

**OFFICE OF PERSONNEL MANAGEMENT**  
**MERIT SYSTEMS OVERSIGHT AND EFFECTIVENESS**  
**DALLAS OVERSIGHT DIVISION**  
**CLASSIFICATION APPEAL DECISION**

Under section 5112(b) of title 5, United States Code

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**Appellant:** [Appellant]

**Position:** Program Manager, GS-340-13  
Position Number: 5107006

**Organization:** [installation] Job Corps Center  
Job Corps Field Office  
Human Resource Programs Staff  
U. S. Forest Service  
[installation city state]

**Decision:** GS-340-14  
Title at agency discretion  
(Appeal granted)

**OPM decision number:** C-0340-14-01

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**Approved by:**

/s/ Bonnie J. Brandon  
Bonnie J. Brandon  
Classification Appeals Officer

2/18/97

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Date

## **Introduction**

The position is that of Center Director on the [installation] Job Corps Civilian Conservation Center, assigned to the Job Corps Field Office, Human Resource Programs Staff of the U.S. Forest Service. The Center is located on the {installation} National Forest with a duty station of [city, state]. The agency has classified the position as Program Manager, GS-340-13. The appellant believes the agency's evaluation has not given sufficient credit for his level of responsibility, and his position should be graded at the GS-14 level. He filed an appeal with this office under the provisions of chapter 51 of title 5, United States Code.

This is the final administrative decision of the Government, subject to discretionary review only under the conditions and time limits specified in sections 511.605 and 511.613 of the Code of Federal Regulations.

## **Job Information**

The Center Director is responsible for the general administration of the Center, for directing technical project work in accordance with the policies and procedures of the conservation agencies, and for the administration of other youth development aspects of the program. The [installation] Center has an authorized enrollment of 224 students, but averages approximately 230. There is a staff of 65 employees with six directly supervised by the appellant, including the Work Program Officer, GS-301-11; Corpsmember Supervisor, GS-301-11; Principal Teacher, GS-1710-11; Supervisory Guidance Counselor, GS-1740-11; Teacher, GS-1710-9 (Center Standards Officer); and the Administrative Officer, GS-341-11.

The appellant directs, with the advice and counsel of the principal teacher, a complex educational program including vocational and on-the-job training, basic language skill training, counseling, and physical education. He directs the staff in the development and conduct of recreational programs and other leisure time activities; a guidance and counseling program including personal and group counseling and coordination of corpsmember advisory and placement activities; and the administration of the Center, insuring the maintenance of facilities, resolving problems of housing and feeding corpsmembers, arranging for general administrative services, e.g., procurement, storage and distribution of supplies, financial management controls and records, personnel management, etc. The appellant is responsible for a community relations program with the cities of [installation], and other southwestern [cities] communities. He is supervised by the Job Corps Field Office Director, in [cities], who oversees the 18 Forest Service Job Corps Centers.

The position description of record is a minimum of ten years old. While it describes the basic duties performed, it does not reflect changes such as the coeducational student body or the organizational realignment that changed the supervisory relationships. The position description should be revised to more accurately reflect the current situation.

## **Series and Title Determination**

The GS-340 Program Management Series includes positions that manage or direct, or assist in a line capacity in the managing or directing, one or more programs, including appropriate supporting service organizations. The paramount qualification requirements of these positions are management and executive knowledge and ability and the positions do not require competence in a specialized subject-matter or functional area. Positions in which specialized subject matter or functional competence is a necessary qualification requirement are classifiable in the appropriate specialized or general series.

As indicated, the appellant does supervise the work of professional teachers, training instructors, guidance counselors, and nurses, along with administrative and other supporting occupations. He is held accountable for the overall management of the Center and to meet the standards set by Department of Labor. While the appellant's background is education, the agency has determined that specialized educational knowledges are not the primary and necessary qualification requirement for Center Director positions. Agency officials indicate that recruitment sources for Center Director positions are generally from within the Job Corps Centers. We will concur with the allocation of the position to the GS-340 Program Management Series. As there are no prescribed titles for positions in this series, the agency may construct a title, using the instructions contained in the Introduction to the Position Classification Standards.

