

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

San Francisco Oversight Division  
120 Howard Street, Room 760  
San Francisco, CA 94105-0001

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

**Appellant:** [The appellant]

**Agency classification:** Program Manager  
GS-340-13

**Organization:** [The appellant's organization]  
Civilian Conservation Center  
U.S. Forest Service  
U.S. Department of Agriculture

**OPM decision:** GS-340-13  
(Title at agency discretion)

**OPM decision number:** C-0340-13-01

/s/ Carlos Torrico

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Carlos A. Torrico  
Classification Appeals Officer

November 20, 2001  
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:**

[The appellant's address]

**Agency:**

[The appellant's servicing personnel office]  
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## **Introduction**

On May 7, 2001, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [the appellant]. On July 2, 2001, the Division received the agency's administrative report concerning the appeal. [The appellant] is assigned to the [name of appellant's organization and installation], U.S. Forest Service, U.S. Department of Agriculture (USDA). He is the Center Director of the [name of appellant's installation] Job Corps Civilian Conservation Center located on the [name of Forest] National Forest with a duty station of [city and state]. The agency has classified the position as Program Manager, GS-340-13. However, the appellant believes the position should be evaluated as "supervisory" and classified as Program Manager, GS-340-14. Prior to appealing to OPM, [the appellant] filed an appeal with his agency. In a letter to him dated June 5, 2000, the agency sustained the current classification. We have accepted and decided this appeal under section 5112 of title 5 United States Code (U.S.C.).

## **General issues**

This decision is based on a thorough review of all information submitted by the appellant and his agency. In addition, an OPM representative conducted separate telephone interviews with the appellant and his immediate supervisor, the Forest Service Job Corps National Field Office Director. The appellant makes various statements about the agency's evaluation of his position, and believes his duties are similar to those performed by other Job Corps Center Directors whose positions are graded at the GS-14 level. In adjudicating this appeal, our only concern is to make our own independent decision on the proper classification of the appellant's position. 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 position to others as a basis for deciding his appeal.

The appellant has certified that his position description (PD) [number] is "basically" accurate. His supervisor has also certified that it accurately describes the appellant's duties and responsibilities.

## **Position information**

The primary purpose for this position is to manage the [name of appellant's installation] Job Corps Civilian Conservation Center. The Center is a full service, co-educational, residential training facility operating 24 hours a day, year round, located on the [name of Forest] National Forest. The Center's programs provide a diverse population of disadvantaged youth and adults with training in basic education, social and vocational skills programs designed to prepare the students for employment, further education, or entry into military service. In addition to a wide variety of training programs, the Center provides students with supervised dormitory housing, meals, recreational activities, medical care and counseling, and post graduation follow-up. [Name of installation] Job Corps Center has an authorized on board strength of 216 students (146 males and 70 females), and maintains the programs and facilities for the students within the standards established by the Department of Labor and the Job Corps.

As Center Director, the appellant is ultimately responsible for the overall management, operation and performance of the Center. He provides managerial leadership to the staff and activities of the Center, and is responsible for developing and implementing short-term and long-range plans and objectives, for effective allocation of resources, for assuring Center work is integrated appropriately to assist the Forest Service with accomplishment of their natural resource related mission, and for evaluation of the Center's accomplishments on an ongoing basis. He is also responsible for implementation of various programs and activities required by the Workforce Investment Act of 1998 and in doing so is accountable to the Director, Job Corps National Field Office.

The appellant manages the Center's operations, programs and services through a number of supervisory and non-supervisory personnel, many of whom participate on the Center's management team. The Center employs a staff of approximately 65 Federal employees who provide or support the training and education programs and the social development of the students, as well as the administrative and infrastructure needs of the Center, and the various community outreach programs and other related activities. In addition, instructors in selected training programs are provided through agreements (contracts) with labor unions, trade associations and, in some cases, individuals. A number of volunteers contribute to the Center as well. The appellant provides program management guidance directly to five employees, including the Deputy Center Director/Administrative Officer, GS-340-12, Student Services Manager, GS-301-12, Work Projects Officer, GS-301-11, Principal Teacher, GS-1710-11, and a Business and Community Liaison position, GS-186-09. To the extent possible, he delegates authority and responsibility to his subordinates for directing programs and services under their jurisdiction.

