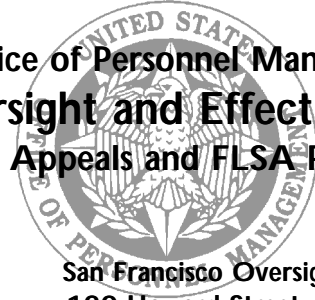


U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs



San Francisco Oversight Division
120 Howard Street, Room 760
San Francisco, CA 94105

Classification Appeal Decision
Under Section 5112 of Title 5, United States Code

Appellant: [The appellant]

Agency classification: Natural Resources Planner
GS-401-11

Organization: [The appellant's installation]
Department of the Air Force

OPM decision: Forester
GS-460-11

OPM decision number: C-0460-11-02

/s/

Carlos A. Torrico
Classification Appeals Officer

May 24, 1999

Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), 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).

Since this decision changes the classification of the appealed position, it is to be effective no later than the beginning of the fourth pay period after the date of this decision (5 CFR 511.702). The servicing personnel office must submit a compliance report containing the corrected position description and a Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action.

Decision sent to:

[The appellant's address]

[The appellant's servicing personnel office]

Ms. Sandra Grese
Director of Civilian Personnel
HQ USAF/DPCC
1040 Air Force Pentagon
Washington, DC 20330-1040

Mr. Robert E. Coltrin
Director, Civilian Personnel Operations
U.S. Department of the Air Force
AFPC/DPC
550 C Street West
Randolph Air Force Base, TX 78150-4759

Mr. William Duffy
Chief, Classification Branch
Field Advisory Services Division
Defense Civilian Personnel Management
Service
1400 Key Boulevard, Suite B-200
Arlington, VA 22209-5144

Introduction

On October 9, 1998, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [the appellant]. His position is currently classified as Natural Resources Planner, GS-401-11. However, he believes the grade level should be GS-12. The appellant works in the [the appellant's organization]. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

General issues

The appellant compares his position to a GS-12 level Natural Resources Planner position in the [another agency organization]. However, 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 other similar jobs or position descriptions as a basis for deciding his appeal.

The appellant makes various statements about his agency and its evaluation of his position. In adjudicating this appeal, our only concern is to make our own independent decision on the proper classification of his position. By law, we must make that decision solely by comparing his current duties and responsibilities to OPM standards and guidelines. Therefore, we have considered the appellant's statements only insofar as they are relevant to making that comparison.

This appeal decision is based on a careful review of all information submitted by the appellant and his agency, a telephone audit with the appellant, and telephonic interview with his supervisor. The appellant's supervisor has certified to the accuracy of [the appellant's] current position description (CPD Number 07501). In addition, with certain clarifications provided by the appellant in the case record, [the appellant] has also indicated that his position description gives a good overall description of his duties and responsibilities.

The appellant mentions his personal qualifications, including his background in disturbance ecology and his high skill level. Qualifications are considered in classifying positions. However, these are qualifications required to perform current duties and responsibilities, not qualifications that appellants personally possess. Therefore, we could not consider the appellant's personal qualifications, except insofar as they were 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 furnished by the appellant and his agency.

Position information

The appellant's position provides for the development and implementation of all program activities related to the management and preservation of forest, outdoor recreation, and cultural/historical resources on [the appellant's installation]. The appellant spends up to 60% of his work time developing and implementing the cultural resources management program which covers 14

archaeological sites, 10 homestead sites, and 200 World War II, and Cold War facilities on the installation. His second major duty (taking up to 30% of his time) is to develop and implement all aspects of the forest management program on [the appellant's installation] and to prepare the forest management section of the Natural Resources Management Plan. He must conduct a professionally sound forestry program that complies with Federal, state, and local regulatory requirements and results in a healthy forest.

The audit 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 agency placed the appellant's position in the General Biological Science Series, GS-401. However, we disagree. According to The Handbook of Occupational Groups & Families (HRCD-6, January 1999 edition), positions in the GS-401 series involve professional work in biology, agriculture, or related natural resource management when there is no other more appropriate series. Positions included in that series involve (1) a combination of several professional fields with none predominant, or (2) a specialized professional field not readily identified with other existing series. The appellant's position does not meet either of these criteria, therefore the GS-401 series is not appropriate for this position. Our audit disclosed that the appellant performs work in only one professional field, forestry, which is readily identified with the Forestry Series, GS-460. The appellant's forestry work fully meets the series definition for the Forestry Series, GS-460, as defined in the classification standard for the GS-460 series dated December, 1979. Like that series, his work requires primarily professional knowledge and competence in forestry science to carry out assignments aimed at conserving, utilizing and protecting the natural resources of the forest, including the inventory, management, planning, and evaluation of each forest resource.

