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

Appellant: [Name of appellant]

Agency classification: Biologist
GS-401-14

Organization: [Name and location of appellant's organization]
U.S. Geological Survey
Department of the Interior

OPM decision: GS-401-14
(title at agency discretion)

OPM decision number: C-0401-14-03

//signed//

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Robert D. Hendler
Classification and Pay Claims
Program Manager
Merit System Audit and Compliance

July 29, 2010

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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's name and mailing address]

[Address of appellant's servicing human resources office]

Director of Personnel
Department of the Interior
Mail Stop 5230-MIB
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Introduction

On April 17, 2009, the San Francisco Oversight and Accountability Group (now San Francisco Oversight) of the U.S. Office of Personnel Management (OPM) received a classification appeal from [name of appellant]. On May 20, 2009, we received the agency's complete administrative report. The appellant's position is currently classified as Biologist, GS-401-14, but he believes his responsibilities warrant upgrading to the GS-15 level. The appellant works in the [name and location of appellant's organization], U.S. Geological Survey (USGS), Department of the Interior (DOI). We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

Background information

In October 2007, the structure of the regions of the USGS changed from a discipline focus to coverage by geographic area. The [appellant's work organization] was established for the [appellant's region] to lead and represent science centers from all of the scientific disciplines. The appellant previously occupied a biologist position, GS-401-14, in the [appellant's former work organization]. On March 2, 2008, he was reassigned to his current interdisciplinary position as a Biologist, GS-401-14, for the [appellant's current region], of the USGS. The appellant's position location also changed to [appellant's current work location]. However, he remained working in [former location], until his move to [current work location] in April 2009.

General issues

The appellant makes various statements about his working conditions, his agency's evaluation of his position, and compares his duties to higher graded program officer positions at other locations in his agency. In adjudicating this appeal, our responsibility is to make our own independent decision on the proper classification of his position. By law, we must make that decision solely by comparing his current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's position to others that may or may not be properly classified, as a basis for deciding his appeal. Because our decision sets aside all previous agency decisions, the appellant's concerns regarding his agency's classification review process are not germane to this decision.

Like OPM, the appellant's agency must classify positions based on comparison to OPM standards and guidelines. However, the agency also has primary responsibility for ensuring that its positions are classified consistently with OPM appeal decisions. If the appellant considers his position so similar to others that they all warrant the same classification, he may pursue the matter by writing to his agency's human resources headquarters. In doing so, he should specify the precise organizational location, classification, duties, and responsibilities of the positions in question. If the positions are found to be basically the same as his, the agency must correct their classification to be consistent with this appeal decision. Otherwise, the agency should explain to him the differences between his position and the others.

The appellant states that due to the realignment of his position he experienced a substantial increase in his workload which now involves four scientific disciplines. However, volume of work cannot be considered in determining the grade of a position (*The Classifier's Handbook, chapter 5*).

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 responsible for providing leadership and direction in the planning, development and implementation of region-wide natural science and information programs in the [appellant's organization]. This involves serving as liaison for the Area office with regional Focus Area Coordinators, science team leads, National Program Coordinators, and/or discipline experts, especially as they relate to multiple scientific disciplines or specific geographic areas of scientific focus within the [appellant's organization]. He coordinates scientific activities and programs by ensuring that team members are working toward common goals and objectives; and collaborates with science advisors in agency headquarters, and with Program Officers in other regions and Regional Chief Scientists, on scientific issues that cross regional boundaries or are part of national programs.

The appellant also serves in a science advisory capacity providing guidance and information to Area managers on the agency's scientific programs, products, and direction. He facilitates new integrated science activities, and participates as a senior member of the Regional Executive staff focusing on the analysis of technical and scientific programs. The appellant also participates on internal and external science planning groups to identify program and research opportunities, and makes recommendations to implement these programs across the region. He maintains strong working relationships with comparable levels of management in the agency and other Federal, State or local government agencies, to ensure the region's scientific program and resource needs are directly relayed to the appropriate action officials in a timely manner.

In reaching our classification decision, we have carefully reviewed all information provided by the appellant and his agency, including the official PD which we find sufficient for purposes of classification and incorporate it by reference into this decision. In addition, to help decide the appeal we conducted separate telephone interviews with the appellant, his current supervisor, and his former first-level supervisor who now serves as the second-level supervisor.

