

U.S. Office of Personnel Management
Division for Human Capital Leadership & Merit System Accountability
Classification Appeals Program

San Francisco Field Services Group
120 Howard Street, Room 760
San Francisco, CA 94105-0001

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

Appellant: [Name of appellant]

Agency classification: Supervisory Forester
GS-460-11

Organization: [Appellant's organization/location]
U.S. Forest Service
U.S. Department of Agriculture

OPM decision: Supervisory Forester
GS-460-11

OPM decision number: C-0460-11-07

Marta Brito Pérez
Associate Director
Human Capital Leadership
and Merit System Accountability

May 18, 2005

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 address]

[Address of appellant's servicing human resources office]

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Introduction

On November 9, 2004, the San Francisco Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [name of appellant]. The appellant's position is currently classified as Supervisory Forester, GS-460-11. The appellant works in the [appellant's organization/location], U.S. Forest Service, U.S. Department of Agriculture. He believes his position should be classified as Supervisory Forester, GS-460-12. We received the agency's administrative report on December 14, 2004. We have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

This decision is based on a thorough review of all information submitted by the appellant and his agency. In addition, to help decide the appeal, we conducted a telephone audit with the appellant and a telephone interview his immediate supervisor, the District Ranger.

General issues

The appellant and his immediate supervisor do not believe that the appellant's current official position description (PD) [number] is completely accurate. A PD is the official record of the major duties and responsibilities assigned to a position by an official with the authority to assign work. A position is the duties and responsibilities that make up the work performed by the employee. Classification appeal regulations permit OPM to investigate or audit a position and decide an appeal on the basis of the actual duties and responsibilities currently assigned by management and performed by the employee. An OPM appeal decision classifies a real operating position, and not simply the PD. Therefore, this decision is based on the work currently assigned to and performed by the appellant.

The appellant makes various statements about the classification review process conducted by his agency, and compares his work to other positions at higher grades within his agency. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM position classification standards and guidelines (5 U.S.C. 5106, 5107, and 5112). In adjudicating this appeal, our only concern is to make our own independent decision on the proper classification of his position. Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's position to others as a basis for deciding his appeal. Therefore, we have considered the appellant's statements only insofar as they are relevant to making that comparison. Because our decision sets aside any previous agency decision, the classification practices used by the appellant's agency in classifying his position are not germane to the classification appeal process.

The appellant states that he has been delegated authority to perform certain duties and responsibilities in an acting capacity for the District Ranger of the [name of district] Ranger District. However, duties and responsibilities performed only in another employee's absence cannot be considered in grading a position (Chapter 5 of *The Classifier's Handbook*).

Position information

The appellant serves as a staff assistant to the District Ranger with responsibilities for the development and implementation of the fuels and fire program in the [name of district] Ranger

District. The District covers an area consisting of approximately 1.5 million acres, over 70 miles long north to south, averaging 30 miles wide, and shares 40 miles of international boundary with Canada. As fuels and fire program manager the appellant plans, coordinates, organizes, directs, and implements the [name of district] Ranger District's fire and fuels programs to ensure that all work is performed to agency quality standards and requirements. The appellant's primary duties involve management and implementation over prescribed fire, fire suppression, fire prevention, pre-suppression, and detection of fire activities in the District. His responsibilities over the fuels program include assessing fuels by controlling substances that contribute to fires in the forest (e.g., trees, brush); determining suppression capabilities and resistance to control, ignition probability, predicated rate of spread and flame height, and predictability of weather; developing plans that include various fire suppression strategies for different conditions and sites; and determining personnel, equipment, logistics, and communication needs. The appellant and his staff prepare long and short range plans for suppression, pre-suppression, and prevention activities, integrating them with other functions, resource plans, and objectives. The appellant is also responsible for reviewing and evaluating the interrelationship of various facets of the fire management activity in the [name of district] Ranger District with nationwide and regional functional resource plans and overall land management plans.

As program manager of the fuels and fire program, the appellant's responsibilities include coordinating the use of necessary aviation and aircraft equipment during prescribed burn projects and wildfire activities, and ensuring that all phases of the fuels and fire program comply with safety and air quality (Clean Air Act) laws and regulations. The appellant serves as the [name of district] Ranger District fuels and fire program representative at local agencies, federal, state, county, and public meetings and conferences, which include discussions of fuels and fire activities. The appellant spends up to 75 percent of his time performing the duties described above as fuels and fire program manager.

