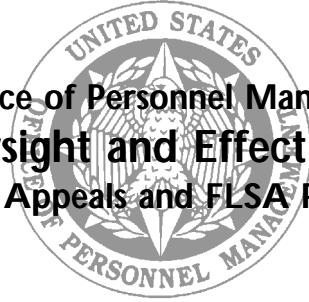


U.S. Office of Personnel Management  
Office of Merit Systems Oversight and Effectiveness  
Classification Appeals and FLSA Programs



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

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

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

**Agency classification:** Soil Conservation Technician  
GS-458-7

**Organization:** [appellant's immediate organization]  
[state] State Conservationist's Office  
Natural Resources Conservation Service  
Department of Agriculture  
[city, state]

**OPM decision:** Soil Conservation Technician  
GS-458-7

**OPM decision number:** C-0458-07-01

/s/ Bonnie J. Brandon  
Bonnie J. Brandon  
Classification Appeals Officer

6/7/99  
Date

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

### **Decision sent to:**

[appellant's name and address]

State Conservationist  
Natural Resources Conservation Service  
U. S. Department of Agriculture  
[address, city, state]

South Central Regional Office  
Natural Resources Conservation Service  
U.S. Department of Agriculture  
[address, city, state]

Director  
Office of Human Resources Management  
U.S. Department of Agriculture  
J.L. Whitten Building, Room 316W  
1400 Independence Avenue, SW.  
Washington, DC 20250

## **Introduction**

On February 10, 1999, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from [the appellant]. His position is currently classified as Soil Conservation Technician, GS-458-7, position description number [number]. The appellant works in the [appellant's activity], [state] State Conservationist's Office, Natural Resources Conservation Service, located at [city, state]. Prior to submitting his appeal to OPM, [the appellant] appealed the classification of his position to [a specific] Regional Office, Natural Resources Conservation Service, in [city, state]. That office sustained the classification as Soil Conservation Technician, GS-458-7. The appellant believes that insufficient credit was given to Factor 1, Knowledge Required by the Position, and Factor 3, Guidelines, and that his position should be classified at the GS-8 grade level. We have accepted and decided his appeal under section 5112 of title 5, United States Code.

## **Position information**

The appellant and his supervisor agree that the position description of record adequately describes the major duties and responsibilities of the position.

The [appellant's activity] is responsible for carrying out a comprehensive conservation program where joint efforts with Federal, State government, and community agencies are required to conduct complex programs in the development, application, and maintenance of resource conservation plans throughout the Conservation District under the jurisdiction of the [appellant's activity]. The appellant is one of three employees in the [appellant's activity]: a GS-457-12 Soil Conservationist (the District Conservationist who heads the office), a GS-457-9 Soil Conservationist, and the appellant.

The appellant's position includes responsibility for advising and assisting land users in carrying out soil and water conservation plans activities. The position has responsibility for other projects and activities that have limited activity or funding.

The appellant prepares conservation plans where local practices serve as precedents. He designs earthen dams to help supply water to livestock; determines the need for vegetative cover, including seed preparation; and works with poultry and hog producers in designing waste management systems that are tailored to specific customer needs. The appellant also offers landowners technical advice and cost-sharing assistance to implement conservation practices on privately owned land. He assists special groups, schools, and landowners with information meetings to present factual information regarding soil and water conservation. The appellant's position description and other material of record provide much more information about his duties and responsibilities and how they are performed.

### **Series and title determination**

GS-458 Soil Conservation Technicians advise property holders on the effectiveness of applying soil and water conservation practices or assist in research efforts. The appellant does not question the series or title of the position. We agree with the agency's determination that the position is properly assigned to the GS-458 series and titled Soil Conservation Technician.

### **Guide determination**

The position classification standard for the GS-458 series does not contain grade level criteria. The GS-400 Grade Evaluation Guide for Aid and Technical Work in the Biological Sciences is used to determine the grade level for the appellant's position.

### **Grade determination**

The GS-400 Guide is written in the Factor Evaluation System (FES), which employs nine factors. Under the FES, each factor level describes minimum characteristics needed to receive credit for a particular level. Therefore, if a position fails to meet the criteria in a factor level description in any significant aspect, it must be credited at a lower level. The appellant questions only Factors 1 and 3; therefore, we will discuss those factors thoroughly and will briefly discuss the other factors. Our evaluation with respect to the nine factors follows.

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

This factor measures the nature and extent of information or facts which the employee must understand to do acceptable work and the nature and extent of the skills needed to apply those knowledges.

