

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

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

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

**Appellant:** [appellant's name]

**Agency classification:** Wildlife Biologist (Management)  
GS-486-12

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

**OPM decision:** Wildlife Biologist (Management)  
GS-486-12

**OPM decision number:** C-0486-12-01

/s/Bonnie J. Brandon

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Bonnie J. Brandon  
Classification Appeals Officer

October 30, 2000

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Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the government. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision. There is no right of further appeal. This decision is subject to discretionary review only under conditions and time limits specified in the *Introduction to the Position Classification Standards*, appendix 4, section G (address provided in appendix 4, section H).

## **Decision sent to:**

### **Appellant:**

[appellant's name and address]

### **Agency:**

[servicing personnel office]

Director of Personnel  
Department of the Interior  
Mail Stop 5221  
1849 C Street, NW.  
Washington, D.C. 20240

## **Introduction**

On June 26, 2000, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [the appellant]. His position is currently classified as Wildlife Biologist (Management), GS-486-12, and is located in [the appellant's activity, in a specific] State Office, Bureau of Land Management (BLM), U. S. Department of the Interior, [geographic location]. The appellant believes that his position should be graded at GS-13 because of increased workload diversity and program complexity stemming from a statewide reorganization. He also believes that his current grade does not reflect the significance of his "national scope work" for BLM. The appellant filed a classification appeal with BLM; its decision of March 17, 2000 sustained the current classification. We have accepted and decided this appeal under section 5112 of title 5, United States Code (U.S.C.).

To help decide the appeal, a Dallas Oversight Division representative conducted telephone interviews with the appellant and his supervisor. We also spoke with a position classification specialist in the [appellant's specific] State Office. To gain perspective on the appellant's national-level work, we interviewed BLM's senior wildlife specialist.

The appellant was formally assigned to his official position description (PD), [PD number], on April 11, 1999. By memorandum of June 12, 2000, the appellant and his supervisor certified that PD [number] is "...complete and accurate." However, in an addendum to that certification, they stated that a revised position description submitted in August 1999 to the personnel office for reclassification better reflects the impact of the reorganization on [the appellant's] position. The personnel office did not act on the revised PD because it did not appear to reflect significant changes from PD [number]. We found PD [number] to be adequate for evaluation, and we used the information in it during our analysis of the appellant's work. Although we usually do not consider proposed PD's when adjudicating classification appeals, we looked at the revised position description submitted in August 1999 to enhance our understanding of the appellant's work situation and to identify any potentially meaningful differences from PD [number].

The appellant contends that while the personnel office was completing the classification process for PD [number] in early 1999, the statewide reorganization was significantly changing the nature and scope of his work. Specifically, the reorganization eliminated a layer of management (four district offices) through which state-level program managers, such as the appellant, had previously communicated policies, instructions, and guidance to technical staff in the 11 field offices throughout [the state]. As a result, the appellant says that he now spends significantly more time (30 percent of his time, up from 20 percent) in direct communication with field office staff, responding to questions and providing technical advice and guidance. In addition, BLM has embarked on a pilot program with the U. S. Forest Service that is designed to enhance the coordination and efficiency of their overlapping responsibilities for the stewardship of public lands and their natural resources. Under the "Service First" pilot, the Departments of the Interior and Agriculture are pooling their assets by jointly staffing some of the field offices with both BLM and Forest Service personnel. In a few cases, the field office manager is a Forest Service employee. The appellant believes the "Service First" pilot makes his position more complex because he must now be knowledgeable of both BLM and Forest Service policies and regulations.

## **General issues**

The appellant does not specifically raise the issue of comparative grades of wildlife program managers in other BLM state offices. However, both the appellant's supervisor (during our interview) and the Deputy State Director (in his August 18, 1999, memorandum submitting the revised position description to upgrade [the appellant's] position) expressed overriding concern about grade equity and comparability with GS-13 positions in other state offices. In adjudicating this appeal, we make our own independent decision on the proper classification of the appellant's position. By law, we must make that decision solely by comparing the appellant's current duties and responsibilities to OPM classification standards and guides (5 U.S.C. 5106, 5107, and 5112). We cannot compare the appellant's position to others as a basis for deciding his appeal.