The appellant spends approximately 25 percent of his time providing direct administrative and technical supervision to three permanent full-time positions (one Supervisory Forester, GS-460-9 and two Supervisory Forestry Technicians, GS-462-9); indirect administrative and technical direction to two permanent, full-time positions (one Lead Forestry Technician, GS-462-7; and 1 Forestry Technician, GS-462-7); seventeen seasonal permanent, full-time positions (five Supervisory Forestry Technicians, GS-462-7; one Forestry Technician, GS-462-6/7; five Lead Forestry Technicians, GS-462-6; two Forestry Technicians, GS-462-6; one Lead Forestry Technician, GS-462-5; two Forestry Technician, GS-462-5/6; and one Forestry Technician (Apprentice), GS-462-4/5. The appellant also provides direct and indirect administrative and technical supervision to up to thirty temporary Forestry Technicians, GS-462 at grades GS-3 (5), GS-4 (10), and GS-5 (15). The size of the appellant's workforce varies, with the seasonal work starting the end of February and running through the month of November. The District's fire season is typically June through September of each year. However, the fire season and seasonal and temporary employees' employment can extend past September due to weather conditions and the susceptibility to forest fires. The five full-time permanent subordinates are employed a full year. The full-time seasonal permanent employees are guaranteed either a minimum of thirteen or eighteen pay periods (average four to six months) of employment. The temporary employees' employment period depends upon the needs of staff. These subordinate employees are engaged in various duties and responsibilities relating to fuels (prescribed burning), fire

suppression, preparedness, fuels planning and inventory, and serve as fire engine crew supervisors, leaders, assistants, and squad bosses.

Series, title, and standard determination

The appellant's agency has classified his position in the Forestry Series, GS-460, titling it Supervisory Forester, and the appellant does not disagree. This series covers positions that require primarily professional knowledge and competence in forestry science. After a thorough review of the record, we concur with the agency's title and series determinations.

In addition, because the appellant's position fully meets the coverage requirements for evaluation as a supervisor specified in the General Schedule Supervisory Guide (GSSG), we will evaluate the grade of his supervisory duties by application of the criteria in the guide.

Grade determination

Evaluation of personally performed work using the GS-460 PCS for the Forestry Series

The appellant's personally performed non-supervisory duties have been evaluated by application of the grading criteria in the position classification standard (PCS) for the Forestry Series, GS-460. The GS-460 PCS is written in the Factor Evaluation System (FES) format, 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 use of the grade conversion table in the standard.

The appellant disagrees with his agency's factor level assignments for Factor 3 (Guidelines) and Factor 5 (Scope and effect). The agency assigned Level 3-3 for Factor 3, and Level 5-3 for Factor 5, but he believes Levels 3-4 and 5-4 are warranted. The appellant does not disagree with his agency's crediting of Levels 1-7, 2-4, 4-4, 6-3, 7-3, 8-2, and 9-2 for the remaining seven factors. After careful review, we concur with the agency's evaluation of the uncontested factor levels, and have limited our discussion below to the two factors in dispute.

Factor 3, Guidelines

This factor covers the nature of guidelines for the work and the judgment needed to apply them.

At Level 3-3, guidelines include action plans for related programs or activities, manuals of standard procedures and practices, textbooks, research reports, and other literature. Most assignments require the forester to select, adapt, or interpret existing methods, practices, and instructions or to generalize from several guidelines and techniques in carrying out the activities, ensuring coordination with other resources, and in solving the more complex problems. Some assignments require frequent departures from standardized procedures in order to establish tentative direction for completion of the assignments. The employee determines when problems require additional guidance.

At Level 3-4, guidelines are often inadequate to deal with the more complex or unusual problems, or problems concerned with novel, undeveloped, or controversial aspects of forestry. The precedents or guidelines 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 which are pertinent to the specific problems, or proven methods of treating the problem under varying conditions are lacking or incomplete. The forester is required to deviate from, or extend traditional forestry methods and practices, or to develop essentially new or vastly modified techniques and methods for obtaining effective results.

Comparable to guidelines described at Level 3-3, the appellant uses actions plans and manuals covering various agency regulations, policies, practices, and procedures, including the forest fire management plan, local forest implementing instructions, incident briefing books, the Wild Land Fire Implementation Plan, guidelines covering the restoration of forests, air quality standards, and guidance published by the state department of ecology and natural resources. He must frequently adapt and interpret the guidelines to specific situations, sometimes generalizing from several guidelines and prescribed techniques, or departing from standardized procedures, to resolve problems and perform certain activities in fuels and fire management. Similar to Level 3-3, the appellant determines when problems require additional guidance, and seeks assistance from the Deputy Fire Management Officer at the forest level, or from subject matter experts on and off the forest.