The duties of the appellant's position are "mixed" in that he performs elements of work covered by more than one occupational series. His position includes both professional forestry work covered by the Forestry Series, GS-460, and cultural resource management which is a major aspect of work addressed in the standard for the Park Ranger Series, GS-025, dated November 1985 (republished in HRCD-6, dated January 1999). Although he does not perform the full scope of duties in the conservation, use and management of Federal park resources as described in the definition for the GS-025 series and the occupational information contained in the standard, his cultural resource management work is sufficiently complex and time consuming to warrant evaluation by cross-reference to the grade level criteria in the standard for the GS-025 series. However, for purposes of series determination we judge that the appellant's position is best assigned to the Forestry Series, GS-460. Although we recognize that he performs professional forestry work for less than the majority of time, and, as discussed below it is not grade controlling, it is professional knowledge in the forestry field which constitutes the paramount knowledge and qualifications for the position, and the principal reason for the position's existence is to carry out forestry functions. Moreover, the sources of recruitment and lines of progression

for the position have traditionally come from the forestry field (the appellant's background is as a qualified forester), and the supervisor indicated that when filling the position the primary knowledge required is that of professional knowledge and competence in forestry science. For all of these reasons the appellant's position is classified in the Forestry Series, GS-460, and titled Forester.

As discussed above, the appellant performs the full scope of professional forester duties, and a major aspect of work done by park rangers. Consequently, we have evaluated his forestry duties by application of the grading criteria in the standard for the Forestry Series, GS-460, and his work in cultural resource management by cross reference to the grading criteria in the standard for the Park Ranger Series, GS-025. We note that he also spends approximately 10% of his time in outdoor recreation activities. However, only duties that occupy at least 25% of an employee's time can affect the grade of a position (Introduction to the Position Classification Standards, section III.J.). Therefore, we will not evaluate those duties.

Grade determination

The appellant's forestry work is graded by Part I of the Forestry standard, GS-460, and the cultural resource management work by application of the grading criteria in the standard for the Park Ranger Series, GS-025.

According to the Introduction to the Position Classification Standards, in most instances, the highest level work assigned to and performed by the employee for the majority of time is grade determining. Likewise, the grade of the appellant's position will be determined by the highest level work assigned to and performed by him for the majority of time.

Evaluation of cultural resource management duties

The park ranger standard uses two classification factors: Nature of Assignment and Level of Responsibility. Our evaluation with respect to these factors follows.

Nature of Assignment

This factor measures the complexity/difficulty and scope of the assignment and the knowledge and skills required to carry out the assignment. At GS-9 and above, assignments typically include some administrative and planning work.

The nature of the appellant's assignments meets the GS-11 level as described on pages 14-15 of the GS-025 standard.

- At the GS-11 level, assignments typically consist of diverse complex technical and/or administrative problems. The employee independently identifies the nature of problems and the kinds of information, criteria, and techniques needed to arrive at a solution. Similarly,

the appellant's assignments typically consist of diverse and complex administrative problems which he thoroughly analyzes, determining the best approach to solve the issues at hand. He develops and implements the cultural resource management program which covers 14 archeological sites, 10 homestead sites, and 200 World War II, and Cold War facilities, and deals with all administrative issues concerning protection of that resource. In addition, he monitors base construction activities to ascertain any impact they may have on cultural resources, and ensures compliance with cultural and historic preservation guidelines.