Series, title, and standard determination

The agency has classified the appellant's position as interdisciplinary because it can involve duties and responsibilities in four professional series (i.e., General Natural Resources Management and Biological Sciences, GS-401, Geography, GS-150, General Physical Science, GS-1301, and Hydrology, GS-1315), with the final classification determined by the qualifications of the person selected to fill it. Because the appellant is a professional biologist, the agency has classified the position in the General Natural Resources Management and Biological Sciences series, GS-401, and the appellant does not disagree. We concur with the agency's series determination. OPM has prescribed no titles for positions in the GS-401 series. Therefore, according to section III.H.2 of the *Introduction to the Position Classification*

Standards, the appellant's agency may choose the official title for his position. In doing so, the agency should follow the titling guidance in that section.

The grade level of positions classified in the GS-401 series is determined by application of the grading criteria in the Job Family Standard (JFS) for Professional Work in the Natural Resources Management and Biological Sciences Group, 0400. Therefore, we have applied the grading factors in the JFS to determine the grade of the appellant's work.

The appellant disagrees with the agency's assignment of Levels 1-8, 4-5, 5-5, 6-3, 7-C, 8-1 and 9-1. He agrees with assignment of Levels 2-5 and 3-5 of the JFS. After careful review, we concur with his agency's assignment of the undisputed levels and thus have not addressed them separately in the discussion below. Our evaluation with respect to the seven factors in dispute follows.

Grade determination

The 0400 JFS uses the Factor Evaluation System (FES), which employs nine factors. Under the FES, each factor level description in a standard describes the minimum characteristics needed to receive credit for the described level. Therefore, if a position fails to meet the criteria in a factor level description in any significant aspect, it must be credited at a lower level. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level. Each factor level has a corresponding point value. The total points assigned are converted to a grade by the use of the grade conversion table in the JFS.

Factor 1, Knowledge required by the position

This factor measures the nature and extent of information or facts that an employee 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 that knowledge.

At Level 1-8, the employee uses a mastery of, and skill in applying, the theories, principles, and concepts sufficient to design projects that represent a major segment of the agency's operating program; performs assignments that involve initiating, formulating, and planning, as well as executing major studies or continuing specialized projects; uses findings of specialized studies, new analytical developments, and modified processes to resolve novel, obscure, or highly controversial problems that affect the program area; provides significant and innovative recommendations for advancing programs and/or methods; and serves as a recognized authority in a specialized area or program.

At Level 1-9, the employee uses mastery of, and skill in applying, the theories, principles, and concepts of the field sufficient to *develop* new theories, concepts, principles, standards, and methods; plans and executes long-range programs and projects of national significance; serves as a recognized expert and consultant in a broad range of subject-matter programs that impact a number of resources; and advance the state-of-the-art beyond current discipline parameters.

The appellant's position meets Level 1-8. Like this level, the appellant designs projects that represent a major segment of the agency's operating programs. For instance, he completed a management science review covering the USGS Fisheries Research Center (WFRC). As a major element of the agency's operating program, that center is one of six Science Centers in the [appellant's region] of the USGS. The WFRC conducts research and provides technical assistance to support stewardship of the nation's natural resources, emphasizing fish population and aquatic ecosystems. It also provides research findings to managers of fish and aquatic resources in the West. In this assignment, the appellant used a mastery of, and skill in applying standards and methods to design the oversight for the review. The assignment required that he use skill in applying standards and methods of his field to evaluate research priorities and scientific productivity across a broad range of ecosystems extending from the Pacific Ocean, to bays and estuaries of the Pacific Coast, and to rivers and alpine streams of western North America. He also integrated new standards of internal and external scientific review. At the completion of the assignment he produced an assessment of the research output of the center, including how center staff and monetary resources were being managed to achieve productivity, efficiency, and coverage of national priorities.

Like Level 1-8, the appellant also performs assignments that involve initiating, formulating, and planning, as well executing major studies or continuing specialized projects. For example, the appellant has worked with an inter-organizational team and representatives of other Federal agencies to plan and conduct symposia on the effects of climate change on land and water in important regions of North America, including the Great Basin and Mojave Desert. These projects covered scientific background on climate change and integrated new and unique information for land and water managers to assess how the effects of climate change can be mitigated or adapted to. The appellant conferred with decision makers to identify key questions that would enable them to determine the effects that ongoing climate change was having on the resources they manage or regulate. He took initial information that seemed convoluted and disjointed, and developed reasoned topics where research has, or could provide, useful answers. Like Level 1-8, this assignment entailed the use of specialized studies, new analytical developments, and modified processes to resolve novel, obscure, or highly controversial problems that affect the program area. For this assignment the work required knowledge of social, economic, and policy developments that are rapidly changing in order to provide information that would create a consensus among sometimes opposing interests. Such interests included regional executives charged with the conservation of habitats on National Fish and Wildlife Refuges (NFWR), and those whose mission included extraction of natural resources by livestock grazing or water development projects.