The results of our interviews, the appellant's official position description, and other material of record furnish more information about his duties and responsibilities.

### **Series and title determination**

The agency has classified the appellant's position in the Program Management Series, GS-340. That series includes all classes of positions the duties of which are to manage or direct, or assist in a line capacity in managing or directing, one or more programs, including appropriate supporting service organizations, when the paramount qualification requirement of the position is management and executive knowledge and ability and when the positions do not require competence in a specialized subject-matter or functional area. Positions in which specialized subject-matter or functional competence is a necessary qualification requirement are classifiable in whichever specialized or general series is most appropriate. In fulfilling his managerial responsibilities, the appellant directs employees engaged in a variety of programs covering several occupational groups and families, including professional teachers, training instructors, guidance counselors, a nurse, a cook and others in miscellaneous administrative and support positions. The appellant's own background includes education, teaching, and supervising work projects with both the Civilian Conservation Corps and the Job Corps. However, while the appellant's background and experience may provide him with enhanced ability to understand and manage the complexities involved with many of the Center's programs, projects, and services,

our fact-finding disclosed that his duties do not require specialized subject-matter knowledge. Rather, the paramount qualification requirement is management and executive knowledge and ability. Therefore, we concur with the agency's allocation of this position to the Program Management Series, GS-340, and the appellant does not disagree. Since OPM does not prescribe titles for positions in that series, assignment of an appropriate title is at the agency's discretion. In doing so the agency should follow the titling instructions contained in the Introduction to the Position Classification Standards.

There is no prescribed grading criteria for positions classified in the GS-340 series. The appellant believes that his position is "supervisory" and thus should be evaluated by application of the grading criteria in the General Schedule Supervisory Guide (GSSG). The GSSG covers supervisory work and related managerial responsibilities that (1) require accomplishment of work through combined technical and administrative direction of others, (2) constitutes a major duty occupying at least 25 percent of the position's time, and (3) meets at least the lowest level of Factor 3 in the guide, based on supervising Federal civilian employees, Federal military or uniformed service employees, volunteers, or other non-contractor personnel. The GSSG specifically excludes positions requiring management skills alone, that is, positions that do not require either technical supervision of employees in specific occupations or competence in a specialized subject-matter or functional area. The appellant's position is classified in the Program Management Series, GS-340, which, as previously noted, does not require competence in a specialized subject-matter or functional area. In addition, while he oversees program management at the installation, his duties do not require supervision of employees from a technical standpoint. Therefore, this position is excluded from coverage under the GSSG and is not evaluated by that guide.

As a program manager at an educational institution, we find that the grade of the appellant's position is best evaluated by application of the grading criteria in the Grade Evaluation Guide for Positions of Managers of Operating Education Programs, dated August 1974 (reissued in HRCD 7, July 1999). That guide covers positions having primary managerial responsibility for planning, developing, directing, and conducting operating education and training programs that provide for the educational development or advancement of the individuals enrolled. Similar to the appellant's position, the guide specifically includes positions of education program managers in residential facilities providing education and job training for disadvantaged youth and lists Job Corps or other civilian conservation centers for youth. Our application of the grading criteria in the guide is discussed below.

### **Grade determination**

The Grade Evaluation Guide for Positions of Managers of Operating Education Programs utilizes three factors for determining grade level. For each factor (and sub-factor) there are four degrees (A, B, C, and D) that reflect significant differences in difficulty and responsibility. Point values are assigned to each degree level, which are specified in the standard. Our comparison of the appellant's position to each factor follows.