Level 3-4 is not met. The record shows that guidelines, precedents, and proven methods are available to handle specific problems. While his guidelines sometimes require adaptation and interpretation, they are not insufficient in dealing with the types of fuels and fire management problems encountered covering the processes of fighting fires and developing prescribed burning projects. His program guidelines are adequate in dealing with fuels and fire issues found at the ranger district level, and when novel or controversial aspects of forestry arise, he can seek guidance from subject matter experts at forest or regional headquarters. Unlike Level 3-4, the appellant is not required to deviate from or extend traditional methods and practices, and he has not developed essentially new or vastly modified techniques and methods to deal with fuels and fire management issues typical of this level. Therefore, this factor is evaluated at Level 3-3 and credited with 275 points.

Factor 5, Scope and effect

This factor covers the relationship between the purpose, breadth, and depth of the assignment 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.

At Level 5-3, the purpose of the work is to investigate and analyze a variety of conventional resource problems and environmental conditions and to recommend and/or implement solutions to overcome them and to meet resource management objectives. The work affects the efficient development, protection, and use of a particular resource, the public's impression of the adequacy of the management of the particular resource and the other resources it impacts upon, and the socio-economic welfare of dependent communities.

At Level, 5-4, the forester develops essentially new or vastly improved techniques or solutions to specific problems in a resource or subject matter program or program area, and coordinates results with related resource activities. Foresters at this level furnish advisory, planning, or review services on specific problems, programs, or functions. They are typically concerned with problems which occur at a number of locations within a broad geographic area, or affect the continued existence of a resource unique to a geographical area. The results of the work directly influence the effectiveness and acceptability of agency goals, programs and/or activities.

Descriptive of Level 5-3, the appellant deals with a variety of conventional fuels and fire management problems and related environmental conditions. He recommends and carries out procedures and techniques to protect the forest resource, integrating his program with overall land and forest management operations. Through efficient fuels and fire management, his work affects the protection and use of the forest resource, the public's impression on the adequacy of forest management, and the socio-economic welfare of the surrounding, dependent communities.

Level 5-4 is not met. Even though the appellant's position requires skill in negotiating and resolving differences to achieve agreement, he does not develop essentially new or vastly improved techniques or solutions to specific problems. The appellant applies known procedures, techniques, and precedents to resolve fire and fuel problems and situations. The work requires judgment and tact to combine established methods into satisfactory solutions that address the unique problems of each case. While he does provide advisory and review services on specific fuels and fire management problems in the District, this is not done within the context of a broad geographic area as implied in the standard. Review of supporting benchmarks at Level 5-4 show that work assigned is normally found in positions in second level units, whereas Districts are considered first level units directly responsible for program implementation and execution, but not for a broad geographic area covering one or more states. Finally, while his program directly affects the local District's fuels and fire management activities and immediate program goals, it does not directly influence the effectiveness and acceptability of the Forest Service's overall program goals and/or activities. Therefore, this factor is evaluated at Level 5-3 and credited with 150 points.

Summary of FES factors for GS-460 PCS

By application of the GS-460 PCS, we have evaluated the appellant's personally performed work as follows:

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Knowledge required by the position	1-7	1250
2. Supervisory controls	2-4	450
3. Guidelines	3-3	275
4. Complexity	4-4	225
5. Scope and effect	5-3	150
6. Personal contacts and	6-3	60
7. Purpose of contacts	7-2	50
8. Physical demands	8-2	20
9. Work environment	9-2	<u>20</u>

Total

2500

A total of 2500 evaluation factor points falls within the GS-11 point range (2355-2750) according to the grade conversion table in the GS-460 PCS.

Evaluation of supervisory duties using the GSSG

The GSSG uses a point-factor evaluation method that assesses six factors common to all supervisory positions. To grade a position, each factor is evaluated by comparing the position to the factor level definitions for that factor and crediting the points designated for the highest factor level which is met, in accordance with the instructions specified for the factor being evaluated. The GSSG is a threshold standard. A defined level must be fully met before it can be credited. The total points accumulated under all factors are then converted to a grade using the point-to-grade conversion chart in the GSSG.

Factor 1, Program scope and effect

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

a. Scope

Scope addresses the general complexity and breadth of the program directed and the work directed, the products produced, or the services delivered. The geographic and organizational coverage of the program within the agency structure is included under scope.

At Level 1-2a the program segment or work directed is administrative, technical, complex clerical, or comparable in nature. The functions, activities, or services provided have limited geographic coverage and support most of the activities comprising a typical agency field office, an area office, a small to medium military installation, or comparable activities within agency program segments.

Level 1-3a discusses directing a program segment that performs technical, administrative, protective, investigative, or professional work. The program segment and work directed typically have coverage which encompasses a major metropolitan area, a state, or a small region of several states; or, when most of an area's taxpayers or businesses are covered, coverage comparable to a small city. Providing complex administrative or technical or professional services directly affecting a large or complex multi-mission military installation also falls at this level.

