

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

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

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

Appellant: [appellant]

Agency classification: Rangeland Management Specialist
GS-0454-12

Organization: [appellant's activity]
[a specific] State Office
Bureau of Land Management
Department of the Interior
[geographic location]

OPM decision: Rangeland Management Specialist
GS-0454-12

OPM decision number: C-0454-12-01

/s/ Bonnie J. Brandon

Bonnie J. Brandon
Classification Appeals Officer

January 8, 2001

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 personnel office]

Director
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Introduction

On September 26, 2000, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [the appellant]. His position is currently classified as Rangeland Management Specialist, GS-454-12. However, he believes its classification should be Rangeland Management Specialist, GS-454-13. He works in the [appellant's activity], [in a specific] State Office, Bureau of Land Management (BLM), Department of the Interior, [geographic location]. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

The appellant previously appealed [his] State Office's classification of his position to BLM's National Human Resources Management Center. On July 5, 2000, the Center issued its decision on the appellant's position. Although the Center's decision sustained the GS-12 grade level, it differed from the State Office's classification on the evaluation of five factors (Factor 2, Supervisory Controls; Factors 6 and 7, Personal Contacts and Purpose of Contacts; Factor 8, Physical Demands; and Factor 9, Work Environment).

The appellant was temporarily promoted to Rangeland Management Specialist, GS-454-13, from October 12, 1997, to January 11, 2000, to perform national level work for the Washington Office relating to implementation of the Rangeland Reform Act of 1994. According to information provided by the appellant and the agency, these national level assignments occupied 25 to 50 percent of the appellant's time and formed the basis for the GS-13 grade. The appellant's current position description (PD), [number], reflects the duties he has been performing since termination of the temporary promotion.

To help decide the appeal, an Oversight Division representative conducted telephone interviews with the appellant and his immediate supervisor. In reaching our classification decision, we have reviewed the audit findings and all information of record furnished by the appellant and his agency.

General issues

The appellant indicates that positions for some of his counterparts in other states are at a higher grade. By law, we must classify positions solely by comparing their 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 as a basis for deciding his appeal.

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 personnel 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 the appellant the differences between his position and the others.

The appellant makes reference to the higher-grade national level work assignments that occupied as much as 50 percent of his time in the past few years. OPM guidelines and previous decisions show that in evaluating positions such as the appellant's, current duties are those that have occurred during the past year. Therefore, we could not consider duties performed over a year ago in deciding this appeal.

According to information provided by the appellant and his agency, the appellant's current national level assignments occupy less than 25 percent of his time. For positions that involve different levels of work, Section III.J. of the *Introduction to the Position Classification Standards* states that such work may be grade-controlling only if (1) it is assigned on a regular and continuing basis, (2) it occupies at least 25 percent of the employee's time, and (3) the higher level knowledge and skills needed to perform the work would be required in recruiting for the position if it were to become vacant. Because the appellant spends less than 25 percent of his time on national level assignments, we will not evaluate that work in this decision.

The appellant mentions his personal qualifications, including his 33 years of experience in rangeland management, as part of his basis that his position warrants a higher grade. Qualifications are considered in classifying positions. However, these are qualifications described in the OPM qualification standards for the appellant's position, not qualifications that appellants personally possess. Therefore, we could not consider the appellant's personal qualifications, except insofar as they are required to perform his current duties and responsibilities. To the extent that they were needed for this purpose, we carefully considered them along with all other information provided by the appellant and his agency.

The appellant discusses the high quality of his work as evidenced by his performance ratings. However, quality of work cannot be considered in determining the grade of a position (*The Classifier's Handbook*, chapter 5).

The appellant states that his role as State Coordinator for Public Land Health represents an increase in his currently assigned duties. Although volume of work cannot be considered in determining the grade of a position (*The Classifier's Handbook*, chapter 5), we considered the appellant's State Coordinator duties in evaluating the overall level of difficulty of the appellant's work.