- Factor 1 - Student Load - Degree A (2 points)

The student load is measured by taking an average of students simultaneously enrolled and participating in the facility's education and training program. This factor provides credit for the average number of students enrolled and participating in education and training courses (usually per quarter of the fiscal year) at the installation. For credit under this factor, participation includes courses that are given at the facility itself, through facility negotiations and arrangements at other institutions, and/or through facility arrangements by correspondence. Each participating student is only counted once during the period, regardless of how many courses the student may be enrolled in. Four broad ranges are provided for the respective degree levels to indicate size categories. The four ranges are described according to the type of facility. The distinctions shown (ranges) are intended to serve as an indicator of substantial differences in student load, since differences of a few students one way or another are not significant.

The record and our interviews indicate the [name of installation] Job Corps Center has an authorized student load of 216. Although this exceeds the broad range of 100-200 participating students described for degree A of the factor, the imposed limitation of 216 students means that [name of installation] Job Corps Center is not authorized to meet the student load required to meet Degree B of the standard (250-650 students). In addition, the guide notes that differences of a few students one way or another are not significant. Therefore, Degree A is credited and 2 points are assigned.

- Factor 2 - Variety and Complexity of Instructional Activity (8 points)

The purpose of this factor is to evaluate the scope and difficulty of program management in terms of the amount and diversity of instructional activity provided by the education or training facility. This instructional activity is measured in terms of the variety and complexity of courses and goal-oriented programs that have resulted from the active efforts of the education program manager. Factor 2 is comprised of two sub-factors:

- (a) Course Range and Variety; and
- (b) Program Complexity.

Course Range and Variety - Degree A (2 points)

The guide incorporates a table that provides specific criteria for measuring the number and variety of courses provided through an education or training facility that have resulted from the active efforts of the education program manager. As explained in the guide, the total number of creditable courses conducted during a school year (or calendar year) is computed. Courses that are different in subject or level are creditable (e.g., French I, French II, Spanish I, Spanish II are all creditable). Duplicated, repeats, or slight variations or modifications of courses are not creditable. Courses that are designed for individual rather than group study are not counted as individual discrete courses (e.g., correspondence courses, on-the-job training courses) unless the program manager was actively involved in developing the course

content, training materials, etc. Courses given at outside institutions that are a part of a broader instructional program and which have not, individually, resulted from the active efforts of the education program manager, are not credited under this factor. In this situation the overall instructional program may be credited as one course. Creditable courses given at the facility are counted, even though they are part of an instructional program. Courses that have been planned, students enrolled, and classes begun are creditable even though students do not complete the course.

The agency's evaluation of the appellant's position credits the [name of installation] Job Corps Center with providing a total of 338 courses. We disagree with that decision. OPM Classification Advisory Opinion No. CA-2000-003, issued on June 20, 2000, in response to an agency inquiry, advised that careful consideration must be given to vocational and enrichment programs (social skills training) when determining what constitutes a creditable course (within the context of sub-factor 2a "Course Range and Variety" of the Guide) as opposed to a "lesson." The guidance issued in that Opinion advises that broad generic topics such as dealing with stress in the workplace and understanding and dealing with aggression could only match the definition of a "course" if the contents meet the same degree of intensity as the clear illustrations (i.e., Spanish I, Spanish II, French I, French II).

[Name of installation] Job Corps Center offers instructional programs in Education, Vocational Training, and Social Skills Training. The Education programs include:

- The Sullivan Program for Non-readers includes eight courses: Reading, Mathematics, Spelling, English, Physical Education, Cultural Awareness, World-of-Work, and English as a Second Language (ESL).
- The Graded Reading Program is provided to readers through grade eight. The program includes all eight of the above courses plus Health. Duplicate courses are not credited twice under this sub-factor.
- The General Educational Development (GED) program combines courses offered at the Center with testing conducted under a cooperative agreement with the Oregon Coast Community College. The GED program includes twelve courses; six are duplicative of those listed above, plus Social Studies, Science, Literature, Writing/Thinking Skills Competency, Drivers Education, and American Government.
- Through an agreement with [county name] County, students from [installation] Job Corps Center may enroll at the local high school (name of high school) to complete requirements for their high school diploma.