Level 1-3a is not met. The appellant's unit does not provide technical services comparable to directly affecting a large or complex multi-mission military installation. While his administrative and technical duties and responsibilities cover a large geographic area, it is not equivalent to a major metropolitan area, a state, a small region of several states, or a small city as

described at Level 1-3a. Similar to Level 1-2a, the fuels and fire management activities support most of the other functions carried out in a typical Forest Service field office, i.e., a ranger district. His position is similar to the first illustration of work under Level 1-2, which describes positions directing budget, staffing, supply services, etc., for a non-defense agency field office within agency program segments. Therefore, Level 1-2a is credited for scope.

b. *Effect*

Effect addresses the impact of the work, products, or programs described under Scope on the mission and program of the customers, the activity, other activities in or out of government, the agency, other agencies, the general public, or others.

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

At Level 1-3b, the activities, functions, or services accomplished directly and significantly impact a wide range of agency activities, the work of other agencies, or the operations of outside interests (e.g., a segment of a regulated industry), or the general public. At the field activity level involving large, complex, multi-mission organizations and/or very large serviced populations, the work directly involves or has a substantial impact on the provisions of essential support operations to numerous, varied, and complex technical, professional, and administrative functions.

Similar to Level 1-2b, the services his unit provides support and significantly affect the District's field office operations. Unlike Level 1-3b, the activities accomplished do not directly and significantly influence a wide range of agency (i.e., Department of Agriculture or Forest Service wide level) activities, the work of other agencies, or the operations of outside interests. In addition, while his position is located at the field activity level, the work does not affect a large, complex, multi-mission organization or service a very large population, and it does not involve the provision of essential support operations to numerous varied and complex technical and administrative functions. While he coordinates his work with other agencies, that effort does not directly and significantly have an effect on accomplishment of their operations or program objectives. Therefore, Level 1-2b is credited for effect.

Since both subfactors a and b are evaluated at Level 1-2, Factor 1 is credited with 350 points.

Factor 2, Organizational setting

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

The appellant reports directly to the District Ranger of the [name of district] Ranger District, who in turn reports to a Forest Supervisor. The Forest Supervisor reports to the Regional Forester who occupies an SES position. This is consistent with Level 2-1 where the position is accountable to a position that is two or more levels below the first (i.e., lowest in the chain of

command) SES, flag or general officer, equivalent or higher level position in the direct supervisory chain. The position does not meet Level 2-2. To meet that level the position must be accountable to a position that is one reporting level below the first SES, flag or general officer, or equivalent or higher level position in the direct supervisory chain. This is not the case in the appellant's organization.

Factor 2 is evaluated at Level 2-1 and credited with 100 points.

Factor 3, Supervisory and managerial authority exercised

This factor covers the delegated supervisory and managerial authorities that are exercised on a recurring basis. To be credited with a level under this factor, a position must meet the authorities and responsibilities to the extent described for the specific level.

Factor Level 3-2 requires that the position must meet one of the paragraphs: a, b, or c. Paragraph a discusses production-oriented work and b describes situations where work is contracted out. Neither is appropriate for the appellant's position. At Level 3-2c, the position must have responsibility for carrying out at least three of the first four and a total of six or more of ten authorities and responsibilities listed. The appellant's position fully meets the criteria for Level 3-2c in that he meets nine of the 10 criterion listed. For example, he plans and assigns work to be accomplished by subordinates, evaluates performance, advises employees on work and administrative matters, interviews candidates for positions in his unit and recommends appointment or promotion, hears and resolves complaints and takes minor disciplinary actions, identifies employees' developmental and training needs, and finds ways to improve production and quality of work. However, he does not develop performance standards as these are developed and standardized by the agency.

To be awarded Factor Level 3-3, a position must meet either Level 3-3a or 3-3b. The appellant's position does not meet Level 3-3a. The intent of Level 3-3a is to credit significant decision-making involvement in bureau-wide staffing, budgetary, policy, and regulatory matters. Level 3-3a describes positions exercising delegated managerial authority to set a series of long-range work plans and schedules and assuring implementation of goals and objectives by subordinate organizations. They determine goals and objectives that need additional emphasis, determine the best approach for resolving budget shortages, and plan for long-range staffing needs. The positions are closely involved with high-level program officials (or comparable agency level staff personnel) in the development of overall goals and objectives for assigned functions or programs. For example, they direct development of data, provision of expertise and insights, securing of legal opinions, preparation of position papers or legislative proposals, and execution of comparable activities that support development of goals and objectives of high levels of program management and development or formulation. The appellant's position does not meet this level. He is not closely involved with agency-level officials in the development of the overall goals and objectives for the bureau's or headquarters fuels and fire management program. Additionally, he has no independent authority to make the types of decisions and to perform many of the tasks supporting development of overall program goals as addressed at Level 3-3a because such matters are addressed at higher levels within the Forest Service.

