

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

Dallas Field Services Group  
Plaza of the Americas, North Tower  
700 North Pearl Street, Suite 525  
Dallas, TX 75201

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

**Appellant:** [names of four appellants]

**Agency classification:** Resource Technician  
GS-1101-6

**Organization:** [name] National Forest  
[name] Region – Region [number]  
Forest Service  
U.S. Department of Agriculture

**OPM decision:** GS-1101-6  
Title to be determined by agency

**OPM decision number:** C-1101-06-02

/s/ Robert D. Hendler

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Robert D. Hendler  
Classification and Pay Claims  
Program Manager  
February 27, 2006

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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:**

[names and addresses of four appellants]

Human Resources Officer  
[name] National Forest  
Forest Service - USDA  
[address of HR office]

Human Resources Specialist (Classification)  
[name] Region – Region [number]  
Forest Service - USDA  
[address]

Director of Human Capital Management (USDA-OHCM)  
U.S. Department of Agriculture  
J.L. Whitten Building, Room 302-W  
1400 Independence Avenue, SW.  
Washington, DC 20250

## **Introduction**

On October 11, 2005, the Dallas Field Services Group of the U.S. Office of Personnel Management (OPM) accepted classification appeals from [names of four appellants] who occupy identical additional positions (hereinafter referred to as position) currently classified as Resource Technicians, GS-1101-6. They believe the position should be classified at the GS-7 level. All appellants work in the [name] National Forest, [name] Region – Region [number], Forest Service, U.S. Department of Agriculture, at various districts in [state name]. Specifically, [appellant's ] position is located at [name] Ranger District in [city and state],; [appellant's] at [name] Ranger District in [city and state]; [appellant's] at [name] Ranger District in [city and state]; and [appellant's] at [name] Ranger District in [city and state]. Although they are assigned to different districts with different immediate supervisors, the appellants perform essentially identical duties and are assigned to the same official position description (PD), number [number]. Their appeals will, therefore, be adjudicated together. We received the agency's administrative report on November 4, 2005. We have accepted and decided this appeal under section 5112 of title 5, United States Code.

## **Background**

A Resource Technician, GS-1101-6, position is assigned to each of the five ranger districts on the Forest. The appellants, along with the Resource Technician from the [fifth name] Ranger District, requested a review of their positions. A team consisting of the District and Forest Supervisor's Office (SO) resource technicians and a union representative revised the PDs to better reflect the current work assignments. The Forest's Human Resources Office, working with a contract classifier, evaluated the positions. Their evaluation statement, dated May 13, 2003, concluded the positions are classified properly at GS-1101-6. The Resource Technicians forwarded classification appeals to the [name] Region – Region [number] Office. The Region's evaluation, dated June 21, 2004, sustained the Forest's findings. The group subsequently forwarded their appeals to OPM. We accepted their appeals, but we are evaluating the position assigned to the [fifth name] Ranger District separately from the others as this position is assigned and performs significantly different duties.

## **Position information**

The appellants' positions were designed to perform technical support work related to timber sale appraisals and contracts. The appellants are members of the timber program staff, which varies in composition by districts but typically includes a mix of GS-460 Foresters and GS-462 Forestry Technicians. The appellants' are directly supervised by Supervisory Forester, GS-460-11 positions, which have primary responsibility over the timber management program.

The appellants' main role in the timber sales process is to ensure the sales contract is consistent with all sale documents and the actual sale is executed appropriately. The appellants thoroughly review all sale documents including the timber sale and transaction evidence appraisal report, road packages, silvicultural prescriptions, and marking guides. While primarily reviewing the reports to determine their impact and relevancy to the contract, the appellants also audit the documents to ensure they comply with National Environmental Policy Act (NEPA)

requirements, current direction, procedures, volume computations, and timber sale calculations. The appellants notify the appropriate staff member of any errors, inconsistencies, or potential issues with the documents reviewed. They then draft contracts using the sale documents as a guide to determine which provisions and clauses to include. The contract is then shared with the timber management staff to ensure it complies with findings captured in the sale documents.