The above Educational programs provided by the Center include 16 discrete courses. In addition, Basic Computer Skills are taught to all students enrolled at the Center who lack those skills. We credit this as an additional course.

Each Vocational Skills training program offered at [the installation] Job Corps Center is equivalent in intensity to the illustrations of discrete courses described above, and therefore,

counts as a creditable course. The Vocational Skills training programs account for nine more creditable courses.

Offerings include:

- Business Clerical
- Culinary Arts (Cook)
- Painter\*
- Welder
- Brick Layer
- Carpenter\*
- Auto Repair Technician
- Dispensing Optician
- Urban Forestry\*

\* These training programs are provided through long-term (five-year) contracts with labor unions and trade organizations, and are offered at other Job Corps Centers as well. Nonetheless, the appellant is ultimately responsible to assure contractor compliance with the terms and for the success of these programs.

The Center provides all students with Social Skills training, where students learn to set personal goals and then become responsible for attaining those goals. Students' progress and demonstrated accomplishments are evaluated in all areas of the Center's programs. This training is credited as another discrete course. The total number of creditable courses under this sub-factor is 27.

The table provided in the guide covering adult education facilities indicates that when 10-30 creditable courses are recognized, Degree A is assigned and 2 points credited.

#### Instructional Program Complexity - Degree C (6 points)

This sub-factor measures the extent to which the nature and variety of goal-oriented instructional programs add substantially to the difficulty of the overall instructional activity. Goal-oriented programs are defined as collections or groups of courses combined into integrated curricula to accomplish specific education or training goals. In adult education facilities, goal-oriented programs are identified as those instructional programs that (1) lead to generally recognized certificates, diplomas, or degrees (for example, a baccalaureate program in business administration, a high school equivalency certificate program, or a vocational training program



leading to a certificate of competence in a trade or craft, such as sheet metal work, machinist, refrigeration and air conditioning mechanic, etc.); or (2) cover a broad range of a subject-matter field of an academic or vocational nature to a specific level of competence in that field (for example, a reading or mathematics program covering several grade levels leading to high school equivalency in that subject).

Instructional programs have added complexity when they include courses that are neither prepackaged nor standardized. Rather, these courses require substantial participation by the program manager in the individual development, redesign, or updating of curricula and/or instructional methodology to meet the needs of students with special learning problems (e.g., adults who are functionally illiterate, or children whose cultural background is greatly different or who are educationally disadvantaged or otherwise handicapped). The complexity of instructional activity is also enhanced when the facility provides programs at several learning levels, each of which has resulted from the active efforts of the program manager.

The Educational and Vocational Skills programs offered at [the installation] Job Corps Center include twelve (12) goal-oriented programs (Sullivan Program; Graded Reading Program; GED; plus each of the nine vocational skills training programs). Four (4) learning levels include elementary, middle, high school, and vocational.

The guide provides four degree levels under this sub-factor.

At Degree B (4 points), programs for adults typically include 5 to 8 goal-oriented instructional programs for students at 3 or 4 learning levels, several of which are provided at the facility. The guide offers the following example of an assignment that is illustrative of this degree of complexity: A program manager at a facility responsible for providing an education and training program for disadvantaged young adults. At a minimum, the overall program includes basic education, GED, and vocational training programs, and may also include one or two basic college level courses (e.g., first year mathematics). The instructional programs are generally standardized, however the instructional approaches must be specifically geared to meet the instructional needs of these disadvantaged students.

By way of comparison, Degree C (6 points) represents substantial variety and complexity of instructional program activity. Programs for adults typically involve 10 to 15 creditable goal-oriented instructional programs encompassing four or five learning levels. A significant number of these instructional programs (e.g., three to seven) are non-standardized and involve problems of program development or updating. They may also require the instructional approaches to be tailored to accommodate individual student needs.