Like Level 1-8, the appellant also provides significant and innovative recommendations for advancing programs and/or methods. For example, he provided input to the national leadership for the North American Water Quality Assessment (NAWQA) to be used together with information from other groups (e.g., National Academy of Sciences) to help configure a multi-million dollar program involving monitoring water quality in the nation's streams, rivers, lakes and ground water. In order to make recommendations on how to visualize and address NAWQA monitoring over the next decade, the appellant applied knowledge of how the goals and objectives have changed within the water management and regulatory communities.

Similar to Level 1-8, the appellant serves as a recognized authority in a specialized area or program. Because he is a recognized authority in the Biological Resources Discipline (BRD), the national leadership of the USGS requested he lead a group of colleagues in writing two different chapters of the USGS Science Strategy. The major objective of the USGS Science Strategy is to guide planning over the next decade by identifying opportunities for the agency to better use its scientific capabilities in serving the DOI and the nation. The intent is that the science strategy will outline areas where natural science can make substantial contributions to the well-being of the country and the world. This strategy is intended to define long-term approaches to USGS program planning, technology investment, partnership development, and workforce and human capital objectives. In performing this assignment, the appellant developed connections between current research and newly emerging issues, and presented principles and standards that could extend beyond those presently practiced. For instance, one chapter deals with new approaches for interacting with clients about their policies and key scientific information needs concerning management of the nation's waterways, and how research and monitoring in the fields of physical and biological science can be prioritized to meet those needs. Another chapter covers management of the USGS scientific workforce to meet changing information requirements in the face of turnover, budget restrictions, and conflicting mandates.

The position does not meet Level 1-9. Unlike that level, the appellant works within accepted biological theories, concepts, and principles, and is not involved in the development of new theories, standards, and methods within his scientific field. While he has participated with other scientific agency staff in executing segments of national programs, and provided support to those actually formulating such programs (e.g., Science Center Directors), he is not involved in their planning and execution at the national, agency-wide level. Rather, his focus is on the area's role in contributing its segment to the achievement of the goals of the national programs. Although he is a recognized authority within his discipline at the regional level, in contrast to Level 1-9 we do not find he is a recognized expert in a broad range of subject-matter programs and scientific disciplines impacting a number of resources. In addition, the record does not show that he has advanced the state-of-the-art beyond current discipline parameters in his present position.

This factor is credited at Level 1-8 and 1,550 points are 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.

At Level 4-5, work involves performing a variety of research, testing, or natural resources management duties requiring in-depth analysis of problems and issues that cover a wide geographic area or an environmentally varied area; integrated resource analysis and coordinating and planning activities that cover multiple resource programs; and developing new methods and techniques for problem and issue resolution; and/or in-depth analysis and use of various control methods and techniques possibly including those in the experimental stage.

At Level 4-5, to decide what needs to be done the employee analyzes issues involving abstract concepts; major uncertainties with regard to the most effective approach or methodology to apply; serious conflicts among scientific requirements and environmental program direction or administrative and legal requirements; continually changing program or work requirements or technological developments; novel and obscure problems involving complicating factors and requirements; and intricate, inconclusive, variable data, and unrelated or conflicting data.

At Level 4-5, the employee develops standards, methods, and techniques to extend existing methodological capability; proposes solutions that have highly visible political consequences; formulates solutions to unyielding or controversial problems; and anticipates future trends and requirements.

At Level 4-6, the work involves exceptionally broad and intensive efforts impacting functional areas and processes; and problems of such scope and complexity that they require dividing work into components conducted concurrently or sequentially or using multi-disciplinary or cross-functional teams; and/or continual efforts to establish concepts, theories, or programs, or resolve persistent problems.

