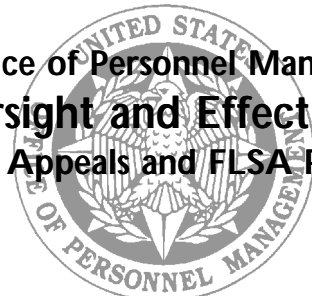


U.S. Office of Personnel Management  
Office of Merit Systems Oversight and Effectiveness  
Classification Appeals and FLSA Programs



Atlanta Oversight Division  
75 Spring Street, SW., Room 972  
Atlanta, GA 30303

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

|                               |   |
|-------------------------------|---|
| <b>Appellant:</b>             | {appellant's name}                                |
| <b>Agency classification:</b> | Civil Engineer<br>GS-810-11                       |
| <b>Organization:</b>          | Forest Service<br>U. S. Department of Agriculture |
| <b>OPM decision:</b>          | Civil Engineer<br>GS-810-11                       |
| <b>OPM decision number:</b>   | C-0810-11-03                                      |

\_\_\_\_\_  
Kathy W. Day  
Classification Appeals Officer

5/28/99  
\_\_\_\_\_  
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]

[Agency's name and address]

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 17, 1999, the Atlanta Oversight Division, U.S. Office of Personnel Management (OPM), accepted an appeal for the position of Civil Engineer, GS-810-11, Engineering Forest Service, U.S. Department of Agriculture, [city/state]. The appellant is requesting that his position be classified as Civil Engineer, GS-810-12.

The appeal has been accepted and processed under section 5112(b) of title 5, United States Code (U.S.C.). This is the final administrative decision on the classification of the position subject to discretionary review only under the limited conditions and time outlined in part 511, subpart F, of title 5, Code of Federal Regulations.

## General issues

The appellant believes he is responsible for a variety of complex projects which require independent judgment. He also makes the following claims concerning the evaluation of his position:

- *He believes that his personal qualifications should be considered.* The qualifications required to perform current duties and responsibilities are considered in classifying positions. However, we cannot consider the appellant's personal qualifications except insofar as they are needed to perform the work of the position. To that extent, we carefully considered the appellant's qualifications along with all other information furnished for the record.
- *His requirement to have a Professional Engineer license should be considered.* The requirement that employees be licensed or certified to perform work is not, by itself, grade-controlling. The level of responsibility or authority that may or may not be associated with such licensure is addressed by application of the appropriate elements within the standard.
- *He provides extensive technical supervision and guidance to the zone engineers.* The appellant does not meet the minimum requirements in the General Schedule Supervisory Guide to be classified as a supervisor. The technical advice and guidance he provides to others is evaluated by reference to the engineering standard identified in the decision.
- *He believes that the GS-810 standard is outdated.* The adequacy of grade-level criteria in OPM standards or guides is not appealable. However, all occupations change over a period of time, some more rapidly than others, but the fundamental duty and responsibility patterns and qualifications required within an occupation generally remain stable. Thus, careful application of the appropriate standard to the work performed should yield the correct grade for the position. Any duties not specifically referenced in the standard can

still be evaluated by comparison with similar or related duties which the standard does describe, as well as with the entire pattern of grade-level characteristics.

- *He states that his job compares favorably to other GS-12 positions in the Southern Region.* By law, we must classify positions solely by comparing their current duties and responsibilities to OPM standards and guidelines (5 U.S.C. 5106, 5107, and 5112). Since comparison to standards is the exclusive method for classifying positions, we cannot compare the appellant's current duties to another position as a basis for deciding his appeal.
- *He believes that a more accurate evaluation can be obtained by using the Primary Standard outlined in the Classifier's Handbook.* The Introduction to the Position Classification Standards states that if the work assigned to a position is covered by criteria in a standard for a specific occupational series, the work must be evaluated by the criteria in that standard. There is a published standard for the GS-810 series; therefore, the appellant's position is evaluated against that criteria. The Primary Standard may be used for supplemental guidance on occasion, but only in conjunction with other Factor Evaluation System (FES) standards. The GS-810 standard is not written in FES format so the Primary Standard may not be referenced.