The appellants are also responsible for administering the timber sale. They prepare newspaper notices advertising the sale, which typically includes the location, estimated volume, description of timber designated for cutting, bidding provisions, and other special considerations. The appellants mail postcard notices, bid packages with the prospectus, and maps to prospective bidders. It is the district's decision whether to conduct the sale via sealed bid and/or oral auction, but most of the districts have adopted oral auctions as their preferred sale method. The appellants send award letters to the successful bidder, but their role in the sale process continues as they are also responsible for drafting contract modifications, if needed, and calculating the ensuing rate adjustments; recalculating rates for market changes; determining adequacy of performance bonds; maintaining sale data in the Timber Information Management system; and running and reviewing various sale reports. They specifically pull reports from the Automated Timber Sales Accounting System throughout the life of a sale to ensure, e.g., the correct rates are levied and payments are being made as agreed upon in the contract. The appellants administer approximately 10 – 15 timber sales annually. In addition, they issue a variety of permits including firewood, Christmas trees, flowers, grasses, pine, mushrooms, and rocks.

The appellants and immediate supervisors certified to the accuracy of the duties described in their PD of record. This PD and other material of record furnish much more information about the appellants' duties and responsibilities and how they are performed, and we incorporate it by reference into this decision. To help decide this appeal, we conducted a telephone audit with the appellants on December 14, 2005, and several telephone interviews and e-mails with each of the immediate supervisors. We also conducted a telephone interview with the SO's Supervisory Resource Specialist, who is involved with the Resource Technicians' work, on December 22, 2005. In deciding this appeal, we carefully considered all of the information gained from these interviews, as well as written information furnished by the appellants and their agency, including the PD of record.

### **Series, title, and standard determination**

The GS-1100 Business and Industry Group includes all classes of positions that involve advising on, administering, supervising, or performing work requiring a knowledge of business and trade practices; characteristics and use of equipment, products, or property; or industrial production methods and processes. Work may include the conduct of investigations and studies; collection, analysis, and dissemination of information; establishment and maintenance of contracts with industry and commerce; provision of advisory services; examination and appraisal of merchandise or property; and the administration of regulatory provisions and controls.

The appellants' position is currently classified to the General Business and Industry Series, GS-1101, which covers all classes of positions administering, supervising, or performing (1) any combination of work characteristic of two or more series in the GS-1100 Business and Industry

Group where no one type of work is series controlling and where the combination is not specifically included in another series, or (2) other work properly classified in this group for which no other series has been provided. GS-1101 positions may perform either one- or two-grade interval work.

The appellants' work matches one-grade interval support work. Like the appellants' work, one-grade interval support work requires following established methods, procedures, and guidelines, and may require a high degree of technical skill, care, and precision. The work can be performed based on a practical knowledge of the purpose, operation, procedures, techniques, and guidelines of the specific program area or functional assignments. Two-grade interval administrative positions are involved in work primarily requiring a high order of analytical ability. In contrast, the appellant's position requires applying a practical knowledge of the purpose, operation, procedures, techniques, and guidelines set forth by the timber management program. The appellants provide services that are of a continuing, repetitive nature, and performed on the basis of their acquiring a familiarity with the timber sales process from several years of experience. The work does not involve making the sort of judgmental decisions characteristic of two-grade interval positions. The appellants exercise some judgment in reviewing sale documents and preparing contracts, but the record shows that they normally deal with recurring types of projects. This work is analogous to assistance work. The appellants' tenure in their position have resulted in their being experts in this process, but, unlike two-grade interval positions, their duties do not require them to analyze or use evaluative methods and techniques. As a result, the appellants' positions must be classified under the one-grade interval structure.