## **Position information**

The appellant serves as the principal wildlife program manager and threatened and endangered species manager for [a specific BLM] State Office. The wildlife program in [the appellant's state] covers 8.2 million acres of public land habitat for 480 wildlife species and 55 threatened, endangered, and sensitive species. The appellant is responsible for long-range functional planning, program direction, and evaluation. He develops overall strategies and functional programs. He identifies state priorities for accomplishing BLM national program directives and initiatives, and he makes recommendations to a statewide budget team for budget allocation/distribution. The appellant formulates strategic plans and statewide policies, goals, and standards for maintaining and improving wildlife habitats and populations and for monitoring programs. He provides staff support to the State Director and program leadership and technical assistance to 11 field offices, all of which are staffed with at least one GS-11 wildlife biologist. In coordinating the wildlife/habitat activities, wildlife/recreational uses, and special status species activities in [the appellant's state], the appellant serves as the principal contact with BLM's Washington Office natural resource staff. He also serves as the state BLM liaison with counterparts in other Federal organizations (U.S. Forest Service, U.S. Fish and Wildlife Service, the Animal Plant and Health Inspection Service), the [appellant's state] Department of Natural Resources, and a variety of nongovernmental professional conservation organizations on matters concerning wildlife and special status species (that is, threatened, endangered, and sensitive species) in the [appellant's state].

At the request of the senior wildlife specialist and program manager for BLM, the appellant occasionally leads or serves as a member of special project teams assigned to work on broad, BLM-wide initiatives. He refers to this as his "national-level" work, which has included such projects as the development of a long-range strategic management plan for big game species and the development of habitat management guidelines, wildlife policy manuals, training models, handbooks, etc.

The appellant delineates the percentages of time spent on his major duties as follows:

- 20 percent: wildlife program leadership/management
- 15 percent: special status species program leadership/management
- 15 percent: program coordination and liaison
- 30 percent: technical advice/assistance to BLM state office staff and field offices

- 10 percent: identifying, recommending, and monitoring program budget priorities
- 10 percent: participation in national-level (BLM-wide) projects

Organizationally, the appellant's position is located in [the appellant's activity] in the [appellant's specific] State Office. The structure of [the appellant's immediate organization] is shown below.

Resource Group Supervisor	GS-340-13
Natural Resource Specialist	GS-401-13*
Soil Scientist	GS-470-12
Hydrologist	GS-1315-12
<b>Wildlife Biologist (Management)</b>	<b>GS-486-12 (Appellant)</b>
Fisheries Biologist	GS-482-12
Rangeland Management Specialist	GS-454-12
Botanist	GS-430-12
Natural Resource Specialist	GS-401-12
Water Rights Specialist	GS-301-12
Hazardous Materials Specialist	GS-028-12
Physical Science Technician	GS-1311-7
Wrangler	WG-5035-6
Administrative Support Clerk	GS-303-5

\*Position/incumbent transferred from BLM Washington Office, retains national-level duties

### Series, title, and standard determination

The appellant's duties and responsibilities, and the corresponding knowledge and skills required, match the Wildlife Biologist Series, GS-486. Positions in this series are concerned with developing and managing wildlife programs on Federally-owned or managed lands, such as big game and desert ranges, national forests, wetlands, Indian reservations, military installations, and other lands in the public domain. The work may involve developing cooperative programs with and providing technical assistance to states, private landowners, and special interest groups. These positions apply professional biological knowledge in the preservation, conservation, propagation, and management of wildlife resources and habitat for many different wildlife species. Wildlife Biologists are significantly involved in the planning and decision-making processes relative to endangered or threatened species, critical habitat, environmental contaminants, the impact of land and water development projects on resources, and positions held by special interest groups on Federal management of these resources. As a result, activities may involve a substantial amount of public contact and negotiation of difficult and controversial conditions when Federal and State agencies have different missions, or members of Congress and various conservation and public interest groups express concerns which conflict with agency missions and objectives.