- At the GS-11 level, typical assignments require consideration of and selection from several alternative approaches or solutions to problems and sometimes require substantial adaptation of standardized guides and criteria. Likewise, when an activity is identified that may impact cultural or historical resources, the appellant selects the appropriate approach from several alternatives to ensure that any impact meets Federal and State guidelines. This includes coordinating the activity with the State Historic Preservation Office (SHPO) and presenting the resulting agreement to the Federal Advisory Council on Historic Preservation for approval.
- As required at the GS-11 level, the appellant has substantial knowledge and understanding of the impact that the management of historical and cultural resources may have on communities and other interested groups, e.g., conservation and historical associations. The appellant has contracted with and works closely with elders of local Native Alaskan tribes to inventory Native Alaskan cultural and historical sites on [the appellant's installation], assess their historical significance to the tribes, and determine the impact of the installation's other activities on them. In addition, he is an active member of a number of conservation and historical associations and serves on committees such as the American Indian Affairs Committee of the International Association of Fish and Wildlife Agencies. He also serves on a DOD task force to develop guidance for implementing DOD American Indian and Alaska Native policy.
- As at the GS-11 level, the appellant's work situation is one where development and planning are only partially completed. The appellant is developing the cultural resources management plan for [the appellant's installation]. This plan will require continuing modification to ensure that it conforms to developing State and Federal guidelines for the preservation of cultural and historical resources.

The appellant's work assignments are like the second set of illustrative assignments on page 15 of the standard. He is a staff specialist who plans, organizes, and oversees studies and surveys on cultural and historical resource management problems. He recommends methods, procedures, and equipment needed to conduct studies and identifies persons or institutions qualified to assist in or carry out the projects, e.g., elders of Native Alaskan tribes. Similar to the illustrative assignment where the employee drafts project plans, the appellant is drafting the cultural resources management plan to prevent the destruction of, and to provide for the protection and maintenance of historic structures and resources. He reviews proposals which may have an impact on [the

appellant's installation] cultural or historic resources, and ensures compliance with cultural and historic preservation guidelines.

The appellant's assignments do not exceed the GS-11 level. He does not direct complex programs nor does he typically deal with situations as described at the GS-12 level (pages 16-18) that involve (a) an intense public interest in the development of additional recreational resource facilities, (b) a strained relationship with the local community which develops because of efforts to acquire additional land to protect the existing resource, (c) the need to restrict entry to an area of significant public interest due to the fragile nature of the resource, severely limited funds, overcrowding, land development encroachment, etc., or (d) the need to determine the extent to which it is appropriate to develop a particular resource. Unlike the GS-12 level, the appellant's assignments do not have complex technical, administrative, or public relations implications requiring analysis and decisions in areas where precedents differ or are lacking, or where technical decisions are at variance with existing guidelines.

Level of Responsibility

This factor takes into account the judgment exercised, the supervision and guidance received, and the review of the work — either during the course of the work or upon completion.

At the GS-11 level (pages 15-16), the supervisor specifies the objectives and the general scope of the assignment, and the employee is free to develop work plans and devise techniques covering routine and nonroutine activities, and select the best technique for carrying out assignments. Likewise, the appellant's supervisor specifies the overall program goals and assigns deadlines for completion of work. The appellant develops the cultural resource plan, and determines what techniques to use to perform assignments. Thus he has considerable freedom in planning work and carrying out assignments.

The appellant keeps his supervisor informed regarding progress at weekly staff meetings. His completed work is considered to be technically correct and like the GS-11 level is reviewed for accomplishment of program objectives, and degree of integration with other functional areas. We note that the appellant's level of responsibility does in some ways exceed the GS-11 criteria in that he has considerable freedom in planning and carrying out the work, and that there is little if any supervision during the progress of projects. However, when combined with the other elements of this factor, the appellant's level of responsibility does not clearly exceed the overall intent of the GS-11 level.

Although the appellant may carry out his work with minimal supervisory review in progress, his level of responsibility does not fully meet the GS-12 level (page 18). At the GS-12 level, individuals are usually given broad general objectives and relative priorities for completion of projects or assignments, and are guided, additionally, by basic policies of the employing jurisdiction. The appellant, on the other hand, is often given specific suspense dates for projects.

Further, he meets regularly with his supervisor to review his overall progress and he must negotiate changes to suspense dates with his supervisor.

In addition, careful reading of the GS-025 standard and other OPM guidelines indicates that for a person's level of responsibility to truly meet GS-12 criteria, those responsibilities should be exercised within the context of GS-12 level assignments. In discussing the first classification factor of this standard, Nature of Assignment, we have found that the appellant's assignments fully meet the GS-11 level. Moreover, OPM guidance and previous decisions indicate that if a position is evaluated one grade higher for one classification factor than for the other, the lower of the two grade levels controls the grade of the position as a whole. This is because a position must meet the full scope of the higher level duties and responsibilities to be graded at the higher level.

