

U.S. Office of Personnel Management
Division for Human Capital Leadership & Merit System Accountability
Classification Appeals Program

Dallas Field Services Group
1100 Commerce Street, Room 441
Dallas, TX 75242

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

Appellant: [appellant]

Agency classification: Forestry Technician
GS-462-9

Organization: [name] Ranger District
[name] National Forest
Southern Region – Region 8
U.S. Forest Service
U.S. Department of Agriculture
[location]

OPM decision: GS-029-7
(Title to be determined by agency)

OPM decision number: C-0029-07-03

/s/

Judith L. Frenzel
Classification Appeals Officer

May 9, 2003

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).

Since this decision lowers the grade of the appealed position, it is to be effective no later than the beginning of the sixth pay period after the date of this decision, as permitted by 5 CFR 511.702. The servicing personnel office must submit a compliance report containing the corrected position description and a Standard Form 50 showing the personnel action taken. The report must be submitted within 30 days from the effective date of the personnel action.

The personnel office must also determine if the appellant is entitled to grade or pay retention, or both, under 5 U.S.C 5362 and 5363 and 5 CFR 536. If the appellant is entitled to grade and pay retention, the two-year retention period begins on the date this decision is implemented.

Decision sent to:

[appellant's name and address]

Western Operations Center
[name] National Forest
U.S. Forest Service
[activity address]

USDA-OHRM-OD
U.S. Department of Agriculture
J.S. Whitten Building, Room 47W
1400 Independence Avenue, SW.
Washington, DC 20250

Introduction

On January 9, 2003, the Dallas Oversight Division, now the Dallas Field Services Group, of the U.S. Office of Personnel Management (OPM) accepted classification appeals from [appellant] and [second appellant]. Even though they perform essentially identical duties and are classified in the same series and grade, the positions are assigned to different districts with different immediate supervisors. Their appeals will, therefore, be adjudicated separately. We received the agency's administrative reports on January 30, 2003. The positions are currently classified as Forestry Technician, GS-462-9. Ms. [name]'s position is located in the [name] Ranger District, [name] National Forest, Southern Region – Region 8, U.S. Forest Service, U.S. Department of Agriculture, at [location]. We have accepted and decided this appeal under section 5112 of title 5, United States Code.

Background

On July 30, 2000, the appellant's position was reclassified from a Public Affairs Specialist, GS-1035-9, to Forestry Technician, GS-462-9. The appellant questions the appropriateness of the assigned series and believes the position should be classified in the GS-1082 Writing and Editing Series at the 11 level.

In deciding this appeal, we conducted a telephone audit with the appellant on March 10 and an on-site audit on March 20, 2003. We also interviewed her immediate supervisor on March 13, 2003, and the District Ranger, the second level supervisor, on March 11, 2003. In addition, the appellant provided job information during the on-site visit and by e-mail. In reaching our classification decision, we have reviewed the audit findings and all information of record furnished by the appellant and the agency, including current work assignments and her position description (PD) of record, number [number]. Although the appellant and immediate supervisor agree that the PD accurately reflects her major duties, they propose changes in the percentages of time assigned to the major duties, as well as additions to the introductory paragraph regarding supervisory controls.

General issues

The appellant believes her position is similar to unidentified higher graded positions located in other districts within the Forest. As a result, she believes her position should be graded higher. By law, OPM must classify positions solely by comparing 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 this appeal.

The agency has primary responsibility for ensuring that its positions are classified consistently with OPM appeal decisions. If the appellant considers her position so similar to others that they all warrant the same classification, she may pursue the matter by writing to her personnel office. In doing so, she should specify the precise organizational location, classification, duties, and responsibilities of the positions in question. If the positions are found to be basically the same as hers, the agency must correct their classification to be consistent with this appeal decision.

Otherwise, the agency should explain to the appellant the differences between her position and the others.

Position information

The National Environmental Policy Act (NEPA) establishes the basic planning process requiring Federal agencies to integrate environmental values into their decision-making processes by considering the environmental impact of their proposed actions and reasonable alternatives to those actions. The primary responsibility of the appellant's position is to coordinate and facilitate NEPA project planning for the district. The appellant works under the supervision of the District Silviculturalist, a Supervisory Forester, GS-460-11.

Also central to the appellant's position is the National Forest Management Act (NFMA), which requires each forest and grassland to create the Land and Resource Management Plan (otherwise known as the Forest Plan). This plan guides natural resource management activities for a period of about 10 to 15 years. The Forest Plan sets the direction for future decisions on site-specific projects by establishing desired future condition statements. The current Forest Plan was approved in April 1986 and has been amended 37 times. It is in the implementation of this Forest Plan that the appellant is required to integrate the NEPA project planning process.