The GS-486 standard prescribes *Wildlife Biologist (Management)* as the title for nonsupervisory positions, like that of the appellant, that are involved primarily in program planning, administration, evaluation, and use of resources (personnel, funds, and materials) to meet management plans and objectives for wildlife programs.

We used the grading criteria in the GS-486 position classification standard to evaluate the appellant's work.

### **Grade determination**

The GS-486 standard provides grading criteria based on the nine factors that comprise the Factor Evaluation System. Duties and responsibilities are compared to descriptions representing various levels of each factor to determine which level is fully met. Corresponding points are assigned to the level of each factor that is fully met. If an employee's position exceeds a factor level only in some respects, the higher level cannot be credited. The points awarded for the nine factors are added and the total is compared to the grade conversion table in the GS-486 standard to determine the final grade.

The appellant states generally that he challenges the agency's evaluation of Factors 1 through 7. However, he provided no specific, factor-by-factor rationale for his disagreement. We have reviewed the agency's evaluation of Factors 8 and 9 and found them to be correctly evaluated. As a result, we have confined our detailed analysis only to Factors 1 through 7.

#### *Factor 1, Knowledge required by the position*

This factor covers the kind and nature of knowledge and skills needed and how they are used in doing the work.

At Level 1-6, the employee applies professional knowledge of established scientific methods and techniques of wildlife biology to perform recurring assignments of moderate difficulty that do not require significant deviation from established methods. At this level, unusual or difficult problems are screened out or discussed with the supervisor before carrying out the assignment, and assignments are relatively noncontroversial in terms of methodologies used. The appellant's assignment as the principal program specialist for [the appellant's specific state] covers the full range of problem difficulty and clearly exceeds this level.

Level 1-7 covers assignments requiring professional knowledge of wildlife biology applicable to an intensive wildlife resource program, or a subject matter program, such as applied in the management and operation of a habitat evaluation program or a pervasive animal damage control program. At this level, the biologist applies professional knowledge and skill to modify or adapt standard techniques, processes, and procedures and to assess, select, apply precedents, and devise strategies and plans to overcome significant resource problems related to species production, protection, habitat restoration, construction, or program management and evaluation. This includes intensive knowledge and competence in advanced techniques of a highly complex area of wildlife biology sufficient for the biologist to serve as a troubleshooter, specialist, or coordinator. The biologist at this level analyzes data to evaluate program trends and effectiveness and to prepare reports and/or special studies of the impact of various management or public practices on resources. This level also requires knowledge and skill in staff level work to provide advisory, review, or training services to others engaged in the planning and

management of Federal wildlife facilities and to develop a variety of short-range (1-3 years) and medium-range (3-5 years) integrated plans for wildlife projects.

These kinds of Level 1-7 assignments, as well as three of the illustrative examples described in the standard for this level, match the appellant's duties and responsibilities as the state's principal manager of wildlife and threatened and endangered species programs. The appellant develops comprehensive wildlife management plans to ensure the preservation, protection, and enhancement of wildlife or wildlife habitat for a major geographical area having a variety of habitat conditions. One example is his development of five-year plans for monitoring various species susceptible to being designated as "endangered" and taking actions to prevent or mitigate such occurrences. Another example is his participation with BLM mining programs staff in development of a three- to five-year plan for inventorying abandoned mines and determining which ones should be kept open to serve as habitats for bat colonies. The appellant also analyzes data and coordinates studies of wildlife populations, makes recommendations relating to their continued existence, reports on their status as suitable candidates for listing as endangered or threatened species, and develops appropriate recovery plans. He provides staff advice and analysis on wildlife conditions and reviews and makes recommendations on policy issues, plans, methodologies and practices affecting wildlife management or habitat restoration efforts. He also develops detailed procedural guidance, standards, and contract specifications to implement specific BLM headquarters' fiscal year program directives, priorities, and goals pertaining to wildlife management in [the appellant's state]. Examples include guidance and standards on livestock grazing permit renewal, domestic sheep management in bighorn sheep habitat, and bird monitoring [in the appellant's specific state].

