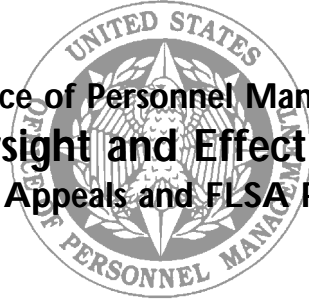


U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs



Washington Oversight Division
1900 E Street, N.W.
Washington, DC 20415

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

Appellant: [name]

Agency classification: Research Animal Scientist
GS-487-12

Organization: [laboratory]
[Institute]
[Area]
Agricultural Research Service
Department of Agriculture
[city and State]

OPM decision: Research Animal Scientist
GS-487-12

OPM decision no.: C-0487-12-01

_____/s/
Linda Kazinetz
Classification Appeals Officer

_____/11/9/99
Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a classification 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 the conditions and time limits specified in title 5, Code of Federal Regulations, sections 511.605, 511.613, and 511.614, as cited in the Introduction to the Position Classification Standards, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

Mr. James Bradley [appellant]
Director, Human Resources Division
Agricultural Research Service
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Mr. Roger L. Bensey
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Resources Management
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Introduction

On May 25, 1999, the Washington Oversight Division of the U. S. Office of Personnel Management (OPM) accepted a position classification appeal from [appellant], who is employed as a Research Animal Scientist, GS-487-12, in the [laboratory] of the [Institute], [Area] of the Agricultural Research Service (ARS), Department of Agriculture, in [city and State]. [Appellant] requested that his position be classified as Research Animal Scientist, GS-487-13. This appeal was accepted and decided under the provisions of section 5112 of title 5, United States Code.

An on-site position audit was conducted by a Washington Oversight Division representative on July 29, 1999, supplemented by telephone interviews with the most recent acting research leader of the laboratory, [name], several of his predecessors, and other scientists familiar with various aspects of the appellant's research. This appeal was decided by considering the audit findings and all information of record furnished by the appellant and his agency, including his current research information statement (CRIS), his official position description, number 1B5454, and the research evaluation case documentation.

Position Information

The appellant performs independent research in the area of ruminant animal energy metabolism, specifically issues affecting dairy cattle. The purpose of his research is to elucidate specific metabolic and growth-related mechanisms, particularly gut metabolism, that affect nutrient utilization and availability for lactation and tissue deposition and thus the efficiency of ruminant production.

The appellant's position was reviewed by an ARS research position evaluation committee on February 10, 1999. The panel evaluated his position at the GS-12 level, thus determining that the appellant remain in grade.

Series Determination

The appellant's position is properly assigned to the Animal Science Series, GS-487, which covers positions involved in the performance of research or other scientific work in the field of animal science including nutritional, biophysical, biochemical, and physiological relationships. Neither the appellant nor the agency disagrees.

Title Determination

The appellant's position is correctly titled as Research Animal Scientist. Neither the appellant nor the agency disagrees.

Standard Determination

The appellant's position was evaluated by application of the Research Grade-Evaluation Guide (RGEG), dated June 1964, which is used across series lines to determine the grade levels of research positions. Part I of the RGEG is used to evaluate positions at GS-11 through GS-15 that are engaged

in basic or applied research in the sciences, when the functions involve the personal performance, as the highest level function and for a substantial portion of the time, of professionally responsible research. Part I includes four factors that are considered and rated separately, with the total point value then being converted to a grade level by use of the grade conversion chart provided in the RGEG.

Each factor is evaluated at one of five degree levels. Three of these levels (A, C, and E) are defined in the RGEG. An intermediate level (B or D) may be assigned when a position is evaluated between levels A and C or levels C and E, respectively.

Grade Determination

The appellant disagrees with the agency's degree level assignments for factors II, III, and IV. Therefore, we have discussed those factors in detail below, whereas factor I is addressed briefly.