The appellant's position meets Degree C. The adult education programs offered involve 12 different creditable goal-oriented instructional programs covering 4 learning levels. Several of the instructional programs have been locally modified so that they are somewhat non-standardized (e.g., Dispensing Optician, Urban Forestry), and some have added self-paced aspects to accommodate the particular learning problems (e.g., Attention Deficit Disorder) of students. In addition, significant changes have been made in the construction and presentation of courses in order to respond to special learning needs of the educationally disadvantaged, and

highly diverse student population (Hispanic, Asian, Micronesian, Russian) having limited use of the English language. Courses are updated regularly to keep up with advances in the trades and national accreditation standards. Vocational training programs last as long as the individual student takes to master the relevant competencies. The position does not meet Degree D. At that degree, managers provide instructional program activity that is exceptionally broad in coverage, in terms of both variety and complexity. Adult programs typically involve 20 or more creditable instructional programs. At least half are non-standardized or special-problem oriented and have required an exceptional degree of participation by the program manager or staff in course and curriculum development and/or redesign and innovative development of instructional methodology. Therefore, Degree C is credited to this sub-factor, and 6 points are assigned.

- Factor 3 - Level of Responsibility - Degree B (4 points)

This factor measures the nature and extent of initiative and originality required; the extent of the authority and freedom permitted the program manager by higher authority; and the difficulty and responsibility of work contacts and relationships (other than with supervisors and subordinates) within and outside the agency with which the program manager is personally involved or which he/she has been instrumental in promoting through the staff. It considers the nature and extent of supervision and guidance furnished by higher authority and by applicable guidelines and precedents, and the judgment required to follow, select, and adapt such guidelines. It takes into account significant contributions made by the program manager (and approved by higher authority, as necessary) in the way of changes and innovations to improve and advance the education training program. It considers the degree of acceptance of recommendations by higher authority. Contacts are considered in terms of the purpose, extent, and impact of those contacts and the difficulty involved in participating in productive discussion.

Degree B of the guide describes program managers who frequently modify and improve existing program activities by updating course content and instructional methodology and/or provide additional program or course activity within broad guidelines established by higher authority. In either case, the changes are largely based on, or adapted from, similar activities and needs developed elsewhere. Initiative and judgment are required to determine the need for change, adapt existing models to the local situation, and implement the new or revised programs. Contacts, which typically involve a substantial variety of individuals and groups, have the following characteristics, or equivalent:

- Recurring contacts with other schools or training facilities similar to those of the program manager's own facility to discuss common problems and ways to solve them;
- Numerous contacts with education and training institutions for the purpose of negotiating agreements for participating in established programs;
- Numerous contacts with students' parents or guardians to discuss difficult student problems;
- Regular continuing contacts with outside individuals and local civic groups to improve the usefulness of community facilities for educational and recreational purposes.

At Degree C program managers make significant creative contributions toward program advancement and improvement in aspects of individual programs; for example, developing new major courses or program activities from models and precedents that are only vaguely applicable to the relatively complex needs of the facility. Although major changes may require approval of higher authority, the recommendations of the program manager are usually accepted without significant modification. Contacts typically involve a wide variety of individuals and groups for the purpose of obtaining cooperation in establishing and implementing programs that are new or different in significant aspects from existing programs. New or revised programs, while basically acceptable in principle to those concerned, have significant aspects that are controversial or otherwise require a substantial amount of persuasion to obtain cooperation or approval. This degree involves contact activity having characteristics equivalent to the following illustrative examples:

- Initiating and carrying out exploratory surveys in an Indian community to identify education and training interests and needs;
- Establishing and maintaining contacts with education and training institutions, business groups, and individual specialists to obtain support in establishing new programs and staffing them with people who can contribute to the success of the programs;
- Serving as liaison with the Indian Tribal Council, local public officials, and PTA's to interpret the children's educational and cultural needs and the school's and Tribe's programs, and to assure that the public schools attended give the special attention needed to meet the unique problems and educational needs of the students;
- Maintaining contacts with civic, business, and other groups and organizations of the community to convince business groups to provide part-time work and on-the-job training for students and full-time employment after graduation;
- Negotiating a variety of special-purpose education and training contracts with colleges and vocational training institutions or industrial companies in the area, often requiring considerable persuasion to overcome apathy and reluctance to change traditional practices;
- Initiating and following through on contacts with local and state departments of education and regional education associations to obtain acceptance of certain program coverage and to secure recognition for accreditation of certificate requirements.