At Level 1-8, biologists must apply a *mastery* of wildlife biology to continually apply *new* scientific findings, developments, and advances to the solution of critical problems of a particularly *unique, novel or highly controversial nature*. Included are problems for which current information is *inconclusive* or is in the form of *suppositions* or *theories*. At this level, biologists *regularly* apply a comprehensive knowledge of principles, theories, and methodologies to develop or refine solutions; develop long-range (5-15 years) management plans for large, geographic areas; and project trends and future needs related to wildlife resources. This knowledge is applied in the execution of controversial programs, resource planning, recovery efforts, wildlife objectives, decision documents, or formal consultations that significantly impact *agency* priorities on a national or regional basis. At this level, biologists function as *agency expert representatives*, working in consultation with international, national, and State officials to negotiate, administer, and evaluate projects. They also participate in developing *agency* policies, technical guidance, draft manual sections, and instructional guidance for a wide range of experts and other users.

As the principal wildlife program manager for [a specific BLM] State Office, the appellant's expertise is well recognized, particularly with regard to big game species. Because of his expertise, he is occasionally asked by BLM's senior wildlife specialist and program manager to lead or serve as a member of special project teams dealing with BLM-wide initiatives. This is especially true if the BLM project focuses on wildlife species/habitat issues endemic to [the appellant's state] and other states in the region. While working on these projects, the appellant has the opportunity to contribute to and influence BLM-wide program policies, plans, and

directives. For example, he led one project team that developed a 10-year strategic plan for the management of big game species. He has also served as the BLM representative on an interagency task group that is developing a range-wide assessment and strategy for conservation of the black-tailed prairie dog in nine Western states. Nevertheless, the appellant acknowledges that these activities take up only 10 percent of his time, are not regular and recurring, and do not constitute the principal and continuing reason for the existence of his position in the [appellant's] State Office.

Our interview with BLM's senior wildlife specialist and program manager confirmed that the appellant has been one of several program specialists in the field called upon occasionally to lead or serve on major project teams for BLM or to represent BLM on interagency groups. He agrees that the appellant's estimate of spending 10 percent of his time on such projects seems about right and that such work is not the principal, continuing purpose of the appellant's position. Further, the senior wildlife specialist clarified that the work of these special teams is always subject to review and approval by the BLM Group Manager for Fish, Wildlife, and Forests.

The appellant believes that the demands of his position have become more diverse and complex as a result of the statewide reorganization that eliminated a layer of management (that is, four district offices) between the state office headquarters and the 11 field offices. Prior to the reorganization, he dealt primarily through the district offices in providing program direction, advice, and assistance to the field. GS-11 wildlife biologists in the district offices were not only able to communicate policies and directives from the state office to the field office staffs under their respective jurisdictions but also respond to most technical questions from those staffs. The district office biologists referred the more difficult questions to the appellant. As a result, the appellant had only infrequent contacts directly with the field offices.

Since the reorganization, the appellant estimates that he spends much more of his time (30 percent, up from 20 percent) in providing technical advice and assistance directly to the 11 field offices, each of which has at least one GS-11 wildlife biologist on staff. He contends that this has increased the complexity of his position and the level of knowledge required because (1) he must deal with a wider variety of questions (rather than having some screened out, as before) and (2) he spends more time in detailed researching to find answers, which detracts from the time he spends on other program management activities. Neither the appellant nor his supervisor could give concrete examples of how the level of technical difficulty in the questions posed to the appellant by the GS-11 biologists in the field offices has significantly increased over the types previously referred to him by the district office biologists. While the increased frequency and wider variety and range of questions may be more challenging and time-consuming for the appellant, we do not find that the level of difficulty or technical knowledge involved is higher.