The District Ranger prepares a list of proposed actions. A project may be exempt from NEPA documentation if it falls within a category of actions determined by the Secretary of the Department of Agriculture and the Chief of the Forest Service. For every proposed action, the appellant determines if it fits a category for exclusion. Some categorically excluded actions, e.g., mowing lawns, require no NEPA documentation. Nevertheless, other categorically excluded actions, e.g., the construction or reconstruction of trails, require the appellant to draft a brief decision memo for the District Ranger's signature.

If a project does not meet one of these categories for exclusion, NEPA requires the environmental effects and values be studied, and then documented in an environmental analysis (EA) with either a *Finding of No Significant Impact* or a *Record of Decision*. NEPA also establishes the planning of an environmental impact statement for major proposals with significant effects, but the scope of the appellant's projects normally requires preparing only EA's. This effort requires utilizing an interdisciplinary (ID) team of resource specialists, the composition of which varies depending on the nature of the proposed project. The appellant acts as facilitator during meetings involving the ID team and the public. The resource specialists involved in this process include, but are not limited to, the silviculture, wildlife biology, timber, and recreation specialists. The resource specialists provide specialized review and recommendations on plans and procedures affecting their resource area. The appellant is responsible for reviewing documents submitted by resource specialists, then consolidating them into the appropriate environmental document. She also independently drafts particular sections of these documents.

The appellant plays a pivotal role in data gathering and maintenance, using computer databases such as the Continuous Inventory of Stand Conditions (CISC), the Automated System for Reporting KV Plans, and the Geographic Information System (GIS). GIS data is essentially an

inventory of the forest and reflected on maps with attached information on stands such as types of trees, their diameter, and location. The appellant also uses ArcView which, along with GIS, are standardized mapping systems commonly used in the Forest Service to capture stand data information. Data is gathered for various purposes, including document preparation or in the sharing of information with the public. Since NEPA requires engaging and making information available to the public in the project planning process, the appellant's position involves the occasional public relations work. The public is invited to comment on particular environmental documents. The appellant sends a letter acknowledging receipt of the comment. She prepares the response if it is general in nature or requires looking up factual information in reference materials. Those of a more technical or sensitive nature are referred to the resource specialists.

The appellant's PD and other material of record furnish much more information about her duties and responsibilities and how they are performed.

Series and title determination

The appellant believes her position should be classified in the GS-1082 Writing and Editing Series. This series includes positions that primarily involve writing and editing materials, such as reports, regulations, articles, or speeches. The work requires the acquisition of information on a variety of subjects in the course of completing assignments. The work also requires the development, analysis, and selection of appropriate information and presentation of the information in a form and at a level suitable for the intended audience. This is a two-grade interval series.

Two-grade interval administrative positions are involved in work primarily requiring a high order of analytical ability. This ability is combined with a comprehensive knowledge of (1) the functions, processes, theories, and principles of management and, (2) the methods used to gather, analyze, and evaluate information. These positions are typically involved with analyzing, evaluating, modifying, and developing the basic programs, policies, and procedures that facilitate the work of Federal agencies and programs. In contrast, one-grade interval support positions perform work that follows established methods, procedures, and guidelines and may require a high degree of technical skill, care, and precision. The work can be performed based on a practical knowledge of the purpose, operation, procedures, techniques, and guidelines of the specific program area or functional assignments.

The appellant's work matches one-grade interval administrative support work in that the appellant applies a practical knowledge of the purpose, operation, procedures, techniques, and guidelines set forth by NEPA. The appellant provides services that are of a continuing, repetitive nature, and performed on the basis of her having acquired a familiarity with the NEPA process. The work does not involve making the sort of judgmental decisions characteristic of two-grade interval positions. Deciding whether a proposed project falls under a category for exclusion requires the appellant to exercise some judgment, but the record shows that the appellant typically deals with recurring types of projects. The record shows that the appellant has not been assigned the type of varied and progressively more difficult work that would be typical of two-grade interval work. NEPA, at its core, is basically a dual process involving analysis and document preparation. Facilitating the document process is the primary purpose of the

appellant's position. The analytical portions are performed by the resource specialists. The appellant provided examples of her analytical tasks such as (1) use ArcView in creating soils maps to identify areas of potential impact; (2) run and update CISC reports to show different age class distribution; (3) operate cumulative impacts analysis program to show sediment yields; (4) create GIS maps to be used for analysis; (5) estimate timber volumes using an Excel spreadsheet; (6) ensure units of measures are consistent; and (7) ensure environmental documents are complete.