Factor I: Research Situation or Assignment

This factor deals with the nature, scope, and characteristics of current studies being undertaken by the researcher. It is intended to reflect the situation or assignment in the current job, rather than a summation of the researcher's assignments over a long period of time. The ARS peer panel rated this factor at Degree C, and the appellant does not dispute this rating. We find that the appellant's assignment clearly exceeds Degree A, where projects are of limited scope and require only fairly conventional techniques, and fully meets Degree C, where the assignment represents a problem area of considerable scope and complexity that requires unconventional or novel approaches and sophisticated research technique.

Evaluation: Degree C 6 points

Factor II: Supervision Received

This factor deals with the supervisory guidance and control exercised over the researcher in the current job situation. The ARS peer panel rated this factor at Degree C. The appellant believes that his position should be rated at Degree D. He contends that because the laboratory has had a succession of acting research leaders for the past two years, the level of technical supervision he has received has been consequently limited, and that the panel thus underestimated the degree of scientific independence with which he has operated.

At Degree C in basic research, the scientist has substantial freedom to identify, define, and select specific problems for study, being responsible for determining what appear to be the most fruitful investigations and approaches to the problem area. The researcher is responsible, with little or no supervisory assistance, for formulating hypotheses, for developing and carrying out the plan of attack, for coping with novel and difficult problems requiring modification of standard methods, for analyzing and interpreting results, and for preparing comprehensive reports of findings. The supervisor is kept

informed, through occasional discussions, of general plans and the progress of the work. The supervisor approves plans which call for considerable investments of time or equipment and is responsible for final decisions concerning direction of work and changes in, or discontinuance of, important lines of investigation. The researcher has full responsibility for decisions regarding the use of equipment and other resources, and his completed work and reports are reviewed principally to evaluate overall results.

The appellant's level of supervision is accurately represented at Degree C. As at that level, within the broad objectives of the laboratory's mission, the appellant is free to select his specific areas of research, to determine the methodologies to be employed, and to interpret and report the results.

The appellant's position does not meet or approach Degree E. At that level, technical supervision is nominal and consultative. The researcher works under broad administrative supervision, which is generally limited to approval of staffing, funds, and facilities, and to broad agency policies. Within the framework of management objectives, priorities, and pressures for results, the researcher is expected to locate and explore the most fruitful areas of research in relation to the agency's program needs and the state of the science involved; to take complete responsibility for formulating research plans and hypotheses and for carrying them through to completion; and to take full and final technical responsibility for interpreting findings, including interpreting their applicability to activities and interests of the agency, and their broader applicability to basic scientific methodology. Within the agency, these interpretations are accepted as technically authoritative and become the basis for necessary administrative action.

The scientist at Degree E, by virtue of his or her established reputation and history of accomplishments, is afforded a wide degree of latitude in determining areas of research to be explored. The appellant does not have the latitude to select his overall area of research in relation to the agency's program needs, but rather selects the specific problem areas and lines of inquiry on which he will concentrate within his primary area of interest, as is characteristic of Degree C. At Degree E, the relationship between the scientist and supervisor is basically collegial. The scientist is regarded as a peer and any discussions regarding the direction of the work are primarily for the supervisor's information. Although the appellant's work has been generally well-regarded by his research leaders, he has not yet attained the level of accomplishment associated with working under the type of "nominal" and "broad administrative" supervision expected at that level. At Degree E, the scientist is regarded as a technical authority within his research area, and his work has a degree of influence beyond the confines of his immediate projects in that the agency must respond administratively to his research conclusions or progress. For example, this may include the agency assigning significant additional resources to the scientist's work, redirecting broader agency efforts to support or complement his research, or appointing the scientist to head important committees or serve as a spokesperson or expert witness in extra-agency dealings. Although the appellant is recognized among his peers for his work in rumen epithelial cell development, there is no evidence that this work has garnered this degree of recognition and support within his agency. Even if the frequent turnover in laboratory management over the past few years resulted in somewhat lesser

technical direction at times, it did not otherwise affect the appellant's basic authority level, the latitude he has had to define his area of research, or the agency's response to his work.