The appellant mentioned that three field offices are piloting the joint BLM-Forest Service "Service-First" Program and, as a result, have both BLM and Forest Service staffs on duty. In two or three instances, the field office manager is a Forest Service employee. The appellant contends that this pilot program requires that he be knowledgeable of *both* BLM and Forest Service policies and procedures. Specifically, the appellant believes he should be familiar with their differing policies and procedures for environmental analysis and biological assessments under the Endangered Species Act. Position description [number] does not specifically mention



that knowledge of other agencies' policies and procedures is required. However, we note that the August 1999 draft revision requires the incumbent to have only a "broad understanding of the missions, objectives and policies of other Federal agencies." In our interview, the appellant's supervisor confirmed that the incumbent of the position needs only a general "familiarity" with the policies and procedures of the Forest Service (as well as the Fish and Wildlife Service) rather than a detailed, "expert" knowledge.

Although the appellant occasionally performs "national-level" assignments that in some respects reflect Level 1-8 knowledge, that work does not constitute the principal reason for the existence of his position and it is not regular and recurring. As such, this national work does not meet the minimum 25 percent threshold for grading purposes that is required by the *Introduction to the Position Classification Standards* and *The Classifier's Handbook*.

This factor is evaluated at Level 1-7 and 1,250 points are credited.

### *Factor 2, Supervisory controls*

This factor covers how the work is assigned, the employee's responsibility for carrying it out, and how the work is reviewed.

At Level 2-3, the objectives of the biologist's assignments, their priority, and required deadlines are specified by the supervisor. The biologist is expected to plan and carry out the assignments independently using proven techniques, methods, and practices. For assignments that may potentially involve controversial approaches or modification of standard procedures, the biologist discusses the issues with the supervisor beforehand. Completed work is reviewed for adequacy, technical soundness, and accomplishment of objectives.

At Level 2-4, the supervisor establishes overall goals and resources available. The biologist and the supervisor confer on the development of general objectives, projects, kinds of work to be done, and deadlines. The biologist is responsible for planning and executing assignments, selecting appropriate techniques and methodology, and determining the approach to be taken. The biologist is expected to resolve most problems that arise and coordinate the work with others in the same or other resource areas or disciplines, as necessary. At this level, the biologist interprets and applies program policy in terms of established objectives and keeps the supervisor informed of progress, potentially controversial problems, and concerns. At this level, the biologist's work is reviewed for general adequacy in meeting program or project objectives, expected results, and compatibility with other work.

The appellant's work clearly exceeds Level 2-3 and is a match for Level 2-4. The [appellant's] State Office Director sets the overall statewide program emphasis areas, priorities, and objectives, based on BLM goals, objectives, and priorities. In addition, a designated State Office management team develops an annual, organizational work plan, and an ad hoc State Office budget team determines budget allocations for the 11 field offices. The appellant provides recommendations to the budget team on statewide funding for the wildlife management program. Within this framework, the Deputy State Director, the appellant's supervisor, and the appellant establish work goals and broad functional objectives for the wildlife management program in the

State. The appellant is then responsible for independently planning the work, coordinating work with other resource specialists, and resolving technical or administrative conflicts. He interprets policies and regulations and provides implementing program directions to the field offices. He keeps his supervisor informed of possible adverse reactions or publicity that might arise from implementing wildlife and Threatened, Endangered and Sensitive (TE&S) Species programs, as well as the status of high priority work. As at Level 2-4, the appellant is expected to resolve complex problems and conflicts, ensuring coordination where necessary, and to seek assistance when, or if, the need is perceived. The appellant's completed work (e.g., biological assessments, guidelines, manuals, state policies, etc.) is reviewed for editorial soundness by his supervisor, the Deputy State Director, and the State Director. As the State Office's principal wildlife program expert, his technical work is reviewed for overall conformance with policy.