The appellants do not disagree with the GS-1101 series assigned, but they believe their work is best evaluated against the GS-1102 Contract Specialist position classification standard (PCS). Work in this series includes positions that manage, supervise, perform, or develop policies and procedures for professional work involving the procurement of supplies, services, construction, or research and development using formal advertising or negotiation procedures; the evaluation of contract price proposals; and the administration or termination and close out of contracts. The work requires knowledge of the legislation, regulations, and methods used in contracting; and knowledge of business and industry practices, sources of supply, cost factor, and requirements characteristics.

The appellants perform duties similar to Contract Specialists in that they prepare, advertise, and award timber sales contracts. Despite surface similarities, the appellants' positions do not require applying the full scope of knowledge and skills, nor do they carry out duties typical of positions classified in the GS-1102 series. For example, unlike Contract Specialists, the appellants do not solicit, evaluate, and negotiate contracts; terminate contracts; analyze and evaluate costs or price proposals and accounting systems data; plan, establish, or review contracts, programs, policies, or procedures; develop acquisition strategies and direct or manage procurements; and provide staff advisory services in one or more of the specializations in the contract specialist occupation. Work classified to the GS-1102 series generally requires completion of a four-year course of study leading to a bachelor's degree with a major in any field *or* at least 24 semester hours in any combination of fields including, but not limited to, accounting, business, finance, law, or contracts. The work performed by the appellants does not entail the need for or application of these requirements.

The criteria for the GS-1102 series may not be used to evaluate one-grade interval work, as the qualifications required, the purpose of assignments, the work situations described, and the criteria for the knowledge, skills, work controls, guidelines, and complexity do not parallel the one-grade interval work performed by the appellants.

The appellants' position is a mixed series position involving work covered by more than one occupational series. The appellants' duties require a practical knowledge of contract preparation; advertising; accounting of financial payments; and the purpose, processes, and procedural requirements governing the agency's timber management program. This work is appropriately classified to the GS-1101 series. The GS-1101 series has no published grade level criteria. To evaluate this work, we cross-referenced the grade level criteria in the Procurement Clerical and Technician Series, GS-1106, PCS.

In their appeal request, the Resource Technicians said the GS-1106 PCS did not fully address their positions. However, positions properly classified in the GS-1106 series perform work that includes reviewing pre-sale documents, preparing contracts with appropriate provisions, modifying contracts, and participating in the bidding. These duties are equivalent to the appellants' work, so the knowledge required for GS-1106 work is comparable, if not identical, to that required by the appellants' position. The appellants said their position provides support in selling, rather than in procuring, timber. Both processes require the same type of work, from preparing contracts to conducting the sale, so, regardless of whether the position is procuring or selling, the steps taken on either end of the process are undeniably alike. As a result, the GS-1106 PCS is the best match for determining the grade level of this work.

In addition, the appellants review account statements to ensure the proper collection of revenues; ensure deposits are known, collected, and deposited to the correct account; and review sale accounts prior to close out to verify balances are paid in full. This work is properly evaluated by applying the grading criteria in the Job Family Position Classification Standard for Clerical and Technical Accounting and Budget Work GS-500 (JFS), which covers nonsupervisory clerical and technical work concerned with supporting accounting, budget, and other related financial management work. We applied the GS-500 JFS to the appellants' applicable work and determined that those duties and responsibilities are graded lower than their contract preparation work. Since these duties are not grade-controlling, we will not discuss them further.

Based on the grade-level analysis that follows, we found the appellants' GS-1101 covered duties are grade-controlling and predominant in terms of the basic purpose of the positions and the paramount knowledge required. Therefore, the appellants' positions are properly classified to the GS-1101, General Business and Industry Series, and the agency may assign titles following the guidance in the *Introduction to the Position Classification Standards*.

