

**United States Department of the Interior
BUREAU OF LAND MANAGEMENT
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EMS TRANSMISSION

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To: Servicing Personnel Offices
AD, Human Resources Management

From: Director, National Human Resource Management Center

Subject: Classification Appeal Decision - Natural Resource Specialist, GS-401-11

Attached is the Bureau of Land Management Classification Appeal Decision. The decision sustains the current classification of, Natural Resource Specialist, GS-401-11.

Please review all similar and like positions and apply the findings within this decision accordingly.

Any questions regarding this decision should be directed to Mark Whitesell, (303) 236-6702.

Signed by:
Linda D. Sedbrook
Director

Authenticated by:
Darlene Robitaille
Secretary

1 Attachment

1 - Classification Appeal Decision (9 pp)

BUREAU OF LAND MANAGEMENT
CLASSIFICATION APPEAL DECISION

Appellant: XXXXX XXXXXX

Position: Natural Resource Specialist, GS-401-11

Organization: XXXXXX XXXXX XXXXXX (XXX); XXXXXXXX XXXXXXXXX XXXXXX (XXX); Division of XXXXXXXXXXXX XXXXXXXX; XXXXXXXXXXXX XXXXXXXX XXXXX

Background: The appellant has requested reclassification of his position from Natural Resource Specialist, GS-401-11 to Natural Resource Specialist, GS-401-12

Background: The appellant's appeal is based on the classification decision of his rewritten position description (PD) submitted and classified May 27, 1999 replacing the position he encumbered, Natural Resource Specialist, GS-401-11, which was classified in 1995. In the rewritten PD, management added the duty of "research and monitoring coordinator" to his "forest/ecosystems health project leader" work, but determined that there were no changes in the title, series or grade. However, the incumbent states that with the expanded duties, the complexity and scope of his position has changed.

A telephone interview was conducted with the appellant December 15, 1999. Telephone interviews were also conducted with XXXXX XXXXXXX, xxx supervisor, and XXXXXX XXXXXXX, servicing a personnel management specialist (PMS). XXXXXXX XXXXXXX advised that xx reviewed the position description that included the appellant's research and monitoring coordinator work and the classification evaluation decision written by his predecessor XXXXXXXXXXXX XXXXX. Xx confirmed the classification accuracy and advised the appellant of his rights to appeal.

The appellant stated in his interview that he has been employed by the BLM, XXXXXXXX XXXXXXXX for (approximately) 20 years. He was assigned to the XXXXXXXX XXXXX in the XXXXXXXX of XXXXXXXXXXXX XXXXXXXX until 1995, and was then reassigned to a new position, Natural Resource Specialist, GS-401-11, on the Operations Support Staff. He has continued to serve in that position and has recently been assigned to a team under the lead of XXXXXX XXXXXXXXXXXX-XXXX, Realty Specialist, GS-1170-12. The team includes two Civil Engineering Technicians, GS-802-09, one Safety & Occupational Health Specialist, GS-018-11, one Realty Specialist, GS1170-11, and the appellant. When asked about the new team's composition, the supervisor stated that he supervises a very large staff (organization charts list XX positions). The XXXXXXXXXXXX XXXXXXXX XXXXX is the largest with XX positions and the supervisor has decided to establish a team lead to assist him in directing and monitoring the workloads of the team members.

The appellant reported his education background includes a Bachelor of Science (BS), two Masters of Science (MS) in horticulture and plant pathology and a Ph.D. in plant pathology. We advised the appellant that neither the XXXXXXXX XXXXXXXX nor the position requires more than the positive education requirements typically gained in completing a BS degree. It is the position

that is evaluated and not the educational accomplishments of the incumbent of a position. Therefore, the appellant's education qualifications will not receive credit in the classification of this position.

In addition, the supervisor noted that employees who encumber lower graded GS-11 District Office specialist positions frequently compare themselves to District Office specialists at the GS-12 grade levels, and consider the positions to be equal at the higher grade. Since by law positions are classified exclusively by comparing the current duties and responsibilities to Office of Personnel Management (OPM) standards and guidelines, such comparisons will not be made and will not be a basis in determining the appellant's appeal.

References: OPM Forestry Series, GS-460, June 1965, TS-57 December 1979, TS-39; General Biological Science Series, GS-401 (series definition); The Classifier's Handbook and The Introduction to the Position Classification Standards, December 1996.