The agency evaluated this factor at Level 1-5. At this level, technicians apply a practical knowledge of the basic theories and practices of the scientific discipline supported and must be adept at combining this knowledge with resourcefulness, initiative, and independent judgment in locating precedents and resolving applicable issues. The Guide provides illustrations that are comparable to the work performed by the appellant.

- The technician assesses the need, plans for, and works with the land owner and contract crews in applying multiple soil conservation measures, such as (a) center pivot irrigation and strip cropping; (b) conservation tillage practices, fertilization, and pesticide application; (c) land leveling, surface irrigation, and conservation cropping; or (d) combinations which, if applied alone, would more appropriately be evaluated at the next lower level, e.g., advising on seedings, terraces, diversions, grass waterways, standard erosion control structures, and wildlife habitat.

- The technician develops a schedule and other plans for monitoring and inspecting the effectiveness of contract crews in performing a variety of precedented types of revegetation, construction, and other such projects, ensuring the technical adequacy of the completed work.

The knowledge required by the appellant's position clearly meets Level 1-5. For example, the appellant must have practical knowledge of specialized, intricate, and advanced soil and water conservation methods, practices, and measures sufficient to advise owners of agricultural and community land units with diverse physical features and terrain usage. The appellant also utilizes a knowledge of related engineering practices sufficient to prepare plans, specifications, and cost estimates for small dam structures, drainage mains and laterals, and stream channel improvements. The appellant uses this knowledge to modify standard designs covering conservation practices within tolerance levels of agency specifications. The appellant applies a knowledge of written and oral communication techniques to describe various soil and water conservation practices to landowners, contract crews, students, and community associations.

Level 1-6 is the highest level of knowledge described by the Guide. At Level 1-6, technicians design, coordinate, and execute complete conventional projects that are well precedented and within the organization's technical and administrative guides. Technicians at this level exercise judgment based on critical analysis and evaluation of project objectives, past practices, source materials, alternatives among available work process, and recognition of the intended use of completed work. Technicians at this level also have administrative or technical assignments, projects, and responsibilities which are hard to distinguish from those assigned to less experienced (but post-trainee) scientists employed in the same organization to perform standardized professional work in support of higher level research scientists or managers of programs or projects. Not all technician positions can realistically be structured to reach this level due to a variety of organizational reasons, such as the amount and type of high level work available in the organization. Level 1-6 describes an employee who has continuing responsibility both administratively and technically for work that may affect future experiments, studies, tests, proposals, etc. Illustrations of positions at this level follow.

- The technician carries out a sequence of responsible but limited projects in administering a segment or defined function of a large and diversified operation such as an ongoing silvicultural project for seed collection, processing, growing, and planting within a forest district, resource area, tribe, or refuge. The technician collects information to determine quantity, type, location, and other information on the future need for tree seedlings and prepares annual or other budget estimates based on previous experience gained during participation in such operations.
- The technician manages precedented types of study projects concerned with habitat analysis for wildlife, fish, or plant populations. Such projects include executing the study, resolving administrative concerns and collecting, organizing, and summarizing data on habitat conditions and diversity. The technician at this level subsequently refines and justifies the data prior to preparing maps and other information for data base entry; studies the results to determine such

things as distribution of endangered, threatened, sensitive, and other plant and animal species on assigned project areas or units; and generates conclusions or proposals.

The appellant believes that the knowledge required by his position exceeds Level 1-5 and meets Level 1-6. The appellant's work essentially includes the following projects: (a) Emergency Watershed Protection Program (EWP), (b) Rural Abandoned Mines Program (RAMP), and (c) Research Conservation and Development (RC&D) projects that require inspection activities. The appellant has been involved in approximately seven EWP projects over a period of several years. Each project was about two to three weeks in duration. The appellant was involved in a RAMP project that lasted approximately 10 months, a time span that was the exception rather than the norm. RAMP projects are not currently receiving funding except for work associated with five-year maintenance contracts. The RC&D projects in which the appellant was involved were completed several years ago; currently, there is little activity in this area. Review of the appeal file and information obtained during phone interviews with the appellant, his supervisor, and the personnel office staff shows that the preponderance of the appellant's work involves performance of technical duties, such as engineering practices (e.g., surveying ponds, building litter and storage structures), and development of resource management plans, namely waste management plans.