### **Grade determination**

The GS-1106 PCS uses the Factor Evaluation System format, under which factor levels and accompanying point values are assigned for each of the nine factors. The total is converted to a grade level by use of the grade conversion table provided in the GS-1106 PCS. Under this

system, each factor-level description demonstrates the minimum characteristics needed to receive credit for the described level. If the positions fail to meet the criteria in a factor-level description in any significant aspect, it must be credited at a lower level.

### *Factor 1, Knowledge Required by the Position*

This factor measures the nature and extent of information or facts that the employee must understand to do acceptable work (e.g., steps, procedures, practices, rules, policies, regulations, and principles) and the nature and extent of the skills needed to apply that knowledge.

At Level 1-4, which is the highest level in the PCS, the work requires an in-depth or broad knowledge of a body of procurement regulations, procedures, and policies involving (1) specialized requirements and/or (2) large purchases. Examples of work at this level are work situations that require knowledge of a *wide* variety of interrelated steps and procedures required to assemble, review, and maintain procurement files related to *complex* contracts (e.g., large purchases for specialized supplies, services, or construction).

The appellants' position meets but does not exceed Level 1-4. The appellants' position requires knowledge of the interrelationship between NEPA requirements, management objectives and expectations, and the various parts of contract administration. The PCS includes an example of work at Level 1-4, where the employee applies knowledge of the requirements of various contract clauses and special laws to ensure the inclusion of necessary information in bid and solicitation packages, and to monitor contractor compliance with contracts that contain these or similar provisions. This is a match to the appellants' duties. The appellants are responsible for advertising timber sales, which includes notifying bidders of the location, tree species, estimated quantity, rates per unit of measure, and the minimum guarantee required. At Level 1-4, employees are typically dealing with complex contracts similar to those for large purchases for specialized supplies, services, and construction. Although the appellants prepare only one type of contract for timber sales, this work, comparable to Level 1-4, deals with a wide variety of interconnected steps and actions in order to combine the findings from the pre-sale fieldworkers, road engineers, silviculturalists, environmentalists, and fire prevention staff into a legal and binding contract. While some of the work deals with small contracts, a number of the appellants' contracts involve a large amount of money and/or may take several years to execute.

The appellants ensure bidders meet certain requirements, including providing an adequate bid guarantee and not having terminated a breach or default on a timber or forest product contract within a three-year period preceding the bid. If the sale is advertised as one set aside for competitive bidding by small businesses, the appellants will determine if the highest bidder is qualified as a small business and has not been identified by the Small Business Administration as ineligible for the preferential award. If there are no qualified small business bidders, the appellants will open the sale to all. Similar to Level 1-4, the appellants make award decisions based on a review of all offers to determine legitimacy and reasonableness of offer. They also use knowledge of post-award procedures to draft contract modifications or responses to extension requests, monitor purchaser compliance, identify delinquencies in payment, and calculate any refund amounts at the sale closure.

Level 1-4 is credited for 550 points.

### *Factor 2, Supervisory Controls*

This factor covers the nature and extent of direct and indirect controls exercised by the supervisor. Employee responsibilities, as well as the review of completed work, are included. Employee responsibility depends upon the extent to which the employee is expected to develop the sequence and timing of various aspects of the work, to modify or recommend modification of instructions, and to participate in establishing priorities and defining objectives. The degree of review of completed work depends upon the nature and extent of the review.

At Level 2-3, which is the highest level in the PCS, the supervisor provides guidance for unusually involved situations. Employees at this level plan and carry out successive steps necessary to accomplish their work and to resolve problems and deviations where standard operating procedures do not apply. Work is reviewed for technical soundness, appropriateness, and conformity to policy and requirements.