At Level 4-6, to decide what needs to be done the employee conducts extensive investigation and analysis of largely undefined factors and conditions. The employee determines the nature and scope of problems and devises solutions under the following conditions: (1) conflicting and changing goals and objectives; (2) highly controversial and politicized programs; (3) complexity in developing or complying with regulatory oversight; (4) theory and practices that are largely undefined; (5) practices that are in a state of development or are extensively affected by advances in technology; (6) unique characteristics of the environment that impose new management requirements; and/or (7) the need to balance environmental and ecological concerns with powerful commercial, industrial, and recreational interests.

At Level 4-6, the employee conducts continuing efforts to solve problems that have stubbornly resisted resolution. The employee develops policies and strategies, and leads efforts to address environmental or scientific issues in areas where precedents do not exist; establishes new concepts and alternatives to problem identification and resolution; and/or applies a high degree of abstraction to originate concepts, theories, or programs.

The appellant's position meets Level 4-5. Like that level, his work involves in-depth analysis of problems and issues that cover a wide geographic and environmentally varied area, requiring integrated resource analysis, coordination and planning activities involving multiple resource programs. The appellant's area covers [names of states and territories in appellant's region], involving many of the agency's principal scientific and biological research programs. Additionally, while he occasionally works with the 16 Science Centers of the [appellant's organization], he primarily works closely with the six Science Centers in the [appellant's region] of the BRD. USGS' BRD works with others to provide scientific understanding and technologies needed to support sound biological management and conservation. The centers include the [names of centers in appellant's region]. Similar to Level 4-5, in leading a science management review for the WFRC, his research covered diverse environments covering a broad geographic area ranging from the open ocean to desert springs. It included evaluation of

research priorities across a broad range of ecosystems extending from the Pacific Ocean to rivers and alpine streams of western North America.

Comparable to Level 4-5, where work requires integrating resource analysis and coordinating and planning activities covering multi-resource programs, the appellant led a team of natural resources and scientific experts and leaders representing multiple Federal agencies such as the Forest Service, Bureau of Reclamation, the National Oceanic and Atmospheric Administration, and inter-governmental organizations such as the Northwest Power and Conservation Commission. The appellant obtained input from these groups and coordinated the writing of a consensus report after analyzing and deciding which input had the strongest merit, and was most relevant to the nation's priorities for aquatic ecosystems and the USGS mission. Similar to Level 4-5, where the duties require developing new methods and techniques for problem and issue resolution, in this assignment the appellant contributed to the advancement of the USGS review process by integrating new standards to be used for internal and external reviews.

Like Level 4-5, the appellant analyzes issues involving serious conflicts among scientific requirements and environmental program direction or administrative and legal requirements. For example, he regularly analyzes new forms of environmental disturbance in the Southwest where USGS research findings are relevant. His role in this assignment is to coordinate among principal scientists to develop a center for collaboration that will help address partner organization needs for scientific information relevant to topics such as renewable energy (i.e., wind, solar, geothermal) development. Although these needs will continue to exist in the future, they are urgent in terms of demands to rapidly alter the nation's reliance on traditional energy sources. The goal of the assignment is to achieve a balance in scientific approaches among environmental and economic interests given that commercial demands must be considered (e.g., recreation) along with the needs of species that are listed under the Endangered Species Act.

Like Level 4-5, in carrying out his responsibilities the appellant analyzes issues involving continually changing program or work requirements or technological developments. For instance, the assignment to coordinate inter-organizational teams to plan and conduct symposia on the effects of climate change on important regions of North America involved work on scientific topics that are constantly evolving, resulting in studies and outcomes which could potentially be misconstrued as contrary to the basic missions of stakeholder organizations. Furthermore, the assignment was carried out in the rapidly evolving sphere of climate change science and required close attention to social, economic, and policy developments that also frequently change. Similar to Level 4-5, the requirements for helping to improve understanding about environmental water quality across North America in his assignment with NAWQA required that the appellant analyze continuously changing goals and objectives within the water management and regulatory communities to provide recommendations on how to address NAWQA monitoring. Another example is found in the appellant's participation in a National Center for Ecological Analysis and Synthesis (NCEAS) Working Group on "Large Scale Management Experiments and the Detection of Population Effects." For that project, the appellant developed a process for synthesis and analysis dealing with how aspects of natural resource management of lands and waters can be detected and improved through monitoring of commercially (e.g., salmon) or socio-politically (e.g., threatened and endangered species) important species.

