

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

San Francisco Field Services Group
120 Howard Street, Room 760
San Francisco, CA 94105-0001

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

Appellant: [Name of appellant]

Agency classification: Director, Information Resources
Management (IRM)
GS-301-14

Organization: [Appellant's organization/location]
U.S. Forest Service
U.S. Department of Agriculture

OPM decision: GS-301-14
Title at agency discretion

OPM decision number: C-0301-14-02

Carlos A. Torrico
Classification Appeals Officer

October 6, 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).

Decision sent to:

[Appellant's name and address]

[Address of appellant's servicing human resources office]
U.S. Forest Service

Director, Human Resources Management
U.S. Forest Service
Rosslyn Plaza
1621 N. Kent Street, Room 900
Arlington, VA 22209

Director, Office of Human Resources Management
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Introduction

On May 13, 2003, the San Francisco Field Services Group of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [name of appellant]. On June 12, 2003, the Group received the agency's administrative report concerning the appeal. Her position is classified as Director, Information Resources Management (IRM), GS-301-14, but she believes it should be classified at the GS-15 grade level. The appellant works for the U.S. Forest Service, [name of region] at the regional office in [work location]. Her position is assigned to the [name of appellant's unit]. The appellant is the Region's Director for Information Resources Management. We have accepted and decided her appeal under section 5112 of title 5, United States Code (U.S.C.).

This appeal decision is based on a thorough review of all information furnished by the appellant and her agency. In addition, to help decide the appeal a representative of this office conducted separate telephone interviews with the appellant and her supervisor.

General issues

The appellant's supervisor certified to the accuracy of the appellant's position description (PD) [number], but the appellant believes it is not totally accurate. A PD is the official record of the major duties and responsibilities assigned to a position or job by an official with the authority to assign work. A position is the duties and responsibilities that make up the work performed by the employee. Classification appeal regulations permit OPM to investigate or audit a position and decide an appeal on the basis of the actual duties and responsibilities currently assigned by management and performed by the employee. An OPM appeal decision classifies a real operating position, and not simply the PD. This decision is based on the work currently assigned to and performed by the appellant and sets aside any previous agency decision.

The appellant claims that her position is classified inconsistently with other similar positions in other regions within the agency, and commented on the classification review process conducted by her agency. By law, we must classify positions solely by comparing their current duties and responsibilities to OPM position classification standards and guidelines (5 U.S.C. 5106, 5107, and 5112). In adjudicating this appeal, our only concern is to make our own independent decision on the proper classification of her position. 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 her appeal. Because our decision sets aside any previous agency decision, the classification practices used by the appellant's agency in classifying her position are not germane to the classification appeal process.

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 agency's personnel headquarters. 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 her the differences between her position and the others.

The appellant discusses the large amount of work she performs or is responsible for, due to the Pacific Southwest Region's complexity and size when compared to other Forest Service regions. However, volume of work cannot be considered in determining the grade of a position (*The Classifier's Handbook*, chapter 5).

Position information

At the regional office, the appellant is responsible for formulating policies, plans and programs and for providing management direction and leadership for administration of the IRM systems within the [name of region], which includes two states, eighteen national forests, and the [name of geographic area]. Her responsibilities include facilitating effective planning, coordinating and implementing of information management resources to support regional and forest-level managers in accomplishing their primary missions; improving regional effectiveness and efficiency through integrating the management of information, and evaluating and assessing existing and proposed information management projects.

The appellant is a second-level supervisor with a subordinate staff of 25 employees plus 2 contractor employees. The staff consists of the following positions: (1) two GS-13 level supervisory positions – GS-2210 and 391, (2) three non-supervisory GS-13 positions – GS-301, 391, 856, (3) twelve GS-12 non-supervisory positions – GS-301, 391, 856, 2210, (4) four GS-11 positions – GS-391 and 2210, (5) three support positions consisting of two GS-1106-5, and one GS-303-7, and (6) one information technology (IT) specialist student trainee, GS-0099-5, which will be converted to a GS-2210 with a career ladder to the GS-12 level. The IRM staff is supplemented with two [contractor firm] contractor positions located in [city and state], which equate to the GS-2210 series at the GS-12 and 13 levels respectively. Our fact-finding disclosed that she spends all of her time performing supervisory work and related managerial responsibilities.