DECISION

Determination of Series and Title:

This PD assigns the appellant a variety of professional level duties, the nature of which includes a variety of natural resource knowledge. The appellant serves as a forest/ecosystems health project leader and research and monitoring coordinator, and provides leadership and oversight for all vegetative work in pathology, entomology, and noxious weeds for the Medford District. It is therefore assigned to the General Biological Science Series, GS-401. Positions assigned to this series involve professional work in biology, agriculture, or related natural resource management when there is no other more appropriate series, and include positions that involve either a combination of several professional fields with none predominant or a specialized professional field not readily identified with other existing series.

Natural Resource Specialist is an appropriate title for non-supervisory positions in the GS-401 series, and is therefore the correct title for the appellant's position. Neither the appellant nor the servicing personnel office disagrees with this decision.

Determination of Grade:

There is no standard published for the GS-401 series. Although the Forestry Series, GS-460 is specific to the Forestry profession, it incorporates a broad range of natural resource activities and is considered a suitable series to determine the grade of this position.

The GS-460 is written in the nine Factor Evaluation Systems (FES) format. Under FES, each factor level description in a standard describes the minimum characteristics needed to receive credit for the indicated factor levels. Therefore, if a position fails to meet the criteria of a factor level description in any significant aspect, the lower point level must be assigned. Conversely, the position may exceed the 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: The appellant's work meets Level 1-7. His position requires a professional knowledge of the principles, practices and techniques of mycology, plant pathology, entomology, weed control and the use of pesticides, an in-depth knowledge and significant experience and theoretical background in biometrics and statistics. He examines research data and determines reliability of the data and analytical techniques applied. He prepares scientific reports and related documents for input into land management plans, environmental assessment and ecosystem analysis. His knowledge of resource programs and activities relates to ecosystem-based management. He has knowledge of a wide variety of laws, regulations, policies and procedures governing the use of pesticides and other control methods.

The appellant lists his most time consuming duty as research and monitoring, and noxious weed and pesticide use as the next two most time consuming duties. He describes his research and monitoring duties as twofold. First, he is the District's representative to the Research and Monitoring Committee comprising several professional natural resources' positions whose primary duty is to establish five-year plans for the District. The appellant also represents the District on the State Office level. The primary duty of this group is to take the various projects and prioritize them. He considers his assigned monitoring activities to be his most difficult primarily because it is a new assignment.

The appellant's states that his monitoring and research duties, which includes noxious weed work, are centered on approximately ten concurrent projects.

When asked to provide examples of his monitoring and research work, the appellant included his representation with interagency groups working on such projects as plant association GIS mapping, a survey of fungus disease on Port Orchard Cedar, structure of the forest for Spotted Owl needs, and a serious noxious weed (Purple Loosestrife) project that is under the direction of Oregon State University. We found no evidence of ongoing research projects in these examples other than the Oregon State University project. The first two examples cannot be defined as research projects, but rather are surveys, nor does the appellant have full responsibility for research on the projects in which he is involved, i.e., spotted owl habitats, presence of invasive species. So far as the Spotted Owl needs, the area impacted exceeds the BLM and the Medford District, and is an interagency project involving other lead bureaus (i.e., Forest Service.). The appellant may examine and review the Oregon State University project, but he does not have the authority to change or modify the project.

The appellant's pesticide duties include oversight leadership and coordination of all relevant laws, regulations and policies for the District. His primary duty is to provide training on noxious weeds, forest health, etc., to District personnel and others, and assure that the laws, regulations and policies are followed.

Likewise, at Level 1-7, positions in the GS-460 are described as requiring professional knowledge of the principles, practices and techniques of 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 position modifies or adapts

Attachment 1-3

standard techniques and procedures, and assesses, selects, and makes use of precedents in

devising strategies and place to overcome significant resource problems. Also required is the knowledge to independently evaluate, project, and/or prepares studies and reports on the complementary or competitive impact of the development, modification, or change in the use or output of one resource on other resources. The work requires familiarity with related disciplines that may include entomology, hydrology, plant pathology, wildlife biology, and forest genetics.

Required administrative and coordinative skills at Level 1-7 are (1) advisory, review, and training services to others engaged in the planning and management of forestry units, and /or (2) develop a variety of integrated annual work plans for complex projects which often extend over 3-6 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.