These examples do not demonstrate work requiring a high order of analytical ability or a comprehensive knowledge of management principles and theories or analytical methods and techniques. These examples demonstrate the role the appellant plays in data gathering and maintenance. In the response to the agency's administrative report, the appellant indicated that for more than 10 years, they have planned and implemented the NEPA program enabling the natural resource specialists to manage their programs in a timely manner. This work is analogous to assistance work, which involves performing work to support NEPA administration or operation. The appellant's tenure in the position has resulted in her being the expert in this process, but unlike two-grade interval positions, her duties do not require her to analyze or use evaluative methods and techniques. Therefore, the appellant's position must be classified under the one-grade interval structure.

The position is currently classified in the Forestry Technician Series, GS-462. This series includes all positions that primarily require a practical knowledge of the methods and techniques of forestry and other biologically based resource management fields. Forestry technicians provide technical support in forestry research efforts; in the marketing of forest resources; or in the scientific management, protection, and development of forest resources. The appellant believes the GS-462 series is incorrect as the majority of forestry technician duties involve on-the-ground implementation as compared to her duties involving timelines, planning, coordination, and teamwork. We found that the primary purpose of the appellant's position is to provide administrative support work relating to NEPA compliance. The knowledge, skills, and abilities required of the forestry technician is not required or applied in the performance of the appellant's work.

The GS-029 Environmental Protection Assistant Series involves performing a variety of technical support in connection with the operation of environmental protection programs. This work may involve independent performance of limited assignments in a prescribed segment of an environmental protection program. It requires the ability to apply established instructions, rules, regulations, and procedures relevant to environmental protection activities. Similar to the appellant's work, positions classified as environmental protection assistants typically involve the performance of duties such as reviewing files and records and summarizing relevant factual information in connection with compliance requirements; providing information to the community on requirements; and collecting, tracking, computing, and summarizing statistical data in chart and narrative form. The appellant's primary duties and responsibilities are characteristic of those classified in this series. Her work requires practical knowledge of environmental protection laws sufficient to understand the regulatory basis of program requirements. Understanding NEPA requires the appellant to also possess a practical knowledge of related environmental laws such as the Endangered Species Act, the Clean Air Act, and the

Clean Water Act. Resource specialists seek advice from the appellant not in forestry-related efforts but on the subject of NEPA compliance. We find the appellant's position is properly allocated in the GS-029 Environmental Protection Assistant Series.

Since there is no published standard for this series and no authorized titles, the agency may assign a title following the guidance in the *Introduction to the Position Classification Standards*.

Standard determination

The GS-029 Environmental Protection Assistant Series does not contain grade level criteria. Evaluation for nonsupervisory positions in this series is determined by reference to classification standards involving analogous knowledges and skills. We used the Grade Level Guide for Clerical and Assistance Work and the GS-1087 Editorial Assistant Series standards to determine the grade level of the appellant's position.

Grade determination

Evaluation using the Grade Level Guide for Clerical and Assistance Work

The Grade Level Guide for Clerical and Assistance Work provides general criteria for use in determining the grade level of nonsupervisory clerical and assistance work. Assistance work is defined as technical work performed to support the administration or operation of the programs of an organizational unit. This work requires a working knowledge of the work processes and procedures of an administrative field and the mission and operational requirements of the unit.

The guide describes the general characteristics of each grade level from GS-1 through GS-7, as contained in law, and uses two criteria for grading purposes: *Nature of assignment* (which includes knowledge required and complexity of the work) and *Level of responsibility* (which includes supervisory controls, guidelines, and contacts).

Nature of assignment

At the GS-7 level, the work consists of specialized duties with continuing responsibility for projects, questions, or problems that arise within an area of a program. Work assignments involve a wide variety of problems or situations common to the segment of the program of responsibility. Decisions or recommendations are based on the development and evaluation of information that comes from various sources. The work involves identifying and studying factors or conditions and determining their interrelationships as appropriate to the defined area of work. The work requires knowledge and skill to recognize the dimensions of the problems involved, collect the necessary information, establish the facts, and take or recommend action based upon application or interpretation of established guidelines.