Level 3-3b is not met. To meet this level, positions must exercise all or nearly all of the delegated authorities and responsibilities at Level 3-2c plus at least 8 of the 15 responsibilities listed at Level 3-3b. We find that the appellant exercises only 4 of the 15 responsibilities (specifically, Responsibilities 1, 5, 6, and 8) listed under Level 3-3b, that is, he only directs work through subordinate supervisors and leaders, makes decisions on work problems presented by supervisors and leaders, evaluates subordinate supervisors and serves as the reviewing official on evaluations of non-supervisory staff, and recommends selections for subordinate supervisory and team leader positions. The appellant's position is not credited with the other 11 responsibilities listed under Level 3-3b, and therefore, cannot receive credit for Responsibilities 2, 3, 4, 7, and 9 through 15, for the reasons discussed below:

Responsibility 2 is not credited. It involves exercising significant responsibilities in dealing with officials of other units or organizations, or in advising management officials of higher rank. This factor goes beyond the day-to-day interaction of an employee with his/her immediate supervisor, and covers significant responsibilities for interacting with and advising higher management officials (i.e., Forest or regional office headquarters managers) on program related matters and recommended courses of action. Ranger districts are the first organizational level of a national forest, and as such the appellant is not in the position to advise those outside his immediate chain of command, or officials of other units or organizations.

Responsibility 3 is not credited. It involves ensuring reasonable equity of performance standards and rating techniques developed by subordinates. Performance standards and rating techniques are developed and standardized by the agency.

Responsibility 4 is not credited. It requires direction of a program or major program segment with significant resources, e.g., one at a multimillion dollar level of annual resources. Responsibility 4 is intended to credit only positions that exercise direct control over a multimillion dollar level (i.e., at least \$2 million or more) of annual resources. The appellant's annual resources for the fuels and fire program fall below the multimillion dollar level.

Responsibility 7 is not credited. It involves making or approving selections for subordinate non-supervisory positions. The appellant's position recommends selections, while the District Ranger or the Forest Supervisor makes and/or approves the final selections.

Responsibilities 9, 10, 11, 12 and 13 are not credited. They involve hearing and resolving group grievances or serious employee complaints; reviewing and approving serious disciplinary actions involving non-supervisory subordinates; making decisions on non-routine, costly, or controversial training needs and training requests related to employees of the unit; determining whether contractor performed work meets standards of adequacy necessary for authorization of payment; and approving expenses comparable to within-grade increases, extensive overtime, and employee travel. The record shows that these authorities and responsibilities are exercised by the District Ranger.

Responsibility 14 is not credited. This criterion requires that the supervisor recommends awards or bonuses for non-supervisory personnel and changes in position classification, subject to approval by higher level officials, supervisors, or others. The appellant recommends awards and bonuses for subordinate personnel. However, the District Ranger has responsibility for

recommending, or requesting classification changes through the agency's HR office. Since the District Ranger has authority to recommend such classification changes rather than the appellant, responsibility 14 is not fully met and, therefore, it is not credited.

Responsibility 15 is not credited. It applies to supervisory and managerial positions that oversee organizations with workloads that are so large and complex as to require attention to team building, reducing barriers to production, or improving business practices. The appellant's responsibility would not exceed finding ways to improve production or increase the quality of work directed as described under Level 3-2c.

The guide states that to meet Level 3-3b, positions must exercise all or nearly all of the delegated authorities and responsibilities at Level 3-2c plus at least 8 of the 15 responsibilities listed under Level 3-3b. Since the appellant's position meets only 4 of the 8 required criteria, it must be evaluated at Level 3-2 and be credited with 450 points.

Factor 4, Personal Contacts

Factor 4 is divided into two parts: Subfactor 4A, Nature of contacts; and Subfactor 4B, Purpose of contacts. The nature of contacts credited under Subfactor 4A, and the purpose of those contacts credited under Subfactor 4 B, must be based on the same contacts.

Subfactor 4A-Nature of contacts

This subfactor covers the organizational relationships, authority or influence level, setting, and difficulty of preparation associated with making personal contacts involved in supervisory and managerial work. To be credited, the level of contacts must contribute to the successful performance of the work, be a recurring requirement, have a demonstrable impact on the difficulty and responsibility of the position, and require direct contact.

The appellant's position meets Level 4A-2 by having direct and frequent contacts with members of the business community or the general public. He also has contact with supervisors and staff of program, administrative, and other work units and activities throughout the field activity, and technical and operating employees of local governments. Like Level 4A-2, the appellant's contacts may be informal, occur in conferences or meetings, or take place through telephone, or similar methods, and sometimes require non-routine or special preparation. His recurring contacts do not meet any of those listed under Level 4A-3 such as high ranking managers at the bureau or major organizational levels of the agency, key staff of public interest groups, etc.