### **Position information**

The appellant is responsible for providing engineering support, assistance, and guidance in developing plans for all aspects of the forest transportation program, i.e., roads, bridges, culverts, and parking areas. He develops plans, designs, construction documents, specifications, cost estimates, and reviews/resolves problems arising during the construction, repair, or maintenance of bridges, roads, parking lots, etc. He inspects and reviews the assigned projects to ensure quality and compliance standards are met. The appellant provides technical advice and direction to engineering teams located throughout the National Forests in [state], an area comprised of 7 Districts with over 1.8 million acres. He maintains the Computer Aided Drafting (CAD) system, and he designs and customizes software for the engineers to use in support of the forest-wide engineering program.

The Engineering Program Coordinator provides broad program objectives, and with the Team Leader and Forest Supervisor, considers recommendations from the appellant and determines what transportation projects will be undertaken during the fiscal year. The appellant plans all technical aspects of his work, establishes priorities and work schedules, approves changes, and handles all contacts with Federal, state and local agencies. When unexpected repairs are needed, he determines what needs to be done, estimates the cost, and takes the information to his supervisor before the work is contracted out. The appellant independently manages his day-to-day work but keeps his supervisor informed.

### **Series determination**

The appellant's position is covered by the Civil Engineering Series, GS-810. This series includes professional positions in the field of civil engineering with responsibility for management, supervision, or performance of planning, designing, constructing, and/or maintaining structures and facilities that provide shelter, support transportation systems and control natural resources.

#### **Title determination**

*Civil Engineer* is the appropriate title for the position following the guidance in the standard.

#### **Standard determination**

Civil Engineering Series, GS-810, Part IV, December 1964.  
Computer Specialist Series, GS-334, July 1991.

#### **Grade determination**

### **ENGINEERING DUTIES**

The Civil Engineering Series standard is comprised of four parts. We find that the appellant's paramount duties and responsibilities most closely match Part IV - Facilities Engineering Management. Engineers performing functions covered by Part IV make judgments and recommendations as to what facilities to build, with what resources, where and in what order, and take action to ensure that approved facilities do get built and maintained. Grade levels in Part IV are defined principally in terms of (1) the scope and complexity of facilities for which the position has engineering management responsibility, (2) the range of facilities engineering activities managed, and (3) the level of responsibility assigned.

At the GS-11 level, the engineer's assignments typically concern facilities in one locale or installation. While facilities are varied in type and purpose, there exist ample precedents for their planning, design and construction. Engineers at the GS-11 level perform work such as (1) development of programs and coordination of project accomplishment with respect to maintenance, repair and minor construction for an installation or activity that has facilities to carry out a variety of operations, or that has facilities used by a number of different kinds of activities or organizations; or (2) program development covering proposed construction of a variety of new facilities for an installation or activity similar to (1) above. The engineer usually performs such assignments under the supervision of a higher grade engineer who administers the entire facilities engineering program for the managing activity. The facilities engineering management functions are performed under comprehensive standards and guidelines issued by a higher organizational echelon, regarding justification and authorization of facilities projects and programs. Engineers at this level must apply full professional engineering knowledge and judgment in the application of standard practices, or modification of these to fit conditions that vary moderately from those previously encountered. There is relatively limited contact with the public because of the limited facilities program. The engineer typically deals with a variety of administrative and engineering

personnel within the employing organization, and in the organization of the contractors or agencies who carry out the actual construction of facilities, to obtain information and cooperation and to furnish information about facilities engineering programs.

The appellant meets the GS-11 level. He performs design analysis on all road paving and bridge projects in the national forest. He determines, for example, what type of structure would be most cost effective or whether to repair an existing bridge instead of building a new one. He serves as a team member who develops plans for roads, bridges, culverts, and parking areas. The appellant is concerned with the safety aspects of the forest-wide transportation system. He must apply professional judgment and knowledge in applying guidelines. He may deviate or modify guidelines to fit the planned projects by recommending approval or disapproval of existing standards. The appellant is considered the expert for bridge construction and inspections. Because of his work experience and professional engineering knowledge, his recommendations are considered authoritative. He works under the general guidance of the Engineer Program Coordinator who administers the facilities engineering program. He works with considerable freedom in coordinating functions for the designs and providing guidance to zone engineers and independently accomplishes the work. He has contact with regional and district employees, state and local officials, and contractors for the purpose of obtaining and furnishing information, resolving problems, and making decisions concerning the work.