## **Grade Level Determination**

The Grade Evaluation Guide for Positions of Managers of Operating Education Programs covers positions having primary managerial responsibility for planning, developing, directing, and conducting operating education and training programs that provide for the educational development or advancement of the individuals enrolled. Examples include the education program manager in a residential facility providing education and job training for disadvantaged youth. The appellant is responsible for direction of the facility's overall education and training programs. This Guide is used for making a grade level determination.

The Guide uses three factors for determining grade level: student load, variety and complexity of instructional activity, and level of responsibility. The appellant does not question the agency's determination on credit for the first two and we will not discuss those factors in detail.

### **Factor 1 - Student Load**

The factor provides credit for the average number of students enrolled and participating in education and training courses provided by the program manager. The record indicates the [installation] has an authorized student load of 224. While this may at times be

exceeded to an average of 230 students, it is not sufficient to meet the Degree B range of 250 - 650 for adult education. Degree A is credited for 2 points.

### Factor 2 - Variety and Complexity of Instructional Activity

The purpose of this factor is to evaluate the scope and difficulty of program management in terms of the amount and diversity of instructional activity provided by the education or training facility. This activity is measured in terms of the variety and complexity of courses and goal-oriented programs that have resulted from the efforts of the program manager. This factor contains two subfactors: Course Range and Variety and Instructional Program Complexity.

The guide provides a table for measuring the number and variety of courses provided under factor 2 (a). With courses in nine vocational areas, three levels of basic math and reading; a GED preparation and a high school diploma program, including courses in English, literature, sociology, history, and science; and the social skills courses provided, we concur with the agency's credit of Degree D (140 or more courses for adult educational facilities).

Factor 2 (b) measures the extent to which the nature and variety of goal-oriented instructional programs add to the difficulty of the overall instructional activity. Degree C represents a substantial variety and complexity of instructional program activity. Programs for adults typically involve 10 to 15 different creditable goal-oriented programs encompassing 4 or 5 learning levels. The [installation] Center operates nine vocational programs leading to a certificate of competency, GED, and accredited high school diploma programs. These involve four learning levels including primary/ intermediate, secondary, pre-college/technical, and occupational. Vocational programs have to be kept current to match current technology and market demands. Many programs must be adjusted to accommodate the learning of students, many who have failed in traditional settings. Students with very low academic levels are required to raise those levels before beginning vocational training to help insure better comprehension and success. We concur with the agency's crediting of Degree C for 6 points.

### Factor 3 - Level of Responsibility

This factor measures the nature and extent of initiative and originality required; the extent of the authority and freedom permitted the program manager by higher authority; and the difficulty and responsibility of work contacts and relationships within and outside the agency. It considers the nature and extent of supervision and guidance furnished, the applicable guidelines and precedents, and the judgment required to follow, select, and adapt such guidelines. It takes into consideration the changes and innovations to improve and advance the education training program.

At the Degree B level, program managers frequently modify and improve existing program activities by updating course content and instructional methodology and/or provide additional program or course activity within broad guidelines established by higher authority. Changes are largely based on, or adapted from, similar activities and models developed elsewhere. Initiative and judgment are required to determine the need for change, adapt existing models to the local situations, and implement the new or revised programs. Contacts typically involve a substantial variety of individuals and groups. Examples include: recurring contacts with other similar schools or training facilities to discuss common problems and ways to solve them, numerous contacts with education and training institutions to negotiate agreements for participating in established programs, numerous contacts with students' parents or guardians to discuss difficult student problems, regular continuing contacts with outside individuals and local civic groups to improve the usefulness of community facilities for education and recreational purposes.

At Degree C, the manager makes significant creative contributions toward program advancements and improvement in aspects of individual programs, e.g., developing new major courses or program activities from models and precedents that are only vaguely applicable to the relatively complex needs of the facility. Contacts typically involve a wide variety of individuals and groups for the purpose of obtaining cooperation in establishing and implementing programs that are new or different in significant respects from existing programs. New or revised programs, while basically acceptable to those concerned, have significant aspects that are controversial or require a substantial amount of persuasion to obtain cooperation or approval.