This subfactor is evaluated at Level 4A-2 and credited with 50 points.

Subfactor 4B-Purpose of contacts

This subfactor covers the purpose of the personal contacts credited in Subfactor 4A, including the advisory, representational, negotiating, and commitment making responsibilities related to supervision and management.

At Level 4B-2, the purpose of contacts is to ensure that information provided to outside parties is accurate and consistent; to plan and coordinate the work directed with that of others outside the subordinate organization; and/or to resolve differences of opinion among managers, supervisors, employees, contractors, or others.

At Level 4B-3, the purpose of contacts is to justify, defend, or negotiate in representing the project, program segment(s), or organizational unit(s) directed, in obtaining or committing resources, and in gaining compliance with established policies, regulations, or contracts. Contacts at this level usually involve active participation in conferences, meetings, hearings, or presentations involving problems or issues of considerable consequence or importance to the program or program segment(s) managed.

The appellant's position meets Level 4B-2, but falls short of Level 4B-3. Like Level 4B-2, he ensures that fire, fuels, safety, and air quality information provided to others both within and outside his District is accurate and consistent; plans and coordinates his work with sections outside his immediate unit; and resolves differences of opinion among managers, supervisors, and others, within and outside of his organization.

The appellant's position does not meet Level 4B-3. Unlike that level, his contacts are not made to justify or defend actions, or for the purpose of committing resources or gaining compliance with policies or regulations. Like the lower level, the appellant is primarily concerned with exchanging technical and operational information, and coordinating responses and actions.

This subfactor is evaluated at Level 4B-2 and credited with 75 points.

Factor 5, Difficulty of typical work directed

This factor measures the difficulty and complexity of the basic work most typical of the organization directed as well as other line, staff, or contracted work for which the supervisor has technical or oversight responsibility, either directly or through subordinate supervisors, team leaders, or others. The level is determined by determining the highest grade which best characterizes the nature of the basic (mission oriented) non-supervisory work performed or overseen by the organization directed; and which constitutes 25 percent or more of the workload (not positions or employees) of the organization. In determining the highest level of work, developmental positions below the normal full performance levels are considered at the full performance levels. Certain positions are excluded from consideration in making the determination. These include work of lower level positions that primarily support or facilitate the basic work of the unit; any subordinate work graded based on criteria in the GSSG or the General Schedule Leader Grade-Evaluation Guide; work that is graded based on an extraordinary degree of independence from supervision, or personal research accomplishments; and work for which the supervisor or a subordinate does not have the responsibilities defined under Factor 3. The appellant directly and indirectly supervises five permanent full-time, seventeen permanent seasonal full-time, and up to thirty temporary positions. We have excluded from base level consideration all supervisory and leader positions whose grades are based on criteria in the GSSG or the General Schedule Leader Grade-Evaluation Guide. All other positions are included, and for purposes of this decision we are accepting the agency's classification of the subordinate positions.

Based on our review, the highest grade level which best characterizes the nature of the basic (mission oriented) non-supervisory work performed under the appellant's supervision, and which constitutes 25 percent or more of the workload of the organization, is GS-5. Using the conversion chart in the GSSG for Factor 5, that base level equates to Level 5-3 and 340 points are credited.

Factor 6, Other conditions

This factor measures the extent to which various conditions contribute to the difficulty and complexity of carrying out supervisory duties, authorities, and responsibilities. There are two steps involved in assigning a level under Factor 6: 1) select the highest level that the position meets, and 2) if the level selected in step 1 is either 6-1, 6-2, or 6-3, refer to the Special Situations section of Factor 6. If the position meets 3 or more of the situations, then a single level is added to the level selected in the first step. If the level selected under step 1 is either 6-4, 6-5, or 6-6, the Special Situations section does not apply, and no levels are added to the one selected in step 1.

Level 6-2 describes two sublevels (a and b); and the assignment of either one warrants crediting a position at Level 6-2, as follows: 1) at Level 6-2a, the work supervised or overseen involves technician and/or support work comparable in difficulty to a GS-7 or 8 base level, or work at the GS-4, 5, or 6 level where the supervisor has full and final technical authority over the work, which requires coordination and integration of work efforts, either within the unit or with other units, in order to produce a completed work product or service. Full and final technical authority includes responsibility for all technical determinations arising from the work, without technical advice or assistance on even the more difficult and unusual problems, and without further review except from an administrative or program evaluation standpoint; and 2) at Level 6-2b, the position under review directs subordinate supervisors of work comparable to GS-6 or lower, where coordinating the work of the subordinate units requires a continuing effort to assure quality and service standards, limited to matters of timeliness, form, procedure, accuracy, and quantity.