Like Level 4-5, the appellant's work assignments require him to develop standards, methods, and techniques that extend existing methodological capabilities. For example, in writing a portion of the USGS Science Strategy for the BRD he developed connections between current research and newly emerging issues that identified possible principles and standards that could extend research focus and efforts beyond what is currently practiced. Like Level 4-5, the appellant also formulates solutions to unyielding or controversial problems and anticipates future trends and requirements. For example, he has taken responsibility for articulating an agenda item concerning the USGS response to the pending swine-flu pandemic. His efforts highlight the agency's responsibility to maintain a research program on this hazard, and address potential effects of the pandemic on USGS staff. Similar to Level 4-5, the appellant sometimes works in an environment with potentially highly visible political consequences. This is evident in his role as the USGS Native American Tribal Liaison where he must balance various cultural and socio-economic concerns that have existed in Federal-Tribal relations for decades against his agency's scientific and conservation projects involving tribal lands.

The appellant's position does not meet Level 4-6. Unlike that level, the problems he deals with are not of such complexity that work must be divided into components, require the use of multi-disciplinary teams, or require constant efforts to establish concepts, theories, or programs, or resolve persistent problems. Although his work involves diverse scientific projects performed by staff in various scientific disciplines throughout his geographic area, his role is to provide technical biological advice and recommendations, and apply policy standards, in coordinating among the various scientific activities to ensure they comply with the region's goals and objectives. The nature and difficulty of the assignments and responsibilities described at Level 4-6, particularly involving exceptionally broad and intensive efforts impacting functional areas, are characteristic of those performed by the Regional Executive, Deputy Regional Executive, or Senior Science Advisor.

The appellant states the conditions under which much of his work occurs are highly politicized, controversial, subject to court decisions and regulatory requirements, and characterized by conflicting goals that are highly visible to the public. However, the record shows the appellant does not devise solutions for these highly controversial and politicized issues and programs. Rather, his role is to recommend different communications strategies among opposing interests to achieve a balance where all views are considered. This is particularly true in those instances where, for example, regional executives charged with conservation of habitats in NFWR are in conflict with those whose mission includes extraction of natural resources by livestock grazing or water development. The appellant must avoid political involvement on controversial matters because he cannot take sides on issues, but can only provide information that is needed for agencies to make their own independent decisions.

This factor is credited at Level 4-5 and 325 points are assigned.

Factor 5, Scope and effect

This factor covers the relationship between the nature of work (i.e., the purpose, breadth, and depth of the assignment) and the effects of work products or services both within and outside the organization.

At Level 5-5, the work involves isolating and defining critical conditions and problems within a program or part of a project; resolving critical problems of limited scope impacting natural resources that affect multiple stakeholders; determining the validity and soundness of theories, standards, and guides for improving resource uses or research activities; coordinating activities to meet economic needs while promoting sound resource conservation; and providing guidance and assistance to public and private organizations; and/or conducting assays of all products under regulatory control and in the area of functional responsibility, and developing new assay methods and new interpretations of findings; or designing simulation or optimization models to contribute to interdisciplinary multi-resource evaluation procedures. At this level, the work results affect development of major aspects of agency programs, long-range plans, and/or missions; well-being of a large number of people on a short-term basis; major activities of private organizations; operations of other Government agencies; and/or the state-of-the-art in the area of functional responsibility.

At Level 5-6, work involves planning, developing, and implementing major agency programs, projects, or activities of national scope and significance, and/or especially critical, sensitive, and controversial issues related to an area of assigned responsibility. At this level, the work results affect programs that are essential to the agency mission; large number of people on a long-term or continuing basis; or decisions and proposals that have a long-term effect on public and private organizations and/or regulated industries.

The position meets Level 5-5. Like this level, the appellant's work involves isolating and defining critical conditions and problems within a program or part of a project. For example, when coordinating and leading an inter-agency team to plan and conduct a symposium covering scientific background on climate change within the Great Basin and Mojave Desert, he integrated new information for land and water managers addressing how the effects of climate change can be mitigated or adapted to within these areas. Comparable to Level 5-5, the appellant also resolves critical problems of limited scope impacting natural resources that affect multiple stakeholders. For instance, in conducting a management review for the WFRC, which is responsible for aquatic ecosystem science throughout western North America, the appellant reviewed an extensive amount of scientific information developed by leaders of natural resource and scientific agencies from multiple Federal agencies and inter-governmental organizations. Based on his review, he decided which input had the strongest scientific merit and was most relevant to solving aquatic ecosystems problems in his geographic area. With this information he was able to create a report reflecting consensus based on divergent input.