The appellant believes his position involves much more responsibility, and makes various statements supporting that belief. For instance he notes that he establishes government to government relationships with Native Alaskan tribes. However, as discussed in the preceding paragraphs, his responsibilities are most similar to the GS-11 level and on balance fall short of the GS-12 criteria. Therefore, his level of responsibility must be evaluated at GS-11.

We have found that both the nature of the appellant's assignments and his level of responsibility meet the GS-11 level. Therefore, the cultural resource management work is graded at the GS-11 level using the grading criteria in the standard for the Park Ranger Series, GS-025.

Evaluation of forestry duties

The classification standard for the Forestry Series, GS-460, is written in 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. Our evaluation with respect to the nine FES factors follows.

Factor 1, Knowledge required by the position - Level 1-6 - 950 points

This factor measures the nature and extent of information or facts the forester must understand to do acceptable work and the nature and extent of skill necessary to apply this knowledge. To be used as a basis for selecting a level under this factor, knowledge must be required and applied.

The knowledge and skill required by the appellant's assigned duties and responsibilities best meets Level 1-6, as described on pages 20-21 of the GS-460 standard. As described at Level 1-6, the appellant's assigned duties and responsibilities require knowledge and skill sufficient to perform recurring assignments of moderate difficulty. The appellant is responsible for analyzing assigned forest areas, determining conditions, and, if needed, preparing silviculture prescriptions. The

typical situations encountered by the appellant are not so unique that they require significant deviation from established practices, and the forest area affected is amenable to a variety of standard treatments and proven techniques.

The three illustrations provided at Level 1-6 (page 21) show the types of assignments envisioned at that level. The appellant's assignments are most like the first illustration; i.e., knowledge and skill sufficient to study aerial photographs and other references related to physical and resource factors in order to lay out boundaries for cutting or treatment or other resource uses, in accordance with approved plans; identify potential recreation areas; or locate land lines or boundaries, and identify resource characteristics of immediately surrounding areas.

The knowledge required by the appellant's assignments does not meet Level 1-7 (pages 21-23). The GS-460 standard describes four elements, most of which are typically found in positions at Level 1-7. The first element requires professional knowledge of forestry science applicable to a wide range of duties in an intensive forestry resource or subject matter program or program activity, and the skill to solve problems covering diverse forestry situations and assignments. The assignments require sound professional knowledge and skills to modify or adapt standard forestry techniques and procedures, and to assess, select, and make use of precedents in devising strategies and plans to overcome significant resource problems.

The appellant's assignments and responsibilities do not fully meet this first element for level 1-7. The objectives of his forestry activities can best be described as custodial protection and care. The typical types of problems encountered by the appellant are not equivalent to diverse forestry situations and assignments that require the need to modify and adapt standard forestry techniques and procedures, *and* to assess, select, and make use of precedents in devising strategies and plans to overcome significant resource problems, as envisioned at Level 1-7. Assignments at that level would typically involve a range of situations, such as variations in climatic factors, soil types and conditions, terrain, and vegetation on varied forest units that require changing and modifying standard techniques, including the use of precedents, to develop plans or prescriptions to overcome significant resource problems, like extreme fire dangers, or severe or widespread attacks of pests, insects or diseases, or equivalent types of situations that pose major dangers to continued use or existence of resources.

The forest on [the appellant's installation] is relatively small covering approximately only 13,000 acres. There are not great variations in climatic factors, soil types and conditions, terrain, and vegetation that require changing and modifying standard techniques. While there has been a significant infestation by the Spruce Bark Beetle at [the appellant's installation], it is also widespread across Alaska. This infestation is being studied by the USDA Forest Service and the Alaska Department of Natural Resources Division of Forestry who are attempting to devise strategies and plans to overcome it.

We note that the appellant does make assessments of conditions, makes decisions on methods to best accomplish various objectives, and develops prescriptions for stands. However, the areas

reviewed and problems encountered do not reflect the range envisioned at Level 1-7. While there are issues concerning conflicting use and resource depletion, prescriptions do not typically reflect the need to adapt or modify practices to deal with significant problems. The work primarily deals with damage assessment and the careful and professional application of a variety of standard, well documented, and well precedented forest management techniques to forest management problems.