At Factor Level 6-3, supervision and oversight requires coordination, integration, or consolidation of administrative, technical, or complex technician or other support work comparable to GS-9 or 10, or work at the GS-7 or 8 levels where the supervisor has full and final technical authority over the work. (Full and final technical authority means that the supervisor is responsible for all technical determinations arising from the work, without technical advice or assistance on even the more difficult and unusual problems, and without further review except from an administrative or program evaluation standpoint. Credit for this should be limited to situations involving an extraordinary degree of finality in technical decision making.) Directing the work at this level (cases, reports, studies, regulations, advice to clients, etc.) requires consolidation or coordination similar to that described at Factor Level 6-2a, but over a higher level of work. This level may also be met when the work directed is analytical, interpretive, judgmental, evaluative, or creative, where such work places significant demands on the supervisor to resolve conflicts and maintain compatibility of interpretation, judgment, logic, and policy application, because the basic facts, information, and circumstances often vary substantially; guidelines are incomplete or do not readily yield identical results; or differences in

judgments, recommendations, interpretations, or decisions can have consequences or impact on the work of other subordinates, or if the position directs subordinate supervisors over positions in grades GS-7 or 8 or the equivalent which requires consolidation or coordination similar to that described at Factor Level 6-2a within or among subordinate units or with outside units.

Factor Level 6-3 is not met. The appellant does not personally oversee work at the GS-7 or 8 base levels, he does not have full and final technical authority over the work, and his subordinate supervisor's only direct work evaluated at the GS-5 base level.

Illustrative of Level 6-2b, the appellant's work closely matches the work described in directing subordinate supervisors of work comparable to GS-5 requiring coordination within the unit to ensure that timeliness, accuracy, quality, and quantity standards for fire suppression, fire prevention, pre-suppression, and detection of fire activities in the District are met. The appellant's work does not meet Factor Level 6-2a because he does not supervise work comparable in difficulty to a GS-7 or 8 base levels and he does not have full and final technical authority over the work since he does not have responsibility for all technical determinations arising from the work. Final technical authority means he works without technical advice or assistance on even the more difficult and unusual problems, or without further review except from an administrative or program evaluation standpoint. Since he reports directly to a supervisor who is a forester by background and oversees the appellant's work, this level of authority does not exist. However, since Level 6-2b does apply, this Factor is evaluated at Level 6-2.

Special situations

When a position meets either Levels 6-1, 6-2, or 6-3 under Factor 6, the GSSG refers us to the *Special Situations* section. Extra credit may be given to Factor 6 if the supervisory position meets three or more of the eight special situations described in the standard. Special situations are credited only if they significantly complicate a position's supervisory and oversight duties and responsibilities.

1. Variety of work

This situation is creditable when more than one kind of work, each kind representing a requirement for a distinctly different additional body of knowledge on the part of the supervisor, is present in the work of the unit. A "kind of work" usually will be the equivalent of a classification series. Each "kind of work" requires substantially full qualification in distinctly separate areas, or full knowledge and understanding of rules, regulations, procedures, and subject matter of a distinctly separate area of work. To credit "variety": (1) both technical and administrative responsibility must be exercised over the work, and (2) the grade level of the work cannot be more than one grade below the base level of work used in Factor 5.

While the appellant's workforce can reach up to 50 employees depending on the number of seasonal workers, none require the appellant to possess a distinctly different body of knowledge in a separate area. The positions directly or indirectly supervised are either in the GS-460 or 462 series, which are closely related and do not place on the appellant a need for knowledge in a totally separate field. Therefore, this situation is not credited.

2. Shift operations

This situation is credited when the position supervises an operation carried out on at least two fully staffed shifts.

The appellant's position does not meet this situation. While there may be a need to temporarily implement shift work during wildfire suppression activities during the fire season, this is not a permanent situation and is not done on a regular and recurring basis. Therefore, this situation is not credited.

3. Fluctuating work force or constantly changing deadlines

This situation is credited when the workforce supervised has large fluctuations in size (e.g., when there are significant seasonal variations in staff) and these fluctuations impose on the supervisor a substantially greater responsibility for training, adjusting assignments, or maintaining a smooth flow of work while absorbing and releasing employees. Also, this situation is credited when frequent, abrupt, and unexpected changes in work assignments, goals, and deadlines require the supervisor constantly to adjust operations under the pressure of continuously changing and unpredictable conditions.