At the GS-12 level, the engineer is fully responsible for development or coordination functions relating to facilities of substantial complexity and variety, possibly in a number of locations, or under the control of a number of different activity managers. This means usually that facilities engineering management must be accomplished under a number of statutory, regulatory and procedural restrictions and jurisdictions. The GS-12 engineer in facilities engineering management usually serves as an assistant to a higher grade engineer, with responsibility for a portion of the facilities program assigned to that engineer. In such "assistant" assignments, the facilities for which the GS-12 engineer is responsible exceed in complexity and variety those typical of the "full responsibility" assignments described in the paragraph above. GS-12 engineers must apply experienced professional judgment in dealing frequently with specialized facility requirements. This often requires that the engineer search out and develop new or greatly modified methods. They work with considerable freedom from technical guidance, and their recommendations for action in matters of normal engineering practice are considered authoritative. Engineers at this level are expected to obtain supervisory guidance or clearance on actions that may be of a controversial nature, or that represent a new approach or course for the organization. The presence of problems of responding to different activity requirements or standards, and of compliance with differing legal and technical requirements under various jurisdictions, differentiates this level from grade GS-11.

The appellant's work is similar to Example 1 at the GS-11 level in the standard. He is responsible for various transportation and bridge projects located throughout the National Forests in [state]. The majority of these projects are considered conventional. The appellant designs such work projects as earthwork diagrams, parking lot plans, details for repairing/replacing bridges, culvert replacements, road surveys, and he performs the necessary hydrologic and hydraulic calculations

for stream crossings. Work plans and designs are maintained and revised using the CAD and PC systems. Completed work is accepted as technically accurate and is reviewed by the supervisor only in terms of overall program objectives. However, according to the supervisor's position description and information obtained from the supervisor and the Team Leader, the supervisor does have ultimate responsibility for all engineering functions including planning, expenditures, and technical aspects.

With the majority of his projects considered to be comparable in complexity to those typically found at the GS-11 level plus the presence of a supervisor with ultimate authority for all the engineering functions in the appellant's area of responsibility, the appellant's position cannot be credited at the GS-12 level. Part IV is credited at GS-11.

### **COMPUTER DUTIES**

The appellant spends 20 to 25 percent of his time performing computer related duties. These duties consist of troubleshooting, providing training to engineering personnel, maintaining and upgrading computer software and hardware, and developing and refining existing computer programs to accomplish the work processes. These duties are evaluated by reference to the Computer Specialist Series, GS-334. They are comparable to the GS-9 level and do not impact the grade of the position. A summary evaluation follows:

| <b>SUMMARY</b>                                     |              |               |
|--|--------------|---------------|
| <b>FACTOR</b>                                      | <b>LEVEL</b> | <b>POINTS</b> |
| 1. Knowledge Required by the Position              | 1-6          | 950           |
| 2. Supervisory Controls                            | 2-4          | 450           |
| 3. Guidelines                                      | 3-3          | 275           |
| 4. Complexity                                      | 4-3          | 150           |
| 5. Scope and Effect                                | 5-3          | 150           |
| 6. Personal Contacts and<br>7. Purpose of Contacts | 6-2<br>7-b   | 75            |
| 8. Physical Demands                                | 8-1          | 5             |
| 9. Work Environment                                | 9-1          | 5             |
|  | <b>TOTAL</b> | 2060          |

A total of 2060 points falls within the range for GS-9, 1855 to 2100 points, according to the Grade Conversion Table in the GS-334 standard.

**Summary**

Part IV of the GS-810 standard is evaluated at the GS-11 level. Computer work is evaluated at grade GS-9.

**Decision**

The appellant's position is properly classified as Civil Engineer, GS-810-11.