The second element typical of Level 1-7 positions requires knowledge of the characteristics, conditions, and interrelationships of forest resources; and the knowledge to independently evaluate, project, and/or prepare studies and reports on the complementary or competitive impact of the development, modification, or change in the use or output of one resource on the other forest resources.

The forest resources of [the appellant's installation] are very limited. During the past twelve months there was one house log sale, and one free use permit issued to log dead trees for a Native Alaskan heritage center. The appellant is also developing a plan for a 10-15 acre tree farm. None of these activities requires the level of knowledge described above.

The third element under Level 1-7 requires a thorough knowledge of agency and/or tribal policies and procedures, and applicable statutes governing the use of forest resources, and familiarity with related disciplines such as entomology, hydrology, plant pathology, wildlife biology, and forest genetics sufficient to utilize such knowledge in the design and execution or oversight of forestry resource programs. While the appellant's position may require some interdisciplinary knowledge, there is no need to apply such knowledge in the design and execution, or oversight of forestry resource programs. As noted above, a knowledge can only be credited if it is required and applied to the work assigned and performed.

The fourth element of Level 1-7 describes administrative and coordinative skills to (1) provide advisory, review, and training services to others engaged in the planning and management of Federal, State, or private forestry units, and/or (2) develop a variety of integrated annual work plans for complex projects which often extend over 3-5 years, including estimates of personnel, equipment, and materials, the detailed schedules necessary to carry out the plans, and the attendant skill to review and critique the operational implementation of the plans; or intensive knowledge and competence in advanced techniques of a highly complex area of forest resource management or cooperative forestry sufficient to serve as "troubleshooter," specialist, or coordinator.

The appellant's assignments and responsibilities do not meet the final element characteristic of Level 1-7 positions. He does not advise, review, and train others engaged in the planning and management of Federal, State or private forestry units. Further, he does not develop the types of integrated annual work plans for complex projects described at this level, nor does he serve as troubleshooter, specialist, or coordinator in the sense envisioned.

This factor is evaluated at Level 1-6 and 950 points are credited.

Factor 2, Supervisory controls - Level 2-3 - 275 points

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 appellant's position best meets Level 2-3 as described on page 27 of the GS-460 standard. As at Level 2-3, the appellant is expected to plan and carry out assignments independently in accordance with proven forestry techniques, practices, and previous experience. The appellant typically discusses the issues and possible approaches with the supervisor before carrying out assignments that involve, or may potentially involve, controversial use or modification of the forest environment.

The appellant's position exceeds Level 2-3 in some respects but does not fully meet Level 2-4. For example, as at Level 2-4, the supervisor outlines overall objectives of assignments. However, as at Level 2-3, the supervisor often specifies the scope of assignments and deadlines necessary to meet objectives. As at Level 2-4, the appellant confers with his supervisor on priorities and deadlines, however, they fall short of meeting Level 2-4 because his assignments are not usually affected by administrative or environmental factors; e.g., short growing season, reduced budget, or necessity for preparation of an environmental impact statement and its attendant procedures. The appellant's position also falls short of fully meeting Level 2-4 because he does not interpret and apply agency and/or tribal policy to environmentally sensitive and controversial forest areas.

This factor is evaluated at Level 2-3 and 275 points are credited.

Factor 3, Guidelines - Level 3-3 - 275 points

This factor covers the nature of guidelines and the judgment necessary to apply them.

As described at Level 3-3 on page 30 of the GS-460 standard, the appellant's guidelines include manuals of regulations and standard procedures and practices. In addition, he uses handbooks, catalogs, bulletins, public laws, current directives, and federal specifications.

At Level 3-3 assignments have aspects which 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. In addition, some assignments require frequent departures from standardized procedures in order to establish tentative direction for completion of the assignments. Likewise, the appellant must use considerable professional judgement and creativity, tempered with specific resource information and experience, to interpret constantly evolving, and sometimes contradictory, laws, regulations, policies, and court decisions.

The appellant's position does not meet Level 3-4 (page 30). While he may be called upon to occasionally deviate from, or extend traditional forestry methods and practices outlined in

guidelines, the references are sufficiently adequate to deal with any complex issues and problems. Further, we found no indication in the record that the appellant must on a regular and recurring basis extend or deviate from traditional practices. Additionally, his work does not necessitate the need to develop essentially new or vastly modified techniques and methods for obtaining effective results as described at Level 3-4.