In addition, comparison of appellants' work to the illustrations at Level 1-7 confirms the assignment of the position at this level. The applicable illustration in the GS-460, Level 1-7 describes knowledge and skills sufficient to coordinate the development or modification of intensive and comprehensive long-range management studies and plans in a second level unit (Medford District is a second level unit.) The assignments require that the position analyze and present pertinent data involving the interrelationship of economic, social, intergovernmental, and natural resource factors, and the skill to formulate alternative approaches, resolve differences and recommend and justify the strategy that optimized the mix and level of use of each affected resource.

The appellant's work assignments do not meet the criteria of Level 1-8 in that an employee would be expected to apply new scientific findings, development, and advances of a particularly unique, novel or highly controversial nature to the solution of critical problems. Also, at this level, the employee is typically recognized as a technical authority in the particular subject matter or resource program, or program area. The appellant's work assignments do not require this high level of expertise.

However, the work exceeds Level 1-6, the first full professional performance level. At this level, assignments that have unusual or difficult problems are screened out or discussed before carrying out the assignments. The work is limited to the use of a variety of standard treatments and proven techniques; or the assigned areas are relatively non-controversial. In addition, only a limited knowledge of related disciplines is needed to perform the work.

Level 1-7 is assigned for a total of 1250 points.

Factor 2 - Supervisory Controls: The appellant's performs the duties under the general supervision of the Chief of Operations, and performs his duties as a team member under the lead of a higher graded specialist. The appellant plans projects and make changes without securing prior approval, the work is performed independently with latitude to determine solutions and resolve technical problems, and his completed work is relied on as technically correct.

Attachment 1-4

This position meets Level 2-4. At this level, the GS-460 series describes a supervisor who outlines the overall objects and resources available with the employee responsible for

coordinating the work with specialists in other resources or disciplines and resolving problems that occur directly with interested parties. Action plans are independently constructed. The employee selects techniques and establishes methods and procedures for completing the work. Completed work is reviewed for general adequacy in meeting program or project objectives or for compatibility with other projects.

It is readily apparent that the appellant's supervision does not meet Level 2-5 because at this level, supervisory guidance or control includes in the discussion assignments that include national priorities, the agency's (i.e., Department) broad program goals and missions, and the effect of advice and influence on the overall program. This is a level of work that is not consistent with the type of assignments provided the appellant.

However, the appellant's supervisory controls exceed Level 2-3 because at this level, the supervisor sets the scope of the assignment, objectives and deadlines. In addition, at this level the employee is required to discuss the issues and possible approaches on any potentially controversial use or modification of the environment with the supervisor before carrying out the assignment.

Level 2-4 is assigned for a total of 450 points.

Factor 3 - Guidelines: The PD describes working with guidelines that are not available for complex or unusual problems and guidelines that are often established by the incumbent of the position through good judgment and experience where no precedents exist. It also describes the use of ingenuity and resourcefulness in developing operating procedures, instructions and new techniques and in deviating from traditional methods or adopting new methods or compromises. Such assignments are typically found at Level 3-4. However in viewing Level 3-4 within the context of the position's major duty work assignments, and as described during the appellant's interview and his supervisor's interview, there was no evidence of a regular and continuing need for the appellant to develop new techniques, deviate from traditional methods or adopt new methods or compromises.

It is readily apparent that guidelines needed to perform the appellant's work assignments, which is; serving as a District forest/ecosystems health project leader and research and monitoring coordinator; ; an interdisciplinary team member of natural resource specialists, providing leadership and oversight for vegetative work in pathology, entomology, and noxious weeds, more logically meet Level 3-3 which includes action plans, manuals of standard procedures and practices, textbooks, research reports, and other literature. Also, at Level 3-3 the employee may select, adapt, or interpret existing methods, practices, and instructions or generalize from several guidelines and techniques to carry out the activities, ensure coordination with other resources, and solve the more complex problems. Some assignments will require frequent departures from standardized procedures.

Attachment 1-5

Given the type of assignment provided the appellant, there would be little need to deviate from the guidelines to the extent that development of essentially new or vastly modified techniques

and methods are required for obtaining effective results, and which would also be necessary to meet Level 3-4.