Similar to the GS-7 level, the appellant's assignments involve a series of related actions encompassing a variety of problems or situations which require identification and evaluation of information from various sources. The appellant reviews the specialists' resource-specific submissions primarily to ensure that NEPA legal reporting requirements are met and are

consistent with the Forest Plan. The information is then consolidated into an environmental report to be signed by the District Ranger, who is also the NEPA deciding official. Consistent with the GS-7 level, the appellant recommends or initiates actions that are consistent with the objectives and requirements of the program. In one instance, the appellant recommended solutions to the ID team after discovering a resource specialist had included road construction to an EA without it first being identified as a proposed action. Typical at this level, the appellant retrieves and maintains information from a variety of computer database systems.

As at the GS-7 level, the appellant stated must stay abreast of changes in NEPA policy or direction. When these changes occur, she is usually notified by various sources including, but not limited to, those at the regional or Forest Service levels. These changes require the knowledge and skill to recognize how to go about implementing these changes, determine the problems that may arise, collect the necessary information, or recommend action based upon application of established guidelines. Typical of the GS-7 level, these assignments require practical knowledge and on-the-job experience dealing with the regulations, principles, and peculiarities of the assigned NEPA reporting program and functions. The position fully meets but does not exceed the GS-7 level.

GS-7 is credited.

Level of responsibility

At the GS-7 level, the supervisor makes assignments in terms of objectives, priorities, and deadlines. The employee independently completes assignments in accordance with accepted practices, resolving most conflicts that arise. Completed work is evaluated for appropriateness and conformance to policy. Guides tend to be general and descriptive of intent, but they do not cover all aspects of the assignments. Employees must use significant judgment and interpretation to apply the guides to specific cases. The employee serves as a central point of contact to provide authoritative explanations of requirements, regulations, and procedures and resolve operational problems or disagreements affecting assigned areas.

As at the GS-7 level, the appellant receives assignments in terms of objectives, priorities, and deadlines. Based on the appellant's familiarity with the work, she operates independently, determining deadlines by taking into consideration such factors as fiscal year and the nature of the project. Meeting project deadlines is a major objective of the appellant's position. Consistent with the GS-7 level, the appellant's supervisor depends on her to resolve issues and problems within her program with little or no assistance. Also typical at this level, the appellant's completed work is evaluated on her ability to meet program requirements in a timely manner. Guidelines used by the appellant include, but are not limited to, the NEPA, the NFMA, agency policies, procedure manuals, regional and forest level supplemental guides, and professional journals used to verify facts. The appellant is the point of contact for her district's NEPA related inquiries. She is also the in-house expert on the policies, directives, guides, and instructions for these programs. The position fully meets but does not exceed the GS-7 level.

GS-7 is credited.

Grade summary

Based on application of this guide, GS-7 is determined to be the proper grade of the position since both factors, *Nature of assignment* and *Level of responsibility*, meet that level.

Evaluation using the GS-1087 Editorial Assistant Series

The GS-1087 series covers positions that involve editorial support work in preparing manuscripts for publication and verifying factual information in them. Some editorial clerks and assistants directly assist writers, editors, or subject-matter specialists performing support work in preparing manuscripts for publication. This work does not require knowledge of the substance of the subject matter of the manuscripts, however, it does require substantive knowledge of English grammar. Assistants may determine publication format and may place tables, charts, and other graphics in final copy. Editorial clerks and assistants correct obvious errors of fact. They observe factual inconsistencies in the material, such as spelling of proper names, references, and citation. They verify the accuracy of statements, figures, illustrations, and subject matter terms by referring to standard reference works, other published material, and to the authors. They compare illustrations, photographs, tables, and charts with text to assure they are pertinent and consistent. They also check citations with original sources. Although the appellant's work is not appropriately classified in this series, the kind of work processes and functions involved in the appellant's document preparation duties, as well as the level of difficulty and responsibility of her work, are comparable to those outlined in the GS-1087 standard.

This standard is written in a narrative format and uses two factors: *Nature of assignments* and *Level of responsibility* for making a grade level determination.

Nature of assignment

At the GS-6 level of the standard, assistants improve clarity by reorganizing sentences within paragraphs in addition to correcting basic grammar and rewriting sentences. Some assistants write short or simple articles for publication. Such articles require little or no stylistic considerations and are written in an established style. In verifying information, GS-6 assistants interpret the content and assure that related documents do not contradict or duplicate each other. At this level, assistants use library-type finding aids as subject matter index to locate sources of information.

At the GS-7 level, editorial assistants edit manuscripts by reorganizing them entirely or reorganizing sections of long manuscripts. They reorder paragraphs and suggest changes in the organization of sections. They edit the style of writing to conform to an agency's specified preferences and to assure clarity of expression. At this level, some assistants prepare specifications and procedures for preparing manuscripts and advise manuscript producers before and during the writing process on format and styles of presentation.