The appellant's position meets this situation because there are significant seasonal variations in staff and these fluctuations impose on him a substantially greater responsibility for training, adjusting assignments, or maintaining a smooth flow of work while absorbing and releasing employees. Additionally, when a wild fire occurs on the District and escalates in size, the appellant must change work assignments and deadlines, and adjust operations due to the changing and unpredictable fire conditions. Therefore, this situation is credited.

4. Physical dispersion

This situation is credited when a substantial portion of the workload for which the supervisor is responsible is regularly carried out at one or more locations, which are physically removed from the main unit (as in different buildings, or widely dispersed locations in a large warehouse or factory building), under conditions which make day-to-day supervision difficult to administer.

Depending on the need for fuels management activities and wild fire suppression, during seasonal periods portions of the appellant's workforce may be dispersed. However, because there are an ample number of experienced subordinate supervisors and leaders who do not require daily supervision, the geographic dispersion of employees does not make the appellant's day-to-day supervision more difficult to administer, and he has regular contact with his subordinate supervisors via telephone, e-mail and personal meetings only as needed. Moreover, dispersion occurs for only up to five months of the year during the seasonal employment period. Therefore, this situation is not credited.

5. *Special staffing situations*

This situation is credited when (1) a substantial portion of the workforce is regularly involved in special employment programs; or in similar situations which require involvement with employee representatives to resolve difficult or complex HRM issues and problems; (2) requirements for counseling and motivational activities are regular and recurring; and (3) job assignments, work tasks, working conditions, and/or training must be tailored to fit the special circumstances.

The appellant's work situation is not characterized by the conditions described in this element. Therefore, this special situation is not credited.

6. *Impact of specialized programs*

This situation is credited when supervisors are responsible for a significant technical or administrative workload in grades above the level of work credited in Factor 5, provided the grades of the work are not based upon independence of action, freedom from supervision, or personal impact on the job.

The base level credited under Factor 5 is GS-5. While there are a total of nine positions at the GS-6 and 7 levels, the appellant's subordinate supervisors are responsible for direct supervision of these employees (many of whom are seasonal), rather than the appellant. As such, the presence of these employees does not make his direct supervisory duties more difficult or complex, and therefore, this situation is not credited.

7. *Changing technology*

This situation is credited when work processes and procedures vary constantly because of the impact of changing technology, creating a requirement for extensive training and guidance of the subordinate staff.

Although changes occur in the appellant's fire and fuels program work, they are not because of the impact of changing technology. Therefore, this special situation is not credited.

8. *Special hazard and safety conditions*

This situation is credited when the supervisory position is *regularly* made more difficult by the need to make provision for significant unsafe or hazardous conditions occurring during performance of the work of the organization.

In directing the fire and fuels program on the [name of district] Ranger District, the appellant is responsible for ensuring the safety of his employees, Incident Management Team and the public areas and property near the District. Since safety concerns are an issue for all involved in prescribed fire and fire suppression work, the appellant is responsible for ensuring that all of his subordinates receive annual safety training before the onset of the fire season, and have all safety equipment necessary to perform their duties. The appellant's employees receive training that

enables them to maintain current qualifications. This training is necessary for employees to advance in the fire field and safely fight fires and to conduct prescribed burns in the District.

There is an ongoing program of employee training to deal with the hazards and safety concerns of fuels management and fire suppression. Regular planning is done and special safety training is provided to prepare employees for and deal with hazardous working conditions, and therefore this situation is credited.

Special situations summary

Because the appellant's position does not meet at least three of the special situations described above in order to have an additional level added to the Level 6-2 assessment as determined for Factor 6, *Other conditions*, as stated in the GSSG, this Factor is evaluated at Level 6-2 and credited with 575 points.

Summary of supervisory duties

By application of the GSSG, we have evaluated the appellant's supervisory duties as follows:

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Program Scope and Effect	1-2	350
2. Organizational Setting	2-1	100
3. Supervisory and Managerial Authority Exercised	3-2	450
4. Personal Contacts		
4A Nature of contacts	4A-2	50
4B Purpose of contacts	4B-2	75
5. Difficulty of Typical Work Directed	5-3	340
6. Other Conditions	6-2	<u>575</u>
Total		1940

A total of 1940 points falls within the GS-9 point range (1855-2100) according to the point-to-grade conversion chart in the GSSG.

Summary

By reference to the grading criteria in the GS-460 PCS for the Forestry Series, the appellant's personally performed non-supervisory duties (which regularly represent up to 75 percent of the appellant's time) match the GS-11 level. By application of the GSSG, the appellant's supervisory duties and responsibilities equate to the GS-9 level. Based on application of the mixed grade position criteria as stated in Chapter 5 of *The Classifier's Handbook*, the final grade of the appellant's position is determined to be GS-11.

Decision

The appellant's position is properly classified as Supervisory Forester, GS-460-11.