This factor is assigned Level 3-3 and 275 points are credited.

Factor 4, Complexity - Level 4-3 - 150 points

This factor covers the nature, number, variety, and intricacy of tasks, steps, processes, or methods, in the work performed; the difficulty in identifying what needs to be done; and the difficulty and originality involved in performing the work.

At Level 4-3 as described on page 32 of the GS-460 standard, assignments consist of a variety of professional work operations in assigned activities such as (a) the inventory of a given resource and its current conditions, (b) the drafting of conventional, short-range plans or prescriptions of resource management or protection, and (c) the inspection of work on-the-ground for conformance to standards and instructions. This level of work is characterized by analyses and evaluations of environmental conditions, characteristics, and values, and the interrelationship of forest resources which may involve considerations such as (a) the need to choose from among alternative locations, techniques, or solutions; or (b) coordination problems caused by interferences or conflicts with other resource uses or functions. The problems are similar to those previously encountered in the forest area, and the assignments are carried out without substantial adaptation or modification of precedents. At this level, the exercise of originality is less significant than the judgment required to apply a range of conventional approaches and solutions to precedent situations.

The appellant's work best meets Level 4-3. Comparable to this level, the appellant reviews a forest area on a stand-by-stand basis, determines conditions, identifies problems, and, if needed, prepares a silvicultural prescription for improvement by considering and selecting from possible solutions or actions. Similar to this level, he is involved with follow-up or inspection of ongoing work. The appellant's work is characterized by analyses and evaluations of environmental conditions and characteristics, and the interrelationship of forest resources. The work may also be affected by persons or groups having particular interests in the uses of forest resources. For example, the Bureau of Land Management holds the surface and subsurface rights to the land. Consequently, the appellant must gain BLM's concurrence on how the resources are being utilized.

At Level 4-4 (pages 32-33), foresters independently carry out a wide variety of assignments consisting of diverse and complex technical or administrative problems and considerations. They regularly encounter interdependent resource and socioeconomic problems requiring flexibility and judgment in approach to the problems and in the forestry practices applied, in order to obtain an optimum balance between available economic, staff, or natural resources and the demands of the

various publics. These assignments typically involve land management problems requiring in-depth analysis and evaluation of alternatives due to such complicating factors as extensive programmed developmental activity and heavy resource use; environmental problems and conflicting requirements whose resolutions may have serious public or tribal impacts; or strong, conflicting public or tribal demands and pressures to redirect the land management strategies for the use, or the level of use, of different forest resources. These demands may result in appeals to higher level agency or tribal officials or formal legal actions.

Further, at Level 4-4 the work requires that the forester independently identify the boundaries of the problems involved, the kinds of data needed to solve the problem, and the criteria and techniques to be applied in accomplishing the assignment. Typically, the work assignments require the forester to relate new work situations to precedent situations, extend or modify existing techniques, or develop compromises with standard forestry practice to adequately solve the forestry problems. Occasionally, the assignments require substantial effort to overcome resistance to change when it is necessary to modify an accepted method or approach.

The appellant's work does not meet level 4-4. His assignments do not typically involve land management problems requiring in-depth analysis and evaluation of alternatives due to such complicating factors as extensive programmed developmental activity and heavy resource use, such as when there is planned major development of resources for increased commercial purposes and already high use of existing recreational areas with rising demand. Further, the problems the appellant typically encounters do not reflect the need to substantially adapt or modify precedents, or require substantial effort to overcome resistance to change.

This factor is evaluated at Level 4-3 and 150 points are assigned.

Factor 5, Scope and Effect - Level 5-3 - 150 points

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

At Level 5-3 (page 35 of the GS-460 standard), 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 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 resource, etc. Likewise, the purpose of the appellants' work is to plan and develop treatments to forest land that will modify, establish, and grow forest vegetation to meet the many resource objectives and desired future conditions contained in the Natural Resources Management Plan. In doing this he deals with conventional resource problems and environmental conditions. His work affects the protection and use of forest resources.

The appellant's position does not meet Level 5-4 (page 35). At Level 5-4 foresters develop essentially new or vastly improved techniques or solutions to specific problems in a resource or subject matter program or program area, and coordinate results with related resource activities. The appellant does not typically develop essentially new or vastly improved techniques or solutions. While the appellant has had to respond to the devastating effects of the Spruce Bark Beetle infestation and respond to the resultant growth of Canadian Blue Joint, he has applied standard forestry techniques to overcome them to meet resource management objectives.