Position information

The appellant serves as the Range Program Senior Technical Specialist for [his] State Office. He provides staff support and program direction to Field Office Managers, the State Director, and other State Office personnel on all matters relating to the rangeland management, rangeland improvement, and land health assessment programs within [the appellant's state]. The appellant must coordinate and integrate rangeland programs with other resource programs such as wild horse and burro, wildlife, fisheries, recreation, etc., to achieve multiple use resource management goals. The appellant maintains liaison with many other State and Federal agencies to coordinate

work efforts. He also deals with a variety of organizations such as [a specific state] Cattleman's Association, Sierra Club, and [a specific state] Wildlife Federation who may have opposing interests. The appellant's PD and other material of record furnish much more information about his duties and responsibilities and how they are performed.

Series, title, and standard determination

The appellant does not disagree with the agency's assignment of series and title for his position or the standard used to evaluate his work. We concur with the agency that the appellant's position is best covered by the Rangeland Management Series, GS-454, best titled Rangeland Management Specialist, and best graded using the criteria in the GS-454 standard.

Grade determination

The GS-454 standard 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.

The appellant disagrees with the State Office's evaluation of Factors 1, 4, 5, 6, and 7. The Center agreed with the appellant that Factors 6 and 7 should be evaluated at Level 3c; the State Office had assigned Level 3b. The Center evaluated Factor 2 at Level 2-4; the State Office had assigned Level 2-5. We have reviewed the State Office's and the Center's evaluations of all nine factors. We concur with the Center's determination for Factors 2, 3, and 6 through 9. Therefore, our evaluation focuses on Factors 1, 2, 4, and 5.

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, for example, steps, procedures, practices, rules, policies, theories, principles, and concepts, and the nature and extent of the skills needed to apply the knowledge.

Level 1-7 requires professional knowledge of a wide range of rangeland management principles, concepts, and theories to solve problems covering diverse situations. Assignments require sound professional knowledge and skills sufficient to modify or adapt standard processes and procedures and assess, select, and apply appropriate precedents. Knowledge of ecological processes and the interrelationships of related disciplines such as wildlife biology, forestry, and soil conservation is needed to plan multiple-use programs. At this level, the specialist serves as the principal expert and technical advisor for the rangeland management program in the geographic area, plans and provides training for field office personnel in the assigned area of responsibility, develops budget and program plans and implementing guidance, and integrates the rangeland management program with other resource programs to achieve multiple-use goals.

The knowledge required by the appellant to perform his duties meets Level 1-7. The appellant must apply knowledge of rangeland management principles to solve a variety of problems, develop multiple-use plans, and resolve differences among groups with opposing interests. Similar to the illustrations at Level 1-7, the appellant serves as the technical specialist in rangeland management for [his] State Office; provides training to staff to ensure they have adequate skills to do quality work; develops budgets, policies, strategies, and procedures for installation of rangeland improvements, the gathering and analysis of rangeland data, and functions relating to grazing administration, management, and use; and integrates and coordinates the rangeland management program with other resource programs such as wild horse and burro, wildlife, fisheries, wilderness, and endangered species to achieve multiple resource management goals.

Knowledge at Level 1-8 is described as “mastery of the rangeland management profession.” This level of knowledge is used to apply new scientific findings, resolve unique problems, or take actions that have a significant impact on existing agency policies and programs. Illustrations at Level 1-8 also describe providing advice and program leadership at the regional and national levels. The specialist plays a key role in the overall planning and administration of the program by developing long-term, multiple-use plans and regional direction; making inspections of units for evaluation purposes; and maintaining cooperative relationships with other agencies and interest groups.

The appellant’s position does not meet Level 1-8. Although the appellant may possess a high level of knowledge of rangeland management because of his many years of experience in the field, his position does not *require* the knowledge characteristic of Level 1-8. The Primary Standard, the “standard-for-standards” for the FES, states that a level of knowledge must be required, as well as applied, in order to be credited to a position. There is no evidence that knowledge at Level 1-8 is required for the appellant’s position.

Level 1-7 (1250 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

expected to resolve most problems that arise and to coordinate the work with others in the same or other disciplines as necessary. The employee also interprets and applies program policy in terms of established objectives and keeps the supervisor informed of progress, potentially controversial problems, concerns, issues, or other matters having far-reaching implications. The completed work is reviewed for general adequacy in meeting program or project objectives, expected results, and for compatibility with other projects.