The appellants' position meets but does not exceed Level 2-3. As at this level, the appellants' supervisors assign work with standing instructions on objectives, priorities, deadlines, and provide guidance for unusually involved situations. Furthermore, many milestones in the contract preparation work are controlled by legal or agency-prescribed time constraints, but the appellants may plan and prioritize their work within these parameters. The supervisors occasionally shift the appellants' priorities under special circumstances, e.g., if a pending lawsuit requires suspending a timber sale, but the supervisors do not involve themselves in the day-to-day contract preparation work. As expected at Level 2-3, the appellants' work is carried out without direct supervision but in accordance with general instructions and standard operating procedures. Other than the issuance of permits, the agency has not designated any authority to the appellants to commit their districts to a course of action; instead, contracts, modifications, and extensions are signed by Contracting Officers, who, in most cases, have been identified as the District Ranger for small contracts and the SO's Resource Specialist for larger ones.

Level 2-3 is credited for 275 points.

### *Factor 3, Guidelines*

This factor considers the nature of guidelines and the judgment needed to apply them.

As at Level 3-2, the appellants' duties require they understand and interpret basic and well-established timber management procedures and guidelines. They must decide which precedents or guidelines are most pertinent and use some judgment and initiative in situations not completely covered by guidance to resolve limited problems. Available guidelines are abundant and include laws and regulations, Forest Service policies and guidelines, handbooks, manuals, and instructional supplements from the regional office or SO. Comparable to Level 3-2, the appellants typically refer situations requiring significant judgment to their supervisors or higher-level officials at the SO for resolution.



At Level 3-3, guidelines are the same as Level 3-2 but are not completely applicable to *many aspects* of the work because of the problem solving or complicated nature of the assignments. Employees must use judgment to interpret guidelines, adapt procedures, decide approaches, and resolve specific problems. They analyze the results of applying guidelines and recommend changes. The appellants' position does not regularly incur problems or situations where they must rely on analysis and judgment rather than specific guides and precedents to identify sources of information, determine what transpired, or make similar judgments. Unlike Level 3-3, their work is covered by timber sale process procedures and is supplemented by comprehensive checklists covering documentation requirements, timber appraisal and road package reviews, sale closures, and contract clauses. Consequently, the appellants' contract preparation work does not routinely require interpreting guidelines, adapting procedures, or deciding on approaches to the extent found at Level 3-3. They instead contact the SO on situations requiring an interpretation of guidelines or adaptation of procedures.

Level 3-2 is credited for 125 points.

#### *Factor 4, Complexity*

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

The appellants' position meets but does not exceed Level 4-3, which is the highest level in the PCS. At this level, work involves performing duties with varied and unrelated procedures and methods. Employees analyze issues or problems and obtain additional information where necessary in order to determine the appropriate course of action when several alternatives may apply. Illustrative of this level, the appellants' duties are varied and require considerable coordination. Their work also requires analyzing and discerning interrelationships such as reconciling incompatible information where many choices exist. The best example is the appellants' work in auditing sale documents for consistency with NEPA requirements and the contract. The main purpose of the document review is to extract information for inclusion into the contract, but the appellants must first understand and review the sale document itself to determine whether it is accurate and adequate in the use of measurement methods, prescribed format, appropriate calculations, etc. Beyond that, the appellants also ensure the findings in one document do not contradict those in another and that they are all consistent with the contract.

Level 4-3 is credited for 150 points.

#### *Factor 5, Scope and Effect*

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 work products or services both within and outside the organization. Effect measures such things as whether the work output facilitates the work of others, provides timely services of a personal nature, or impacts on the adequacy of research conclusions.

The appellants' position meets but does not exceed Level 5-3, which is the highest level in the PCS. At this level, the purpose of the work is to apply conventional practices to treat a variety of problems. The work results in recommendations, solutions, or reports directly affecting customer or vendor relations or operations. Comparable to Level 5-3, the appellants apply standard procedures to maintain and monitor timber contract files. They also treat a variety of conventional problems that arise during the life of each contract. These include dealing with requests to modify contract specifications, explaining contract clauses and provisions, working with constant changes to the automated computer programs, determining bid authenticity, and allocating collections into the correct fund. The appellants handle these situations by following established procedures and instructions from the agency, regional office, or SO. Situations deviating from established procedures are typically referred elsewhere for guidance. For example, the appellants contact the SO's Resource Specialist with questions on levying liquidated damages, verifying bonding instruments, preparing a new contract in light of significant changes, etc. Like Level 5-3, the appellants' work has a direct effect on the quality, accuracy, and adequacy of timber sale records and operations. Their work also affects the relationship with the purchasers of forest products and the likelihood of their doing business with the district in the future.