Evaluation: Degree C 6 points

Factor III: Guidelines and Originality

This factor deals with the creative thinking, analyses, syntheses, judgment, resourcefulness, and insight that characterize the work performed by the researcher in the current job situation. The ARS peer panel rated this factor at Degree B. The appellant contends that his position should be rated at Degree C. He argues that while existing literature is available for nutrition related research, in the area of rumen epithelial metabolism, the methodology and literature that he is currently using were in fact established by him. He points to his presentation of a paper at the most recent Annual Ruminant Nutrition Symposium as evidence of his relating the significance of his findings to the literature.

The RGEG instructs that in assessing the impact of creativity found in the position, three considerations are important. The first involves the requirement for original and independent creation, analysis, reasoning, evaluating, judging, and choosing between alternative methodologies. The second is the required interpretation of findings, translation of findings into a problem solution, and recording of these findings and interpretations in a form usable by others as well as in application to specific end products. The third consideration is the impact of theories, principles, concepts, techniques, and approaches developed by the scientist upon the scientific field of his research effort.

At Degree A in basic research, existing theory and methods are generally applicable to most parts of the problem, although available material may be inconsistent or partially unconfirmed. Originality is required in developing a complete and adequate research design for the specific problem by selecting and adapting available methods and techniques. This may involve applying highly complex, but established, experimental techniques, or some modification of details of technique or method. This degree involves only a limited amount of innovation or modification of procedures and techniques.

At Degree C in basic research, available guidelines and precedents are limited in usefulness or may be largely lacking because of the novel character of the work being done. A high degree of originality is required in defining the problems which are very elusive and/or highly complex, in developing productive hypotheses for testing, in identifying significant problems for study, in developing important new approaches, methods, and techniques, and in interpreting and relating the significance of results to other research findings.

The appellant's research has involved the application of a technique for rumen epithelial cell growth that he developed while in graduate school, which requires significant adaptation and refinement for application to dairy cattle. In this way, the work exceeds Degree A, where only limited modification of procedures and techniques is to be expected. However, Degree C is not fully met in that recency of this technique is an issue, i.e., the appellant has not yet demonstrated that his research is advancing

significantly beyond his original hypotheses and methodology through publication of the results of his more recent work. There is no question that his work requires a high degree of originality in problem definition and research design, and that precedents are largely lacking. In fact, several of the scientists with whom we consulted mentioned that the appellant may be the only researcher actively pursuing these particular lines of inquiry and that his earlier work has in that sense defined the field. However, the appellant has not published the results of any of the work he has conducted for the past three or so years, when his studies transitioned from sheep to dairy cattle, and thus we cannot gauge to what extent he has interpreted and related the significance of his results to other research findings. Degree C is the first degree level at which impact on the scientific field becomes a consideration, and in the appellant's case there is no indication that this is yet a defining characteristic of his work. In scientific research, impact is a product of the publication process, wherein findings are presented to the scientific community for information, validation, and ultimately for acceptance and incorporation in the work of other researchers. Although the scientists with whom we spoke were aware of the appellant's earlier work, there was no indication that it has yet had any appreciable influence on the work of others.

Evaluation: Degree B 4 points

Factor IV: Qualifications and Scientific Contributions

This factor measures the total qualifications, professional standing and recognition, and scientific contributions of the researcher, insofar as these bear on the dimensions of the current work situation and work performance. It is given twice the weight of the other factors. The RGEG instructs that although the total history of accomplishment is to be considered under this factor, recent research is essential to full credit for past accomplishments. The ARS peer panel rated this factor at Degree B. The appellant contends that his position should be rated at Degree C. He specifically cites the recent acceptance of three manuscripts for publication, his role in developing and presenting the animal component of the [Area] Manure Management Workshop, and other indications of peer recognition, such as training graduate students and receiving presentation invitations to national symposia.