Comparable to the GS-7 level, the appellant's duties involve preparing environmental documents after obtaining information from a variety of resource specialists. The appellant must have a basic knowledge of the objectives and policies of NEPA in order to determine compliance with

its reporting requirements. She reviews the resource specialists' reports and determines if that information has adequately addressed the NEPA requirements. The appellant detects and eliminates anomalies and discrepancies in the resource reports. To gather and clarify information concerning the data, the appellant must correspond, both orally and in writing, with the resource specialists. The appellant extracts data from various spreadsheets and databases in order to present information to the public or the ID team in various forms including charts, graphs, or maps. The appellant's position also requires knowledge of spelling, grammar, punctuation, and proper formats.

As at the GS-7 level, the appellant receives assignments involving various actions or steps that are not completely standardized or prescribed in precedent cases. Illustrative of this is the appellant's dealing with changes that normally require rearranging or adding sections to environmental documents. The appellant is responsible for notifying the district resource specialists of these modifications, as well as ensuring they are implemented. Changes in the NEPA reporting process occur routinely, but these changes are not so complex as to require the appellant to make difficult judgment calls.

The appellant believes her work is complicated by a unique Forest Service appeals process that invites the public to appeal particular projects. Even though appeals are sent directly to the Regional Forester in Atlanta, Georgia, the appellant acts as the point of contact for additional information. She is not, however, called upon to formulate conclusions or make recommendations for resolving issues or problems.

The appellant believes that a higher grade level is warranted, because lawsuits and changing policies require her to develop new methods, approaches, and procedures. We found that the appellant's role in these changes is more reactive than proactive. A memo, dated March 18, 2003, from the Regional Forester provided guidance on how to strengthen three areas of the NEPA documentation to improve the efficiency and effectiveness of the NEPA process. While it is the appellant's responsibility to react and implement these changes, new methods, approaches, and procedures originate at higher levels of the organization.

The duties of the appellant's position exceed the GS-6 level and are comparable to, but do not exceed, the GS-7 level.

Level of responsibility

GS-6 editorial assistants edit manuscripts by altering sentences and paragraphs. To verify information, they must have a knowledge of agency subject-matter publications and use them to review manuscripts for duplication and discrepancy. Assistants typically verify information in publications that are not highly technical or administrative information in technical publications. The supervisor typically specified the priority of the work and relative importance of articles. Assistants use this information in scheduling work. They arrange for others to write articles, based on the supervisor's suggestions or directions. The supervisor reviews the work to see that it meets general specifications. Assistants often arrange to have authors review editorial changes.

At the GS-7 level, editorial assistants use a number of style manuals and similar references to prepare an agency's interpretations and requirements. They recommend changes in current specifications and suggest changes based on extensive knowledge of current styles and experience in the use of publication procedures. GS-7 assistants advise others on manuscript preparation with little supervision. Edited manuscripts are submitted to originating offices for concurrence of authors or others to assure the meaning has not been altered.

The appellant uses the NEPA, NFMA, agency policy and procedure manuals, supplemental guides, and professional journals as guidelines in performing her work. She is required to use judgment in applying the guidelines to the specifics involved for each project in order to guarantee compliance with NEPA and NFMA requirements. Much of the appellant's work requires reviewing information provided by resource specialists to ensure that information is consistent with the goals of the Forest Plan. She must decide whether the results of proposed projects are consistent with the desired land management objectives described in the Forest Plan

Comparable to the GS-7 level, the appellant is expected to work independently to complete assignments under normal circumstances, selecting the appropriate techniques and methods to meet project objectives. Also typical of this level, the supervisor does not review the specific methods used by the appellant in complying with reporting requirements, but evaluates completed work in terms of meeting NEPA and NFMA requirements. Problems are rarely identified. The appellant believes a higher level is warranted because she independently resolves conflicts. The use of an ID team indicates that the identification and resolution of problems is not a one-person effort but rather a collaborative one. The appellant is authorized to act on her own initiative within defined parameters to resolve problems. For example, the appellant may find that a resource specialist does not fully address a section in the EA. In those instances, the appellant may contact the specialist directly to resolve the problem. However, the District Ranger is the NEPA deciding official and it is his responsibility to resolve technical program and reporting problems.

The appellant's position meets but does not exceed the GS-7 level.

Grade summary

Based on application of this standard, GS-7 is determined to be the proper grade of the position since both factors, *Nature of assignment* and *Level of responsibility*, meet that level.

Decision

The position is properly classified as GS-029-7. The title is at the agency's discretion.