Comparable to Level 5-5, the appellant's work also involves determining the validity and soundness of theories, standards, and guides for improving resource uses or research activities. This is apparent in his work with NCEAS. The NCEAS is a research center that supports cross-

disciplinary research using existing data to address major fundamental issues in ecology and allied fields, and develops applications to management and policy in those scientific fields. It is a unique institution with an explicit mission to foster synthesis and analysis, turn information into understanding and, through effective collaboration, alter how science is conducted. In his assignment involving NCEAS, the appellant developed a process for synthesis and analysis of information and data dealing with how methods for natural resource management of lands and waters can be affected through monitoring of commercially or socio-politically sensitive species.

Like Level 5-5, the scope and effect of the appellant's work also involves coordinating activities to meet economic needs while promoting sound resource conservation and providing guidance and assistance to public and private organizations. For example, in presenting a symposium covering scientific background on climate change, the appellant led, coordinated and motivated a diverse group of scientists and technical experts from Federal agencies, non-governmental organizations, and university and State agency partners to gather, integrate, and share information from their respective land and water managers on how the effects of climate change can be mitigated or adapted to. Furthermore, as the Native American Tribal Liaison for the [appellant's organization] he provides information covering such matters as the emergency response to earthquake hazards affecting smaller reservations in, or near, urban settings, or the effects of mineral extraction across the Southwest encompassed by the Navajo Reservation.

The position does not meet Level 5-6. Unlike that level, he does not implement major agency programs, projects or activities of national scope and significance, and/or critical, sensitive, and controversial issues related to an area of assigned responsibility. While the appellant reviews, coordinates, and provides input and recommendations on local agency programs and activities, and sometimes is tasked to provide information to national program managers that may influence the direction of national agency initiatives (e.g., his work with NAWQA on water quality monitoring), his assignments are primarily limited to those programs and activities affecting his area and region, rather than implementing or impacting activities of national scope or significance. Any critical or highly sensitive issues are dealt with by higher management agency officials. Although the appellant occasionally collaborates with USGS national leadership in a limited role (e.g., his work in writing two chapters of the USGS Science Strategy), unlike Level 5-6 his assignments do not affect programs that are essential to the agency mission, large numbers of people on a long-term or continuous basis, or impact decisions and proposals that have a long-term effect on public and private organizations and/or regulated industries.

The factor is credited at Level 5-5 and 325 points are assigned.

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

These factors include face-to-face contact and remote dialogue (e.g., telephone, email, and video conferences) with persons not in the supervisory chain. The levels of these factors consider the work required to make the initial contact, the difficulty of communicating with those contacted, the setting in which the contact takes place, and the nature of the discourse. Factors 6 and 7 are interdependent, so the same personal contacts are used to evaluate both factors.

Personal contacts

At Level 3, contacts are with individuals or groups inside and outside the employing agency representing high levels of organizations internal and external to the Federal Government. Typical contacts are with contractors; legal professionals; representatives of community action committees; management officials or senior technical staff of corporations; and Federal agencies, academia, or professional organizations.

At Level 4, contacts are with high ranking officials from outside the employing department or agency at national or international levels in highly unstructured settings. Typical contacts at this level include leaders of national stakeholder and/or interest groups; presidents of large national or international firms; national news media; State governors, mayors of large cities, or tribal leaders; Members of Congress; and Presidential advisors and cabinet-level appointees of major departments and agencies.

The position meets Level 3. Comparable to that level, the appellant has contact with a variety of individuals both within and outside his agency. These include agency managers, Center Directors, representatives of scientific organizations, other program officers, academia and representatives of other Federal agencies.

The position does not meet Level 4. In contrast to that level, the appellant does not have contacts with high-ranking representatives from outside the agency at national or international levels including leaders of national interest groups, presidents of large firms, mayors of large cities, State governors, Members of Congress, or Presidential advisors and cabinet-level appointees of major departments and agencies. Although the appellant stated he has contact with officials of Native American tribal groups, the record shows such contacts are typically with tribal staff and administrative personnel, rather than with tribal elders or leaders on a regular and recurring basis.