Although some of the work performed by the appellant may require knowledge similar to that at Level 1-6, these assignments are not regular and recurring and do not require the technical knowledge to design, coordinate, and execute complete conventional projects as described in the criteria at Level 1-6. To receive credit at Level 1-6, the organization must be structured so that these types of assignments are performed on a regular and recurring basis. Further, the appellant's position does not require expertise in a narrow scientific specialty with work comparable to supporting higher level research scientists as is indicative of work at Level 1-6. At Level 1-6, technicians have greater responsibility in planning and administering a variety of responsible projects to completion. The appealed position does not fully meet the intent of Level 1-6; thus, the next lower level must be assigned.

Level 1-5 is credited, 750 points.

### *Factor 2, Supervisory controls*

This factor covers the nature and extent of direct or indirect controls exercised by the supervisor, the employee's responsibility, and the extent of review of completed work.

At Level 2-3, the supervisor initially provides direction on the priorities, objectives, and/or deadlines. The technician works independently, only seeking administrative direction or decision from higher authority on the appropriate course to follow when encountering significant technical or procedural problems with the work. Completed work is generally accepted without detailed review.

Similarly, the appellant works with considerable freedom in planning and carrying out his work and informs the supervisor of major issues. Work is reviewed for accomplishment of objectives and is generally accepted as being correct and accurate. The agency has credited Level 2-3, the highest level described in the Guide. We agree with that level.

Level 2-3 is credited, 275 points.

### *Factor 3, Guidelines*

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

At Level 3-2, the procedures for completing the work have been established and a number of specific guidelines are applicable. These guidelines may range from complex, standardized, codified regulations (e.g., Federal or agency manuals) to maps, blueprints, standing operating procedures, oral instructions, equipment or instrument manuals, or standard scientific or technical texts. Employees must use judgment in selecting the appropriate guidelines because of the number, similarity, linkage, and overlapping nature of the guides; locating the controlling criteria; and applying the criteria as specified, though the process of locating and selecting the applicable rule may be taxing and time consuming.

At Level 3-3, technicians work with new requirements or applications for which only general guidelines are available or with assignments where the most applicable guides are limited to general functional statements or work samples which are not always directly related to the core problem of the assignments, have gaps in specificity, or are otherwise not completely applicable. Technicians exercise judgment independently in applying the guidelines or extending their applicability to situations not specifically covered; use guidelines as the basis for making procedural deviations from established administrative or technical methods; or otherwise adapt guidelines when judgment is exercised based on an understanding of the intent of the guidelines.

In performing his work, the appellant uses agency engineering handbooks, technical specifications for soil and water conservation practices, resource conservation handbook, agency cost-sharing criteria for conservation practices, soil surveys, plant material criteria, and state office guidelines. These guidelines are generally applicable, but the appellant uses initiative to make adaptations or deviations to deal with specific problems or situations. The appellant noted that few guidelines are available for the inspection work on special projects and stated that he must use initiative and judgment in emergency situations while on site, such as deciding to obtain assistance from the county or deciding on other time-sensitive issues to keep a site operative. For unusual or difficult decisions the appellant may contact (by mobile phone) his supervisor or the Contracting Officer Representative (COR). When the COR is not available, the supervisor can enlist the help of other engineers who have encountered similar problems. The guidelines available for the appellant's work and the initiative and judgment demonstrated by the appellant are comparable to Level 3-2.

The appellant's work situation falls short of Level 3-3. We found no evidence that the appellant works with new requirements as intended at Level 3-3. Although the appellant exercises initiative and seasoned judgment in selecting and applying guidelines, the position does not meet Level 3-3. As indicated at Level 3-2, guidelines often require careful study and cross referencing. Level 3-2 applies to employees who must be especially resourceful in searching assigned guides, locating the controlling criteria, and applying it as specified though the process of locating and selecting the applicable rule may be taxing and time consuming.

Level 3-2 is credited, 275 points.

#### *Factor 4, Complexity*

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

At Level 4-3, technicians often have ongoing or long-term responsibility for limited technical and administrative concerns in a limited program or operating function. There are a number of possible courses of action for planning as well as executing the work, and the employee is given leeway or is otherwise expected to exercise discretion in choosing from among them. Judgment is required in applying a wide range of conventional, established approaches, methods, techniques, and solutions to new situations.

The complexity of the appealed position meets Level 4-3. The appellant has responsibility for studying and considering the environmental circumstances surrounding land units such as difficult topography, low gradients, serious erosion, land leveling requirements, the need to involve other landowners in group conservation efforts, and the availability of cost-sharing funds. The appellant recommends complex combinations of practices to accommodate adverse terrain features and completes conservation plans that have been affected by recent laws.