The appellant's position fully meets Degree B, but falls short of Degree C. Like Degree B, the appellant and staff have developed new aspects of courses, significantly modified existing program activities, and updated course content and methods of instruction to meet the special learning needs of the students. While some courses have involved significant changes in methods of presentation, and course content adapted to local needs, they have been based on similar models developed elsewhere. This is in contrast to Degree C where new major courses or program activities are based on vaguely applicable precedents and models. Forest Service Job

Corps Centers exist and operate under parameters established in laws and applicable regulations, augmented and supplemented by Department of Labor (DoL), USDA, and Forest Service policies, education and training models, and program guidelines and directives. Within those parameters, the appellant exercises a high degree of independence and relative autonomy in managing [the installation] Job Corps Center's educational and training programs, services, students and staff. According to his agency, some of the parameters described may be very broad, vague, or expressed in terms of overall objectives, expected outcomes and results rather than prescribing specific processes to achieve them. The appellant's immediate supervisor, the Forest Service Job Corps National Field Office Director, provides administrative direction in terms of program relative priorities, budgetary limitations, national (DOL, USDA, Forest Service) expectations and initiatives, and with approval of actions that exceed the authority delegated to the appellant.

The appellant is accountable for assuring the curricula of the Center's educational programs meet appropriate academic levels and accreditation standards. He is also responsible for assuring the vocational training programs offered produce graduates qualified and acceptable for employment in entry-level positions. The appellant evaluates the Center's educational and training programs on an on-going basis through a variety of methods, including personal periodic review of related statistics and data, and through review of data resulting from an extensive follow-up system that can track graduates for up to two years. Similar to Degree B, the appellant uses his initiative and judgment to determine the need for change, adapt existing models to the local situation (e.g., implementation of the Urban Forestry program, present at only five Job Corps centers), and implement new or revised programs (the Dispensing Optician program). The appellant also relies on interaction with and feedback from a variety of groups and individuals including Center staff and local area community groups. Like Degree B, the appellant has also modified and improved upon some of the traditional curricula offered at [the installation] Job Corps Center. For example, the Business Clerical program was enhanced with advanced training in information technology. In addition, the appellant is responsible for identifying developmental needs of staff of the Center. The appellant and some of his principal staff are currently involved with efforts to institute nationwide training for Job Corps Center teachers and counselors in techniques appropriate for coping with students with special needs, e.g., Attention Deficit Disorder, other behavioral problems.

Like Degree B, the appellant maintains numerous contacts with education and training institutions for the purpose of negotiating agreements for participating in established programs. The appellant and the president of [name of state] Coast Community College are close associates, and enjoy a mutually beneficial relationship. Under the appellant's leadership, cooperative agreements have been negotiated with [name of state] Coast Community College (OCCC) and with the [county name] County School system that provide each partner to the agreement with opportunities that are mutually beneficial. For example, an agreement with the [name of county] County School system allows students to be enrolled, tested, and if successful, awarded their high school diploma from the local [city and state] high school. In return, the school district may enroll students in Job Corps vocational training programs. The Center's agreements with the OCCC provide for GED testing services and the availability of classes to Center students. The Center provides space and instructors for vocational training on a reimbursable basis to community college students. Other agreements are in place and more may

be developed and implemented as partners to the agreements continually seek ways to improve the services they provide their respective institutions and communities. Similar to Degree B the appellant also maintains contacts with local civic groups (e.g., Workforce Investment Board, Youth Councils, Chamber of Commerce), to promote job training and employment opportunities.