The results of our interviews, the appellant's PD, and other material of record reveal more about the appellant's duties and responsibilities, and how they are performed.

Series, title and standard determination

The agency has assigned the appellant's position to the Miscellaneous Administration and Program Series, GS-301, and the appellant does not disagree. We concur with the agency's series determination. Similar to that series, her work is of an administrative, two-grade interval nature. The paramount knowledge and qualifications required are analytical ability and substantial knowledge of information resources program principles and concepts to manage the region's overall IRM program. Although the position oversees specialists in information technology, it does not require specialized knowledge of information technology principles, concepts and methods (e.g., data storage, software applications, networking), typical of positions classified in the Information Technology Management Series, GS-2210.

The standard for the GS-301 series prescribes no official titles. Therefore, assignment of a title is at the agency's discretion. However, in constructing the title the agency must follow the titling instructions in section III.H.2 of the *Introduction to the Position Classification Standards*.

Because the position fully meets the coverage requirements of the General Schedule Supervisory Guide (GSSG), we have applied the grading criteria in the guide to evaluate the appellant's position.

Grade determination

The GSSG uses a factor-point evaluation approach that uses six factors common to all supervisory positions. Each factor level in the standard describes the minimum characteristics needed to receive credit for the described level. Therefore, if a position fails to meet the criteria in a factor level in any significant aspect, it must be credited at a lower level. Conversely, the position may exceed those criteria in some aspects and still not be credited at a higher level. Each factor level has a corresponding point value. The total points are converted to a grade by use of the grade conversion chart in the standard.

Factor 1, Program Scope and Effect

This factor assesses the general complexity, breadth, and impact of the program areas and work directed, including its organizational and geographic coverage. It also assesses the impact of the work both within and outside the immediate organization. To assign a factor level, the criteria dealing with both scope and effect, as defined below, must be met.

Scope

Scope addresses the general complexity and breadth of the program directed and the work directed, the products produced, or the services delivered. The geographic and organizational coverage of the program within the agency structure is included under scope.

At Level 1-3a, the position directs a program segment that performs technical, administrative, protective, investigative, or professional work. The program segment and work directed typically have coverage which encompasses a major metropolitan area, a State, or a small region of several States; or, when most of an area's taxpayers or businesses are covered, coverage comparable to a small city. Providing complex administrative or technical or professional services directly affecting a large or complex multi-mission military installation also falls at this level.

Positions at Level 1-4a direct a segment of a professional, highly technical, or complex administrative program which involves the development of major aspects of key agency scientific, medical, legal, administrative, regulatory, policy development or comparable, highly technical programs; or that includes major, highly technical operations at the Government's largest, most complex industrial installations.

The appellant's position meets Level 1-3a but falls short of Level 1-4a. Similar to Level 1-3a she directs an administrative program providing complex support to a region encompassing two states [names of states] and the [geographic area], consisting of up to 7,000 employees. Her organization furnishes complex administrative services in the areas of information technology and telecommunications to eighteen national forests in the [name of region] supporting and

directly affecting the information resource operations equivalent to a multi-mission installation. The position does not meet Level 1-4a as the appellant does not direct a complex administrative program covering development of major aspects of the U.S. Forest Service information technology/telecommunications operations program.

Level 1-3a is credited for scope.

Effect

Effect addresses the impact of the work, the products, and/or the programs described under scope on the mission and programs of the customer, the activity, other activities in or out of government, the agency, other agencies, the general public, or others.

At Level 1-3b, the activities, functions, or services accomplished directly and significantly impact a wide range of agency activities, the work of other agencies, or the operations of outside interests (e.g., a segment of a regulated industry), or the general public. At the field activity level (involving large, complex, multi-mission organizations and/or very large serviced populations), the work directly involves or substantially impacts the provision of essential support operations to numerous, varied, and complex technical, professional, and administrative functions.