Level 4-3 is credited, 150 points.

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

This factor covers the relationship between the nature of the work in terms of the purpose and the effect of work products or services both within and outside the organization.

The appealed position was evaluated by the agency at Level 5-3, the highest level described in the Guide. At this level, the work involves applying conventional technical and administrative solutions and practices to a variety of problems. Work products directly affect agency operations and programs.



The scope and effect of the appealed position meet Level 5-3. The appellant provides sound conservation measures to landowners (e.g., proper use of manure as fertilizer) and, where feasible, integrates them into an efficient agricultural system. The appellant's work directly affects farmers, ranchers, landowners, and users by reducing the threats to property in the wake of environmental elements and natural disasters.

Level 5-3 is credited, 150 points.

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

Factor 6 addresses the regular and recurring contacts with individuals outside the supervisory chain, and Factor 7 addresses the purpose of those contacts.

Factors 6 and 7 are collectively evaluated by the agency at Level 2b, and we are in agreement with this determination. At Level 2, personal contacts include employees within the agency and resource persons with other Federal agencies and State and local government units. Personal contacts may also be with the general public, contractor personnel, or special users, e.g., private landowners, cooperators, or business persons. Consistent with Level 2, the appellant has continuing contacts with coworkers, landowners, contractors, and the general public individually or in group settings. The appellant's position does not meet Level 3 where contacts are regularly established with (a) a variety of noted subject matter experts from other Federal agencies, universities, private foundations, and professional societies; (b) influential local community leaders; (c) newspaper, radio, and television reporters; (d) legal representatives of private landowners; or (e) representatives of organized landowners or special interest groups.

At Level b, the purpose of the contacts may include planning and coordinating work efforts; explaining the need to adhere to laws, rules, contracts, or lease provisions; and discussing inspected work and contract requirements when monitoring the activity of contractors. Comparable to this level, the purpose of the appellant's contacts is to administer resources management systems, generally in a cooperative environment, to provide assistance and collect data for further processes. The purpose of contacts for the appealed position meets Level b. The appealed position does not fully meet Level c where the purpose is to influence, motivate, interrogate, or control persons or groups who are characteristically fearful, skeptical, or uncooperative.

Level 2b is credited 2b, 75 points.

*Factor 8, Physical demands*

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

The appellant's duties require walking over uneven field terrain and may require regular bending, lifting, and stretching to set up survey instruments and equipment. This meets the physical demands of Level 8-2. Level 8-3 is not met. At this level, work requires regular and protracted periods of considerable and strenuous physical exertion such as carrying or lifting heavy objects (over 50 pounds), hacking passages through dense vegetation, or climbing ladders or scaffolds carrying heavy equipment.

Level 8-2 is credited, 20 points.

*Factor 9, Work environment*

This factor covers the risks and discomforts in the employee's physical surroundings or the nature of the work assigned and the safety regulations required.

The appellant has frequent exposure to operating equipment such as tractors, caterpillars, and a wide variety of attachments such as cultivators, discs, and plows. He may also be exposed to herbicides and chemical spray operations where protective gear and clothing are required. This meets Level 9-2 where work involves regular and recurring moderate risks or discomforts which require special safety precautions. Level 9-3 is not met in that the appellant's work environment does not involve high risks with regular and recurring exposure to potentially dangerous situations or unusual environmental stress where high risk factors exist which cannot be reasonably controlled. Such factors may include working with toxins, dangerous pests, animals, or snakes where safety precautions do not completely eliminate the danger.

Level 9-2 is credited, 20 points.

*Summary*

In sum, we have evaluated the appellant's position as follows:

<b>Factor</b>	<b>Level</b>	<b>Points</b>
1. Knowledge required by the position	1-5	750
2. Supervisory controls	2-3	275
3. Guidelines	3-2	125
4. Complexity	4-3	150
5. Scope and effect	5-3	150
6. and 7. Personal contacts and Purpose of contacts	2b	75
8. Physical demands	8-2	20
9. Work environment	9-2	20
<b>Total Points</b>		<b>1565</b>

The appellant's position warrants 1565 total points. In accordance with the grade conversion table provided in the Guide, the position is properly graded at GS-7.

**Decision**

The appellant's position is properly classified as Soil Conservation Technician, GS-458-7.