Examples of contact activity at this level include: establishing and maintaining contacts with education and training institutions, business groups, and individual specialists to obtain support in establishing new programs and staffing them with people who can contribute to their success; maintaining contacts with civic, business, and other groups and organizations to convince them to provide part-time work and on-the-job training for students and full-time employment after graduation; negotiating a variety of special-purpose education and training contracts with colleges and vocational training institutions or industrial companies, often requiring considerable persuasion to overcome apathy and change traditional practices; initiating and following through with local and state departments of education and regional educational associations to obtain acceptance of program coverage and to secure recognition for accreditation of certificate requirements

The appellant's contacts include Forest Supervisors and their staff; other Center Directors; a variety of officials from within the agency and the Department of Labor; State and local governmental agencies; and persons representing State and local education agencies, school groups, trade unions, job placement resources, and employers. We understand the Department of Labor (DOL) mandates the basic educational curriculum and must approve the vocational training and/or any change of vocation. Individual Centers are encouraged to enhance those programs, using new methods, techniques, and

keeping materials current. Examples of changes made by the appellant's center include the addition of a CAD (computer aided design) system for use of the carpentry and welding classes, and Internet access for computers in the business occupations. The welding program includes advanced classes and their primary instructor may administer the testing for the certification process recognized by industry. This is not available at other Centers. The appellant was the first to hire a placement officer, a position not approved by the DOL. As a result, the [installation} has been a leader in quality job placements for the past three years and efforts are underway to have such a position be approved for DOL funding at all Centers. The Center has made use of its closed circuit television and video taping capabilities for information sharing, promotion of the Center, instruction, and as a video record for students to show potential employers, e.g., heavy equipment operation. The agency's evaluation of the appellant's position cited the full accreditation of the Center by the Northwest Association of Schools and Colleges and his participation on national task groups.

The community relationships and other partnerships were cited also in the agency's evaluation and by those interviewed. These include agreements with the Western [state] College Tech Prep to award Center students, who demonstrate proficiency in identified curricular competencies, advance placement and/or college credit. Corps members may also enroll for first year college courses conducted at the local high school in the evenings through agreement with Western [state] College. Another agreement with the [state] Association of School Superintendents allows at risk students in the community to attend Job Corps classes to complete needed credits to receive their high school diplomas. The airport board has an agreement to provide land fill materials and approximately 200 acres of land for student training in heavy equipment operation. The Center assists local and other communities in instances of fire, flooding, and/or heavy snowfall. The appellant is part of the community relations council that includes the mayor, police officials, chamber of commerce, and leading business leaders working to resolve issues and problems for the benefit of all parties. He serves with local school officials on a task force concerning drug abuse and Center students have assisted local schools in their anti-drug programs. These examples are comparable to those given at Degree C of the Guide.

The [state] Chamber of Commerce was selected by the National Job Corps Coalition to receive a national award for outstanding community support of Job Corps.

The Center was invited to nominate students to attend [state] Boys State with other high school students, was reviewed by the DOL's Office of the Inspector General as a best practices Center, and received the Secretary of Agriculture's Honor Award for sustained superior performance in the training of American youth. These awards provide evidence of highly successful program operations. Overall, we find credit for Degree C appropriate and 6 points are credited.

A total of 22 points is credited for the three factors of the Guide. Twenty-two points fall within the point range (22 - 28) for the GS-13 grade level.

The Guide recognizes that there may be relatively unusual situations where positions have special characteristics that differ from the criteria and examples provided. Occasionally, these special characteristics have particular features that may influence the grade-level of a position upward or downward. To affect the grade level evaluation, the special characteristics must meet all of the following conditions:

- a. they are inherent in the position as regular and recurring situations;
- b. the basic evaluation factors do not take them into account;
- c. they significantly increase or decrease the position's total responsibility and complexity; and
- d. their impact causes the total position clearly and substantially to exceed or fall short of the grade level provided in the conversion chart.

The Guide lists four examples of significant special characteristics that may be considered in evaluating education program managers. One example is the responsibility for the housing, care, welfare, and social adjustment of students on a 24-hour per day basis at a residential (boarding) school. The appellant has responsibility for the education and training program at the Center as well as for providing housing, food, clothing, health care, recreational opportunities, and discipline for enrollees on a 24-hour day, 7-day week on a year-round basis. Most are high school dropouts and come from dysfunctional and/or economically disadvantaged backgrounds. Many have had alcohol, substance abuse, and/or mental health problems. The Center is charged with providing a safe, secure environment in which students can learn the social, educational, and vocational skills being offered. We find these responsibilities meet the conditions described above and the grade level may be adjusted upward. The final grade of the position is GS-14.

## **Decision**

The appellant's position is properly classified as GS-340-14. The title is at the discretion of the agency.