However, Level 3-2 is exceeded because the appellant's work assignments are not limited to minor deviations of the guidelines and on an irregular and infrequent basis, or when significant deviations are required, existing guidelines do not apply, or the application of precedent is unclear, the supervisor assists.

Level 3-3 is assigned for a total of 275 points.

Factor 4 - Complexity: The PD describes a position requiring the employee to coordinate a broad range of extremely complex ecosystem resource management issues and problems. It describes an employee who works with intergovernmental and private groups to develop regional assessments, review research and monitoring proposals and strategies to implement the Northwest forest plan. The plan includes western Oregon, northern California, and the west side of Washington, and monitoring activities include the Spotted Owl, Marbled Marlet, outgrowth forest and riparian reserves. The PD also states under the complexity statement that the appellant is charged with developing new guidelines and making considerable additions of existing guides.

In interviews with both the appellant and his supervisor, there was no evidence that his assignments include any area beyond the Medford District boundaries. Implementation of the Northwest forest plan would therefore mean that he implements that portion of the plan for the Medford District. Although as a member of the District's interdisciplinary committee and also the District's representative to the State Office committee, there is no evidence that his assignments require any independent activity in developing new guidelines or to make considerable adaptations to existing guides. Committee decisions are made by consensus and not by individual members. In addition, responsibilities such as developing new guidelines are typically found at the State Office and/or Washington Office level in positions and not at the district office level.

The appellant's complexity of work does not meet Level 4-5 because, as stated above, there is no variety of assignments arising on a number of geographically and environmentally varied land units. There are no problems typically having novel, undeveloped or controversial aspects or problems that have become complex and difficult due to a variety of characteristics such as the abstract nature of the concepts involved, the inability in the past to overcome problems that have an intractable nature, or the existence of serious conflicts between scientific requirements and program direction. There is no need to recognize possible new directions or approaches, to devise new or improved techniques or strategies for obtaining effective results; or to anticipate future trends and requirements in resource use and demands.

However, because the appellant is the health project leader and research and monitoring

Attachment 1-6

coordinator, as well as his assignments on District Office interdisciplinary teams, the complexity of this position meets Level 4-4. At Level 4-4, the GS-460 describes an employee who would

independently carry out a wide variety of assignments consisting of diverse and complex technical or administrative problems and considerations. Land management problems typically require in-depth analysis and evaluations of alternatives. Consideration is given to such complicating factors as environmental problems and conflicting requirements that may have serious public impacts or strong, conflicting demands that could result in appeals to higher level personnel or formal legal action. The work typically requires the employee to relate new work situations to precedent situations, extend or modify existing techniques, or develop compromises with standard practices, and occasionally, assignments will require substantial effort to overcome resistance to change when it is necessary to a modified and accepted method or approach.

The position's complexity of work exceeds Level 4-3, which limit's employee's work to a variety of tasks that are carried out without substantial adaptation or modification of precedents. Also 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.

Level 4-4 for assigned for a total of 225 points.

Factor 5 - Scope and Effect: The PD describes the purpose of the position as ensuring consistency between the District's diverse management activities and ecosystem-based management, forests health goals and objectives. Impacts are on the resource management decisions and the ecosystem health of public lands in Southwest Oregon and the district and the implementation of the Northwest forest plan. Although the appellant sits on committees that have impact beyond the District level, and which requires group or consensus decisions made by the various District committee and team members, there is no evidence that the appellant has the individual authority to impact an area beyond the Medford District. Therefore the position meets Level 5-3 at which level the purpose of work is to investigate and analyze a variety of conventional resource problems and environmental conditions and recommend and/or implement solutions. Also at this level, the work affects the efficient development, protection, and use of a particular resource, the public's impression of the management of the resource and other resources impacted, and the socioeconomic welfare of dependent communities.

The position does not meet Level 5-4 in that at this level it is necessary to develop essentially new or vastly improved techniques or solutions to specific problems in a resource or program, and coordinate results with related resource activities. Also, at this level, employees furnish advisory, planning, or review services and is typically concerned with problems that occur at several locations within a broad geographic area, or affect the continued existence of a unique resource. The work directly influences the effectiveness and acceptability of agency goals, programs and/or activities. Work assignments that directly influence programs at the agency level are typically not found in positions located at the BLM's district office level.