At Degree A, the researcher performs independent research and has planned and executed one or a few research studies with some guidance as to objectives and occasional consultations during the progress of the studies. The work may be expected to result, or has resulted, in co-authorship, in a secondary role, of one or more major papers or reports of considerable interest to the scientific field, or in primary authorship of one or more minor papers or reports which will serve, or have served, to fill narrow blanks in an existing framework of knowledge, to corroborate existing theory, or to report findings of limited scope.

At Degree C, the researcher has demonstrated his ability as a mature, competent, and productive worker and will typically have authored one or more publications of considerable interest and value to the field (as evidenced by favorable reviews, by citation in the work of others, by presentations of papers to professional societies, etc.), and/or will have contributed inventions, new designs, or techniques which are of material significance in the solution of important applied problems.

Contributions at this level derive from highly productive (in terms of both quantity and quality) personal performance of research of such originality, soundness, and value as to have marked him as a significant contributor to his field, as evidenced by the fact that his ideas have been the basis for productive studies by others within or outside the immediate organization. Researchers at this level are beginning to be sought out for consultation by colleagues who are professionally mature researchers. The RGEG speaks of “emerging recognition” in the field at Degree C.

Although the appellant’s position exceeds Degree A, it does not fully meet Degree C. The appellant has demonstrated his competence as a researcher and his “emerging recognition” in the field through the presentation invitations, graduate student training, and his selection to represent his Institute at the Manure Management Workshop. However, an equally important aspect of Degree C is the issue of productivity and contributions. The appellant has worked at the [Area] facility for about seven years, during which time he has published only nine articles in refereed journals. Of these nine, three were based on research he conducted while in graduate school. The three most recent, accepted for publication since March of this year, are based on work performed at [Area] at least three years ago. The lack of any documentation of his more recent work precludes his consideration as a “significant contributor to his field” at this time. Similar to the manner in which this issue affected consideration of the impact of the appellant’s work under factor III, a scientist’s work cannot contribute to the solution of applied problems, or serve as the basis for the work of other researchers, until it has been presented to the scientific community for replication and validation. Thus, the appellant’s work meets Degree C in terms of his general recognition, which can be achieved through such avenues as active participation in professional societies, but falls short of this level when considering actual contributions to the field.

Evaluation:

Degree B

8 points

Summary

Factor evaluations and points assigned are as follows:

- I. Research Situation or Assignment
Degree C: 6 points
- II. Supervision Received
Degree C: 6 points
- III. Guidelines and Originality
Degree B: 4 points
- IV. Qualifications and Scientific Contributions
Degree B: 8 points

The total of 24 points falls in the gap between the GS-12 level (16-22 points) and the GS-13 level (26-32 points) on the grade conversion chart provided in the RGEG. Borderline positions falling between two point ranges are to be assigned to either the higher or lower of the two grades in accordance with a judgment determination based on aspects of the position which may not have been fully considered in arriving at the point values, and in consideration of best alignment with other properly classified positions.

The appellant cited certain mitigating circumstances that he believes should be considered in arriving at a final evaluation of his position, basically relating to the lack of a permanent research leader in the laboratory for most of his tenure there. However, consideration of this situation under any one of the factors would not have the effect of raising the degree assignment. While having a laboratory managed by a succession of acting research leaders might affect the overall direction of the laboratory's work, it should not have more than a marginal effect on the individual scientist's productivity and accomplishments.

Since there are no strengthening elements related to the appellant's position that were not fully considered in arriving at the assigned point values, and there are no other researcher positions in the laboratory engaged in the same work that would be appropriate for comparison purposes (i.e., "alignment"), the appellant's position is resolved to the lower grade level.

Decision

The appealed position is properly classified as Research Animal Scientist, GS-487-12.