Purpose of contacts

At Level C, the purpose of contacts is to influence and persuade persons or groups who may be skeptical or uncooperative. Employees must be experienced in approaching the individual or group to obtain the desired effect, such as gaining compliance with established policies or acceptance of established methods using persuasion or negotiation, or establishing rapport to gain information.

At Level D, the purpose of contacts is to justify, defend, negotiate, or settle matters involving significant or controversial issues and/or programs. Work at this level usually involves active participation in conferences, meetings, hearings, or presentations involving problems or issues of considerable consequence or importance. Persons contacted typically have diverse viewpoints, goals, or objectives. The employee must achieve a common understanding of the problem and a satisfactory solution by persuading, compromising, or developing suitable alternatives.

The purpose of the appellant's contacts meets Level C. Like that level, his contacts are made to influence or persuade persons or various groups (i.e., public or private agencies or organizations) who may be initially skeptical or uncooperative. As an experienced facilitator the appellant

exercises skill and tact to establish rapport in approaching the individual or scientific group, so as to gain compliance with or acceptance of established agency policies, scientific views, and program initiatives. Like Level C, he uses persuasion and negotiation to achieve the desired results.

The purpose of the appellant's contacts does not meet Level D. Unlike that level, he is not responsible for justifying, defending, negotiating or settling matters involving significant or controversial major agency natural resource program issues. Higher level officials within the appellant's agency carry out such contacts. While the appellant actively participates in inter-agency conferences and meeting, those contacts are performed within the context of Level C, rather than the more demanding purposes described at Level D.

By application of the Point Assignment Chart on page 70 of the JFS, a combination of Level 3C results in a total of 180 points assigned for Factors 6 and 7.

Factor 8, Physical demands

At Level 8-1, work is sedentary. Some work requires periods of walking, standing, bending, climbing, or driving a motor vehicle. Employees occasionally carry light items, such as books, small instruments or samples, and other similar materials. The work does not require any special physical effort.

At Level 8-2, work requires long periods of standing; walking or riding horses over rough terrain; recurring bending, crouching, stooping, reaching, or similar activities. Work may also include frequent lifting of moderately heavy items, such as equipment and samples that weigh less than 23 kilograms or approximately 50 pounds.

The position meets Level 8-1. Like that level, the appellant's work is sedentary and does not require any physical effort. Although the appellant states he may periodically be called upon to participate in field work requiring limited physical exertion, the record shows these activities are not required of the position, do not occur with sufficient regularity to be considered in the evaluation of this factor, and do not meet the full scope of physical demands characteristic of Level 8-2.

This factor is credited at Level 8-1 and 5 points are assigned.

Factor 9, Work environment

At Level 9-1, work is usually performed in an office setting. The work area normally involves everyday risks or discomforts that require normal safety precautions typical of offices or meeting and training rooms; or may involve occasional exposure to a laboratory that involves risks and hazards that require safety precautions.

At Level 9-2, work involves exposure to moderate risks and discomforts, such as those due to adverse weather conditions (e.g., high winds and low or high temperatures); crowded or constricted maritime docks or ship cargo areas; travel in safety approved small air and water craft and off-road vehicles; irritating chemicals; noxious fumes; flammable liquids; falling trees;

hostile wildlife; poisonous insects, plants, or snakes; radiation; potentially pathogenic bacteria; contagious diseases; and/or carcinogenic materials. Work requires special safety precautions and/or protective clothing and equipment.

The appellant's position meets Level 9-1. Like that level, he performs his work primarily in an office setting, involving everyday risks or discomforts requiring normal safety precautions. Although he occasionally visits the field, he is not exposed to the kinds of risks and discomforts typical of Level 9-2.

This factor is credited at Level 9-1 and 5 points are assigned.

Summary of FES factors

Factor	*Level*	*Points*
1. Knowledge required by the position	1-8	1,550
2. Supervisory controls	2-5	650
3. Guidelines	3-5	650
4. Complexity	4-5	325
5. Scope and effect	5-5	325
6 & 7. Personal Contacts/Purpose of Contacts	3C	180
8. Physical demands	8-1	5
9. Work environment	9-1	5
Total		3,690

The total of 3,690 points falls within the GS-14 range (3,605–4,050) on the grade conversion table in the JFS for Professional Work in the Natural Resources Management and Biological Sciences Group, 0400. Therefore, the appellant's position is graded at the GS-14 level.

Decision

The proper series and grade of the appellant's position is GS-401-14. Selection of an appropriate title is at the discretion of the agency.