The appellant's work situation does not meet Level 2-5. At that level, supervisory guidance or control is exercised primarily through broad, general objectives approved for the biologist's program, e.g., wildlife management. The biologist at that level usually operates within the context and constraints of national legislation, agency policy, and overall agency objectives. Within only these broad areas of direction, the biologist determines the validity and soundness of bureau-wide or national programs and independently carries out such programs and related projects, studies, surveys, and investigations. The work is reviewed primarily in relation to broad policy requirements and administrative controls, and the biologist is considered a technical authority for a bureau or agency. Although the appellant must be familiar with, interpret, and provide guidance on BLM policies and directives in his day-to-day work, he also operates within the framework of the State Director's specific program emphasis areas, priorities, and policies, as well as any supplemental objectives outlined in an annual work plan developed by the State Office's management team. In summary, the appellant does not regularly and independently operate in the broad legislative and agency policy environment that is envisioned at Level 2-5.

This factor is evaluated at Level 2-4 and 450 points are credited.

### *Factor 3, Guidelines*

This factor covers the nature of the guidelines for performing the work and the judgement needed to apply them or to develop new guidelines.

At Level 3-3, a number of general guidelines are available, and broad objectives have been established. Although the guidelines that are available may not be completely applicable to the work situation, the biologist uses judgement in determining which appropriate alternatives should be used. At this level, the biologist uses judgement in interpreting and adapting guidelines received for application to specific situations or problems, and the biologist determines when problems require additional guidance.

At Level 3-4, guidelines are often inadequate to deal with the more complex or unusual problems, or with novel, undeveloped, or controversial aspects of wildlife resources and management. The precedents or guides may point toward conflicting decisions, or there may be relatively few precedents or guides that are pertinent to specific problems. At this level, the biologist is required to deviate from, or extend traditional methods and practices, or to develop

essentially new or vastly modified techniques or methods for obtaining effective results, or propose new guidelines.

The appellant's work situation matches Level 3-4. He performs his work within the framework of BLM manuals, Washington Office instruction memoranda, and written operating procedures. He reviews and interprets BLM wildlife program directives and guidance and develops statewide implementing instructions for the 11 field office managers and their wildlife biologists. The appellant must also be familiar with various laws pertaining to land and wildlife management and national environmental protection policy. The various guidelines are often inadequate to deal with the more complex and unusual problems that occasionally arise. Examples of complex problems include developing detailed instructions for the protection of newly-designated endangered species and dealing with potentially conflicting resource and special interest objectives regarding wildlife habitat that overlaps public and private land or into states adjoining [the appellant's state]. The appellant is expected to exercise leadership, self-motivation, and good judgement in anticipating, recognizing, and dealing with such complex problems.

At Level 3-5, the biologist is mostly occupied with major problems of a highly unusual or national significance. Guidelines are broadly stated and nonspecific, e.g., broad agency policy statements and basic legislation, which require extensive interpretation. Accordingly, the biologist would regularly exert a high degree of judgement, originality, and creativity in interpreting and converting general legislative or agency objectives and policies into specific plans, programs, projects, or activities. The biologist also evaluates problems in judging broad program direction and the significance of trends and developments. At this level, the biologist adjusts broad agency programs to the latest advances in wildlife biology. The biologist is frequently recognized as an authority in the resource or subject matter area with responsibility for influencing or developing agency policies, plans, or standards that guide other agency personnel in executing wildlife resource programs. We found no evidence that the appellant functions in this type of environment or is assigned responsibility for developing agency or BLM policies/guidance.

This factor is evaluated at Level 3-4 and is credited with 450 points.

#### *Factor 4, Complexity*

This factor covers the nature of the assignments, the difficulty in identifying what needs to be done, and the difficulty and originality involved in performing the work.

At Level 4-3, biologists select and apply conventional approaches and precedent solutions according to specific conditions that exist in each assignment.

At Level 4-4, biologists typically are involved in a full range of professional activities and in the application of many different and unrelated biological concepts. Biologists at this level apply flexibility and judgement in approaching problems to obtain an optimum balance between program requirements and policies, differences in the missions of agencies, and the demands of various interest groups. Some assignments involve dealing with the conflicting concerns and

goals of various special interest groups. In addition, biologists at this level independently identify the boundaries of the problem involved, the kinds of information needed to solve the problem, and the criteria and techniques to be applied in accomplishing the assignment.