The supervisory guidance or control at Level 2-5 is exercised through broad, general objectives that 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 rangeland resources. Within these broad areas of direction, the employee is responsible for *independently* determining the validity and soundness of programs and plans and for 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 position fully meets Level 2-4. Broad, general objectives for BLM's rangeland management program are established at the national level. Within these parameters, the appellant's supervisor provides overall administrative supervision and direction of the State Office work. The appellant selects methodologies, procedures, and techniques to accomplish the work. He resolves complex problems and conflicts, seeking assistance when needed, and recommends courses of action for resolution of sensitive or controversial issues. Completed work is reviewed for general compliance with policy and priorities of BLM and the State Office. 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. The appellant's assignments are made with more specific direction than just broadly defined agency missions or functions as described at Level 2-5. Although the appellant operates relatively free of day-to-day supervision and his recommendations are normally accepted, his work is not evaluated for potential influence on broad agency policy and program goals.

Level 2-4 (450 points) is credited.

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 in performing the work.

At Level 4-4, the work is characterized by a variety of assignments consisting of diverse and complex technical or administrative problems and consideration. Problems typically require in-depth analysis and the evaluation of alternatives because of complicating factors such as environmental problems whose resolution may have serious public impact or conflicting pressure to redirect management strategies. The work requires the employee to identify independently the boundaries of all phases of the problems involved and the criteria and techniques to be applied in accomplishing the assignment. Typically, the assignments require the employee to relate new work situations to precedent situations, extend or modify existing techniques, or develop

compromises with standard rangeland management practice to solve problems. Assignments may require substantial effort to overcome resistance to change when it is necessary to modify traditional, long-standing methods or approaches.

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

The complexity of the appellant's work is best evaluated at Level 4-4. As described at that level, the appellant's work includes a wide variety of complex technical and administrative rangeland management situations which require him to use judgment in determining the best approach for resolving problems. Decisions made involve assessment of unusual circumstances and interpretation of incomplete or conflicting data. The appellant's work is complicated by the need to maintain balance between rangeland resources, the demands of competing users, and environmental concerns. The appellant must expend considerable effort to overcome resistance to change in long-standing policies and procedures. He must also coordinate with other specialists to integrate the rangeland management program with other resource programs. These duties are typical of those described at Level 4-4.

The appellant's position does not meet Level 4-5. The geographic area [state] for which the appellant has responsibility is not equivalent to the wide geographic area envisioned at Level 4-5. In addition to operating in a much smaller territory, the appellant's assignments do not match the complexity of work at Level 4-5, which describes work that involves abstract concepts or serious conflicts between scientific information and program and economic requirements. Further, the appellant's assignments do not involve solving problems with novel or undeveloped aspects illustrative of work at Level 4-5.

Level 4-4 (225 points) is credited.

Factor 5, Scope and effect

This factor covers the relationship between the nature of the work, for example, the purpose, breadth, and depth of the assignment, and the effect of work products or services both within and outside the organization.

At Level 5-4, employees develop essentially new or vastly improved techniques or solutions to specific problems in a resource management program and coordinate results with related

resource activities. They advise on, plan, or review specific problems, programs, or functions. They are typically concerned with problems that occur at a number of locations within a broad geographic area of responsibility. The results of their work directly influence the effectiveness and acceptability of agency goals, programs, or activities.

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

The appellant's position meets Level 5-4. The appellant provides advice to field managers and other BLM officials within the state. He also develops policies and procedures that have a direct influence on BLM's resource programs within the state. The appellant's geographic area of responsibility is consistent with Level 5-4. The scope and effect of the appellant's work fall short of Level 5-5. The appellant does not develop new approaches or techniques for use by others to the extent intended by Level 5-5.

Level 5-4 (225 points) is credited.

Summary

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

Factor	Level	Points
1. Knowledge required by the position	1-7	1250
2. Supervisory controls	2-4	450
3. Guidelines	3-4	450
4. Complexity	4-4	225
5. Scope and effect	5-4	225
6. and 7. Personal contacts and Purpose of contacts	3c	180
8. Physical demands	8-2	20
9. Work environment	9-2	20
Total		2820

The appellant's position warrants 2820 total points. Therefore, in accordance with the grade conversion table of the standard, his position is properly graded at GS-12.

Decision

The appellant's position is properly classified as Rangeland Management Specialist, GS-454-12.