However, the position exceeds Level 5-2 because at this level, the employee's work assignments would be limited to performing tasks associated with, or are parts of boarder assignments for which others are responsible for and the effect of the work is limited to the accuracy, reliability,

and timeliness of the overall project.

Attachment 1-7

Level 5-3 is assigned for a total of 150 points.

Factor 6 - Personal Contacts: The PD describes the contacts as including District and Resource Area staff specialists and managers; other BLM districts and State Office staffs, other governmental entities (i.e., Forest Service) and researchers (i.e., universities), special interest groups, and the general public. This matches Level 6-3 of the GS-460, which includes regular contacts with professional subject matter specialists within the agency and with other Federal agencies, universities and private foundations, livestock and conservationist groups, etc. Contacts of the position do not meet Level 6-4 because at this level, personal contacts are with high-ranging representatives from outside the agency at national or international levels, members of Congress, state governors, mayors of large cities, CEO's of large companies, or nationally recognized spokespersons for nationwide groups. However, the position exceeds Level 6-2 because this level is limited to contacts with employees in the agency both inside and outside the immediate organization or occasionally with resource persons from State or local units, with the general public and special users.

Level 6-3 is assigned for a total of 60 points.

Factor 7 - Purpose of Contacts: The PD describes the purpose of contacts as providing guidance and training to employees, giving technical and program advice, gathering and exchanging technical or program information and organizing work in a tactful, diplomatic and productive manner. The PD further describes the purpose of the contacts with other agencies, interest groups, etc. to develop technical assessments, prioritize research and monitor needs and strategies for noxious weed control. This description of contacts matches Level 7-2 which states that at this level, contacts are to monitor activities of special users; discuss technical requirements of contracts to resolve problems and reach agreement on differences; to coordinate work with other professionals and technicians, and to promote utilization and conservation of principles and activities.

The position does not meet the purpose of contacts of Level 7-3 which requires direct personal contact to negotiate controversial issues; to influence or persuade organizations or individuals who have conflicting interests on the use or nonuse of various resources; to justify the feasibility and desirability or significant resource plans and proposals; or to influence or persuade other experts to adapt techniques and methods about which there may be conflicting opinions.

Although the appellant works with controversial projects, i.e., Spotted Owl project, his primary concern is not with negotiating the issues of use and nonuse of the resources effected. However, the position exceeds Level 7-1, which limits the purpose of contacts to factual information.

Level 7-2 is assigned for a total of 50 points.

Factor 8 - Physical Demands: The PD describes the work as predominately sedentary with intermittent physical exertion. The appellant states that approximately 15 percent of his time is spent in the field on an intermittent basis. Since the physical demands are intermittent rather

Attachment 1-8

than regular and recurring, the position meets Level 8-1. In order to meet the next Level 8-2, the physical demands would need to be "regular and recurring" rather than intermittent.

Level 8-1 is assigned for a total of 5 points.

Factor 9 - Work Environment:

The PD describes work that is predominately carried out in an office environment, in motor vehicles, and in mountainous terrain. The appellant states that when in the field, his use of hard hats and steel-toed shoes depends on the terrain. Therefore, the work meets Level 9-1, which states the work is usually performed in an office setting although there may be occasional exposure to the risks described at the higher level 9-2. In order to meet Level 9-2, the employee would have “regular and recurring” exposure to moderate risks and discomforts such as very low temperatures, adverse weather conditions, falling limbs or trees, and similar situations.

Level 9-1 is assigned for a total of 5 points.

Factor 1 - Knowledge Required by the Position	Level 1-7	1250 points
Factor 2 - Supervisory Controls	Level 2-4	450 points
Factor 3 - Guidelines	Level 3-3	275 points
Factor 4 - Complexity	Level 4-4	225 points
Factor 5 - Scope and Effect	Level 5-3	150 points
Factor 6 - Personal Contacts	Level 6-3	60 points
Factor 7 - Purpose of Contacts	Level 7-2	50 points
Factor 8 - Physical Demands	Level 8-1	5 points
Factor 9 - Work Environment	Level 9-1	5 points
	Total	2470 points

Conclusion:

Conclusion: The point total, 2470, falls between the range, 2355-2750, and equates to a GS-11.

Decision:

Natural Resource Specialist, GS-401-11

Interviews conducted by Shirley A. Girard.

Mark Whitesell
Supervisory Personnel Management Specialist