Level 4-4 is a match for the appellant's position. As the principal wildlife and TE&S program manager for [a specific BLM ] State Office, the appellant is responsible for addressing the full range of program needs and problems. Some tasks require strict compliance with a specified step-by-step procedure; others require development of a methodology tailored to the specific situation. The appellant's program duties include planning, conducting biological assessments, recommending funding priorities and allocations, and developing detailed implementing instructions and evaluation standards. He spends a significant amount of time, especially since the reorganization, in providing advice and assistance to the 11 field offices. He also evaluates program effectiveness by participating in periodic on-site evaluations as the lead wildlife/TE&S specialist on cross-functional audit teams. His work also involves the frequent exercise of resourcefulness and ingenuity in resolving overlapping jurisdictional and special interest issues of state agencies, industry and commercial concerns, and the general public (e.g., sportsmen, recreationists).

At Level 4-5, the work regularly requires many different and unrelated processes and methods applied to a broad range of activities of substantial depth of analysis. Decisions regarding what needs to be done usually include major areas of uncertainty in approach, methodology, or interpretation and evaluation processes resulting from such elements as continuing changes in programs, technological developments, unknown phenomena, or conflicting requirements. The work regularly requires originating new techniques, establishing criteria, or developing new information. The appellant's work sometimes approaches the characteristics of this level, such as the development of implementing guidance, instructions, and evaluation standards relating to habitat protection of newly designated endangered species. However, we found no evidence that this is the regular and continuing work situation, nor is it his assigned responsibility within BLM or the agency to focus on and specialize in the types of situations represented at this level.

This factor is evaluated at Level 4-4 and 225 points are credited.

#### *Factor 5, Scope and effect*

This factor covers the purpose of the work and the impact of the work product or service.

At Level 5-3, biologists investigate and analyze conventional wildlife resource problems and/or environmental conditions to recommend or implement solutions that satisfy resources management objectives. Typically, the work requires identification of common problems (e.g., habitat conditions).

At Level 5-4, the biologist's work includes developing new or improved techniques or criteria for the conduct of projects. The work may involve advisory, planning, or review services on specific problems, programs, or functions. It may involve unusual problems and the development of new approaches, techniques, and plans, such as those associated with studies that are prepared for management or administrative use. Other projects involve assignments related

to culturing or recovering endangered or threatened species. Work situations may be complicated by the availability of funds, the accuracy of data bases, and information/exchange methodologies. Work with endangered and threatened wildlife species may include intensive investigation efforts. The results of the work or work products affect the work of state and county officials, tribal organizations, and program managers or technical specialists in outside agencies. Activities typically involve problems which impact or affect the continued existence of a wildlife resource or resource area.

As the principal wildlife program manager for [a specific] State Office, the appellant's work situation exceeds the conventional/common problems envisioned at Level 5-3 and is a match for Level 5-4. The appellant develops criteria, standards, and techniques to implement BLM program guidance within the [appellant's specific state]. He provides advisory services to the State Director and staff and to the managers and wildlife biologists in the 11 field offices. He manages the TE&S Program within the State. Since funding for the State Office from BLM headquarters is not necessarily "fenced" for specific wildlife program projects, the appellant briefs the State's budget team on statewide wildlife program priorities and recommends allocations among the field offices. He then tracks expenditures by field office. The appellant's decisions affect other natural resource programs (minerals development, oil and gas exploration, livestock grazing) through restrictions or mitigation of the habitat impacts of those programs.

At Level 5-5, the primary purpose of the biologist's work is to isolate and define unknown conditions, resolve critical problems, and develop new approaches and guides for operating personnel. Biologists at this level regularly determine the validity and soundness of theories, standards, and guides for the improvement of resource uses, developments, and protection. These biologists have continuing responsibility for writing and/or revising a major section of an agency wildlife management plan, operating manual, or directive. At this level, the biologist's work has considerable influence on the production and management of threatened or endangered species and/or species of national/international significance. Their work also strongly influences the development and/or effectiveness of wildlife policies, programs, and actions of the agency in a number of program areas within one or more states. Although the appellant's work situation approaches and touches on some aspects of Level 5-5 work (e.g., development of habitat management plans for newly-designated endangered/threatened species in [the appellant's state], occasional participation on special project teams working on BLM-wide initiatives), it does not fully meet this level. The appellant is not regularly assigned to or responsible for this level of work.