Level 5-3 is credited for 150 points.

#### *Factor 6 and 7, Personal Contacts and Purpose of Contacts*

Personal contacts include face-to-face and telephone contacts with persons not in the supervisory chain. Levels described under this factor are based on what is required to make the initial contact, the difficulty of communicating with those contacted, and the setting in which the contact takes place. These factors are interdependent. The same contacts selected for crediting Factor 6 must be used to evaluate Factor 7. The appropriate level for personal contacts and the corresponding level for purpose of contacts are determined by applying the point assignment chart for Factors 6 and 7.

##### *Personal Contacts*

As at Level 2, which is the highest level in the PCS, the appellants' regular and recurring personal contacts are with employees outside the immediate organization including purchasers, purchasers' representatives, potential bidders, forest visitors, and/or the general public, in moderately structured settings. Contact with employees may be from various levels within the agency such as timber management staff, their counterparts at other districts, SO resource technicians and specialists, and the regional office. The appellants' personal contacts meet but do not exceed Level 2.

##### *Purpose of Contacts*

As at Level b, which is the highest level in the PCS, the purpose of the appellants' regular and recurring contacts ranges from exchanging factual information to resolving issues by persuading people typically working towards the same goals. As primary contact for their district's timber sales, the appellants respond to questions from the public on the auction's date and location, sale

unit location, bidding procedures, and billing questions. They, however, will refer engineering, silvicultural, environmental, and other specific technical questions to the appropriate staff. Also similar to Level b, the appellants will contact employees to discuss inconsistencies or errors in the sale document findings. These contacts, although requiring tact, generally involve individuals with helpful attitudes as both sides are working towards the mutual goal of selling timber. The appellants also deal with upset bidders, but this is not characteristic of their relationship with the significant majority of their contacts and, therefore, may not control the evaluation of this factor. The purpose of the appellants' contacts meets but does not exceed Level b.

Level 2b is credited for 75 points.

#### *Factor 8, Physical Demands*

This factor covers the requirements and physical demands placed on the employee by the work assignment. This includes physical characteristics and abilities, as well as the extent of physical exertion involved in the work.

As at Level 8-1, the only level described in the PCS, the appellants' work is sedentary and free of special physical demands. The appellants may carry light items such as reports and files, but the work does not require any unusual physical effort. Level 8-1 is credited for 5 points.

#### *Factor 9, Work Environment*

This factor considers the risks and discomforts in the employee's physical surroundings. Additionally, any safety regulations related to the work assigned are considered.

As at Level 9-1, which is the only level described in the PCS, the appellants' work environment consists of an office setting and involves everyday risks or discomforts requiring normal safety precautions typical of an office setting. Level 9-1 is credited for 5 points.

#### *Summary*

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. <i>Knowledge Required by the Position</i>	1-4	550
2. <i>Supervisory Controls</i>	2-3	275
3. <i>Guidelines</i>	3-2	125
4. <i>Complexity</i>	4-3	150
5. <i>Scope and Effect</i>	5-3	150
6 & 7. <i>Personal Contacts and Purpose of Contacts</i>	2-b	75
8. <i>Physical Demands</i>	8-1	5
9. <i>Work Environment</i>	9-1	<u>5</u>
<i>Total</i>		1,335

A total of 1,335 points falls within the GS-6 range (1,105 to 1,350 points) on the grade conversion table in the PCS.

**Decision**

The position is properly classified as GS-1101-6. The title is at the agency's discretion.