Through the appellant's efforts, various Vocational Skills Training Projects (VSTP) have been developed. In addition to the potential of increasing the resources of the Center by up to \$111,000 per year (mandatory cap), these projects allow students in various related vocational training programs to gain "hands-on" experience in their trade while benefiting the community served. Projects may be performed at the Center itself (for example, the Center added a classroom to its welding shop through a VSTP), somewhere within the [Forest name] National Forest (assisting Forest Service personnel with their natural resources mission), or in the various communities surrounding the center (construction, rehabilitation, urban forestry). The appellant personally checks each proposed project before the proposal is forwarded for approval to assure the project advances the goals of the center while strengthening the relationships between the Job Corps Center and the community.

Unlike program managers described at Degree C of the guide, we found no evidence that the appellant develops new major courses or program activities from models and precedents that are only vaguely applicable to the needs of the facility. There is no indication that revised programs have significant aspects that are controversial, or otherwise require a substantial amount of persuasion to obtain community or organizational cooperation or support. The appellant is not required to regularly make contacts with a wide variety of individuals and groups for the purpose of obtaining cooperation in establishing and implementing programs that are new or different in significant aspects from existing programs. Although cooperative agreements have been implemented, negotiating them did not require the appellant to exercise considerable persuasion to overcome apathy, or reluctance to change traditional practices. Contacts made by the appellant do not equate to the complexity and in some cases controversy typical of the illustrative examples listed under Degree C. This factor is assigned Degree B and 4 points are credited.

### *Summary*

The Grade Evaluation Guide for Positions of Managers of Operating Education Programs utilizes three factors to determine the grade level of positions: Student Load, Variety and Complexity of Instructional Activity; and Level of Responsibility. For each factor (and sub-factor) there are four degrees that reflect significant differences in difficulty and responsibility. Each degree is assigned a different numerical point level. The points are totaled and compared against the Grade-Level Determination Table found in guide. The factors, the degree, and the points awarded for the appellant's position are summarized below.

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Student Load	Degree A	2 points
2. (a) Course Range and Variety	Degree A	2 points
2. (b) Instructional Program Complexity	Degree C	6 points

3.	Level of Responsibility	Degree B	<u>4 points</u> 14 points
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According to the grade-level determination table in the guide, positions credited within the range of 14 - 20 points equate to GS-12.

The guide acknowledges there may be positions that have patterns of program characteristics, delegations of responsibility, or other special characteristics that differ from the criteria and examples provided. Occasionally a position will have particular features that may influence the grade-level evaluation upward or downward. In order to affect the grade-level evaluation, the special characteristics must meet all of the following conditions:

- a. They are inherent in the position as regular and recurring situations;
- b. The basic evaluation factors do not take them into account;
- c. They significantly increase or decrease the position's total responsibility and complexity; and
- d. Their impact causes the total position clearly and substantially to exceed or fall short of the grade level provided in the conversion chart.

Included among the kinds of significant special characteristics that may be considered is "Responsibility for the housing, care, welfare, and social adjustment of students on a 24 hour per day basis at a residential (boarding) school." The appellant is so responsible and his position meets the above conditions, in addition to his responsibility for the education and training programs offered through the [installation] Job Corps Center. His responsibility is further complicated due to dealing with students who may have special needs because of mental, emotional, and physical disabilities, as well as the increased potential for violence among them due to differing cultural, economic, social and educational backgrounds and experiences. The appellant is held responsible for his Center to provide a safe, secure environment 24 hours a day, 7 days a week, year around, in which the students may take advantage of the Job Corps programs and services and achieve their goals in a residential environment. We find these responsibilities meet the significant special characteristics necessary to adjust the grade-level upward. Therefore, the final grade of the position is GS-13.

### **Decision**

The proper series and grade of the appellant's position is GS-340-13. Titling of the position is at the discretion of the agency.