This factor is evaluated at Level 5-4 and 225 points are credited.

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

In the GS-486 standard, these two factors are evaluated together to recognize their interrelationship. Final point credit is determined by identifying where the evaluations of each factor intersect in the table contained in the standard.

At Level 2, the biologist's contacts are usually with employees within the immediate organization and with employees within the same agency but outside the immediate organization (e.g., biologists from higher levels within the organization).

At Level 3, contacts also regularly include individuals or groups from outside the employing agency (e.g., biologists and managers from other agencies, contractors, or representatives of professional organizations, the news media, or public action groups). The contacts are in a moderately unstructured setting (e.g., the contacts are not established on a routine basis, the purpose and extent of each contact is different, and the role and authority of each party is identified and developed during the course of the contact). The appellant's work situation matches this level. In addition to his internal contacts within the State Office and higher levels of BLM, the appellant has regular and recurring contacts with biologists and program managers from other Federal organizations and agencies (e.g., Forest Service, Fish and Wildlife Service, Animal Plant and Health Inspection Service, Environmental Protection Agency) and from various [state] state wildlife organizations. His contacts also include national conservation organizations, research scientists and faculty of [state] universities, and representatives of environmental and animal rights groups. The appellant estimates that 65 percent of his contacts are with BLM employees and 35 percent are external to BLM and the Department of the Interior.

Level 4 requires regular and recurring contacts with high-ranking officials from outside the employing agency at national or international levels in highly unstructured settings (e.g., members of Congress, leading representatives of foreign governments, state governors, mayors, presidents of large national or international firms, nationally-recognized representatives of the news media). We found no evidence that the appellant has regular and recurring contacts of this nature.

At Level a, the purpose of the biologist's contacts is to exchange information. At Level b, the contacts are to plan, coordinate or advise on work efforts, and solve operating problems by influencing or motivating individuals or groups who are working toward mutual goals and who have basically cooperative attitudes. The appellant's work situation exceeds these levels.

At Level c, the purpose of the biologist's contacts is to influence, motivate, interrogate, or control persons or groups who hold different opinions or interests or who may be skeptical, fearful, or uncooperative. Biologists at this level must be skillful in approaching the individual or group in order to gain the desired effect, such as gaining compliance by persuasion or negotiation or gaining information by establishing rapport. This level matches the regular and recurring requirement of the appellant to deal with the sometimes-conflicting priorities of other BLM resource program managers, with other Federal agencies, and with state wildlife agency representatives. He must also deal with the often-conflicting interests and concerns of various wildlife organizations, industry and commercial groups, other special interest groups, and the general public.

Level d requires regular and recurring contacts to negotiate, justify, or resolve highly important or controversial matters. This level envisions the biologist has regular active participation in hearings, conferences, meetings, or presentations involving problems of considerable

consequences or importance. Although the appellant occasionally participates in meetings and conferences, the usual purposes of the appellant's contacts do not fit this level.

These two factors are evaluated at Level 3c and 180 points are credited.

### *Summary*

The appellant's position is properly evaluated as follows:

<b>Factor</b>	<b>Level</b>	<b>Points</b>
1. Knowledge required by the position	1-7	1,250
2. Supervisory controls	2-4	450
3. Guidelines	3-4	450
4. Complexity	4-4	225
5. Scope and effect	5-4	225
6. Personal contacts and 7. Purpose of contacts	3c	180
8. Physical demands	8-2	20
9. Work environment	9-2	20
<b>Total</b>		<b>2,820</b>

Using the Grade Conversion Table found in the GS-486 standard, a total of 2,820 points falls within the GS-12 range of 2,755–3,150 points.

### **Decision**

The appellant's position is properly classified as GS-486-12 and titled Wildlife Biologist (Management).