This factor is evaluated at Level 5-3 and 150 points are credited.

Factor 6, Personal Contacts - Level 6-2 - 25 points

Factor 6 covers the people and conditions or settings under which contacts are made. It includes face-to-face contacts and telephone and radio dialogue with persons not in the supervisory chain.

The appellant's personal contacts are evaluated at Level 6-2 (pages 36-37). Similar to that level, his contacts are primarily within the agency, inside and outside the immediate organization; e.g., foresters from higher level organizational units, or occasionally, resource persons from State or local forestry units; and with the general public, or special users, e.g., Native Alaskan tribes, military residents and their dependents, and the BLM. The contacts are usually established on a routine basis, but the appellant's authority may not be initially clear to the person contacted.

The appellant's position does not reach Level 6-3 (page 37). At that level contacts are primarily with professional subject matter specialists in forestry and related disciplines both within and outside the agency, with influential local community leaders, tribal governing bodies, or state officials, newspaper, radio, and television reporters, private forest landowners, representatives of organized livestock and conservationist groups, and prospective and current permittees. While the appellant does occasionally have contact with several of these individuals and groups, and is a member of groups such as the Interagency Forest Ecosystem Study Team, they are not his primary contacts. Further, the appellant's contacts are not typically on an ad hoc basis and the role of the appellant is well established.

This factor is evaluated at Level 6-2 and 25 points are credited.

Factor 7, Purpose of Contacts - Level 7-2 - 50 points

Factor 7 covers the reasons for the contacts described in factor 6.

Factor 7 is evaluated at Level 7-2 (page 38). As at Level 7-2, the appellant's contacts are to coordinate work with other foresters, technical resource specialists, engineers, etc.; and to promote utilization and conservation principles and activities through the integration of all pertinent resource issues, objectives, and information into project planning.

Level 7-3 (page 38) is not met. Unlike that level, the primary purpose of the appellant's regular and recurring contacts is not to negotiate controversial issues with various parties; influence or persuade organizations or individuals to reach an agreement; justify the feasibility and desirability of significant forestry resource plans and proposals; or influence or persuade other experts to adapt techniques or methods about which there may be conflicting opinions.

This factor is evaluated at Level 7-2 and 50 points are credited.

Factor 8, Physical Demands - Level 8-2 - 20 points

This factor covers the requirements and physical demands placed on the forester by the work assignment.

The physical demands on the appellant meets Level 8-2 (page 39) as the work regularly requires physical exertion such as walking over rough, uneven, or rocky terrain in a forest area. Level 8-2 is the highest level for this factor described in the standard.

This factor is evaluated at Level 8-2 and 20 points are credited.

Factor 9, Work Environment - Level 9-2 - 20 points

This factor considers the risks and discomforts that may be imposed upon employees by various physical surroundings or job situations.

The appellant's work environment is evaluated at Level 9-2 (page 39) which is the highest level for this factor described in the standard. While the appellant spends some of his time working in an office environment, he also has regular and recurring exposure to moderate risks and discomforts associated with working in a forested environment. The field work is typically performed outside under adverse weather conditions.

This factor is evaluated at level 9-2 and 20 points are credited.

We have evaluated the appellant's forestry work as follows:

Factor	Level	Points
1. Knowledge required by the position	1-6	950
2. Supervisory controls	2-3	275
3. Guidelines	3-3	275
4. Complexity	4-3	150
5. Scope and effect	5-3	150
6. Personal contacts	6-2	25
7. Purpose of contacts	7-2	50
8. Physical demands	8-2	20
9. Work environment	9-2	20
Total Points:		1915

The appellant's forestry work warrants 1915 total points. Therefore, in accordance with the grade conversion table on page 19 of the standard, the forestry work is graded at GS-9.

Summary

By cross reference to the grading criteria in the standard for the Park Ranger Series, GS-025, we have evaluated the appellant's cultural resource management duties at the GS-11 level. By application of the grading criteria in the standard for the Forestry Series, GS-460, we have assessed his forestry duties at the GS-9 level. However, because his work in cultural resource management is the highest level of work assigned and occupies a majority of his time it is grade controlling, and therefore the final grade of the position is GS-11.

Decision

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