significance, where the controlling theory and practices are largely undefined, or where the methods and practices are in a state of development or are extensively affected by advances in technology. The problems encountered are usually undefined or in dispute, and require extensive analysis for definition of the problem prior to searching for solutions to the problems. Problems may be of such scope and complexity that they require supportive projects or subdivisions of the problems that are carried on concurrently or sequentially with support of others in the agency. The employee's actions may alter standard concepts, theories, objectives, or previously held requirements and criteria throughout the agency.

The appellant is the primary contact and resource to NPS organizations for implementing the NPS wilderness program. He independently coordinates and plans activities and serves as an authoritative resource. While the Wilderness Act has been in place since 1961, many aspects remain unimplemented and controversial. There are competing objectives and viewpoints for the use of wilderness areas. Issues the appellant deals with are often complex and controversial. This is comparable to Level 4-5. Level 4-6 is not met in that the problems the appellant encounters are not usually undefined and do not require extensive analysis for definition of the problem prior to searching for solutions.

Level 4-5 (325 points) is credited.

Factor 5, Scope and effect

This factor covers the relationship between the nature of the work and the effect of work products or services both within and outside the organization. Effect measures such things as whether the work output facilitates the work of others, provides timely services of a personal nature, or impacts on the adequacy of research conclusions. The concept of effect alone does not provide sufficient information to properly understand and evaluate the impact of the position. The scope of the work completes the picture, allowing consistent evaluations.

Work at Level 5-5 is concerned with such things as resolving critical or highly unusual problems, developing new approaches or techniques for use by others, determining the validity and soundness of programs and plans, and developing standards and guides for the improvement of resource use, development, and protection. The work has considerable influence on the development and/or effectiveness of the policies, programs, and actions of the agency in a number of areas in one or more states.

The purpose of the work at Level 5-6 is to plan and execute or monitor major programs or projects for the agency, which are usually of national scope and importance. The employee often serves as an expert consultant in an area of expertise to top level administration within the organization or to a broad national consortium of experts and special interest groups who are seeking critical evaluation and advice on persistent and complex resource problems that require long-range solutions. The employee's actions affect broad agency programs and legislative recommendations, or other related agencies and organizations, on a long-range and continuing basis.

The appellant's work is primarily concerned with a nationwide program that affects various NPS resources. He is directly involved in the resolution of highly unusual problems and in developing standards and guides for wilderness management. This is comparable to the work described at Level 5-5. The appellant's position does not meet Level 5-6 in that employees at this level typically plan and execute more than one major program or project within an agency (for example, the Department of the Interior). Even though the appellant operates with a great deal of independence, final responsibility for overall program planning and monitoring does not reside within his position. The scope and effect of the appellant's position are indicative of Level 5-5.

Level 5-5 (325 points) is assigned.

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.

Contacts at Level 6-3 are regularly with professional subject-matter experts within the agency; in other Federal agencies; in universities, private foundations, and professional societies; and with influential local community leaders, tribal governing bodies, or state officials; with newspaper, radio, and television reporters; and with private forest landowners, representatives of organized livestock and conservationist groups, and prospective and current permit holders. 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.

Personal contacts at Level 6-4 are with high-ranking representatives from outside the agency at national or international levels; Members of Congress; state governors; mayors of large cities; top executives of major forest products companies; nationally recognized spokespersons for nationwide resource conservation groups and newspaper, radio, and television corporations; or similar entities.

Typical contacts made by the appellant are with other NPS employees, personnel from other bureaus within the Department of the Interior and other Federal agencies, and representatives from various conservation groups and tribal governments. Although the appellant has some contact with high-ranking representatives from outside the agency, regular contacts are not made with the full range of individuals or groups described at Level 6-4. The contacts for the appellant's position do not meet the full intent of Level 6-4.

Level 6-3 (60 points) is assigned.

Factor 7, Purpose of contacts

The purpose of 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 the agency's goals and objectives; justify the feasibility of significant resource 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 ranges from factual exchanges of information to situations involving significant or controversial issues and differing viewpoints, goals, or objectives. The appellant's work requires him to meet with Department of the Interior and other Federal agency personnel, special interest groups, and others to explain NPS policies. His interaction with NPS national level program representatives also requires persuading them to accept wilderness management proposals.

Although NPS evaluated this factor at Level 7-4, we find that the purpose of the appellant's contacts does not fully meet the intent of this level. The appellant is not required to defend or settle highly significant or controversial land management matters to the extent envisioned at Level 7-4. In such situations, responsibility for defending NPS policies or settling controversial matters rests with either the NPS Wilderness Program Coordinator or other high-level officials within NPS or the Department of the Interior. The appellant's involvement in resolving critical problems is consistent with the negotiation and persuasion activities described at Level 7-3. Further, Level 7-4 is not met in that the appellant's work does not involve representing the agency at professional conferences, in legislative hearings, or similar meetings where the appellant must justify, defend, negotiate, overcome resistance, or settle highly significant or controversial land management matters. The appellant's representational activities at meetings and presentations of papers at conferences fall within the context of contacts at Level 7-3.

Level 7-3 (120 points) is credited.

Summary

In sum, we have evaluated the appellant's position as follows:

Factor	Level	Points
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 contacts	6-3	60
7. Purpose of contacts	7-3	120
8. Physical demands	8-2	20
9. Work environment	9-2	<u>20</u>
Total		3320

The appellant's position warrants 3320 total points. In accordance with the grade conversion table of the standard, the position is properly graded at GS-13.

Decision

The appellant's position is properly classified as GS-401-13 with the title at the agency's discretion.