At Level 1-4b the position impacts an agency's headquarters operations, several bureau wide programs, or most of an agency's entire field establishment; or facilitates the agency's accomplishment of its primary mission or programs of national significance; or impacts large segments of the Nation's population or segments of one or a few large industries; or receives frequent or continuing congressional or media attention.

The appellant's position meets Level 1-3b but not Level 1-4b. Similar to Level 1-3b, the appellant's position is located at the field activity level involving support of an organization comparable to a complex, multi-mission organization whose programs include a variety of important natural resources and forestry management functions. By furnishing information technology and telecommunications support, the appellant's program directly and substantially impacts on essential support operations needed to carry out the highly complex technical, professional forestry, and administrative functions of the entire region. This is comparable to the third work illustration under Level 1-3, where the position directs administrative services which support and directly affect an organization of magnitude similar to a large or complex multi-mission military installation. The position does not reach Level 1-4b because the appellant does not direct a program which includes developing major aspects of the agency's (i.e., Department of Agriculture) key administrative policies.

Level 1-3b is credited for effect.

As both subfactors under Factor 1 are credited at Level 1-3, that level is credited and 550 points are assigned.

Factor 2, Organizational Setting

This factor considers the organizational situation of the supervisory position in relation to higher levels of management.

At Factor Level 2-2, the position reports to a position that is one reporting level below the first SES, flag or general officer, or equivalent or higher level in the direct supervisory chain. At Factor Level 2-3 the position is accountable to a position that is SES level, flag or general officer military rank, or equivalent or higher level; or to a position which directs a substantial GS-15 or equivalent level workload; or to a position which directs work through GS-15 or equivalent level subordinate supervisors, officers, contractors or others. The appellant reports to a Deputy Regional Forester (Operations), GS-340-15, who in turn reports to the Associate Regional Forester who occupies a Senior Executive Service (SES) position. Therefore, the appellant's position meets Level 2-2. The position does not meet Level 2-3 because the appellant does not meet any of the three conditions under that level. She is not directly accountable to an SES position; the appellant's supervisor does not direct a substantial GS-15 level workload; and the appellant's supervisor does not direct work through subordinate supervisors whose positions are all graded at the GS-15 level (only two out of five are at that level).

Level 2-2 is credited for this factor and 250 points are assigned.

Factor 3, Supervisory and Managerial Authority Exercised

This factor covers the delegated supervisory and managerial authorities that are exercised on a recurring basis. To be credited with a level under this factor, a position must meet the authorities and responsibilities to the extent described for the specific level. The agency credited the appellant's position with Factor Level 3-3, but she believes that Factor Level 3-4 is warranted. To meet Factor Level 3-3, positions must meet paragraph a or b as stated below:

a. Exercise delegated managerial authority to set a series of annual, multiyear, or similar types of long-range work plans and schedules for in-service or contracted work. Assure implementation (by lower and subordinate organizational units or others) of the goals and objectives for the program segment(s) or function(s) they oversee. Determine goals and objectives that need additional emphasis; determine the best approach or solution for resolving budget shortages; and plan for long range staffing needs, including such matters as whether to contract out work. These positions are closely involved with high level program officials (or comparable agency level staff personnel) in the development of overall goals and objectives for assigned staff function(s), program(s), or program segment(s). For example, they direct development of data; provision of expertise and insights; securing of legal opinions; preparation of position papers or legislative proposals; and execution of comparable activities which support development of goals and objectives related to high levels of program management and development or formulation.

b. Exercise all or nearly all of the 10 delegated supervisory authorities and responsibilities described at Level 3-2c of this factor and, in addition, at least 8 of the 15 authorities listed under Level 3-3b.

To meet Factor Level 3-4, a position must first meet both Levels 3-3a and b of Factor Level 3-3, and the criteria in paragraph a or b below:

a. Exercise delegated authority to oversee the overall planning, direction, and timely execution of a program, several program segments (each of which is managed through separate subordinate organizational units), or comparable staff functions, including development, assignment, and higher level clearance of goals and objectives for supervisors or managers of subordinate organizational units or lower organizational levels. Approve multi-year and longer range work plans developed by the supervisors or managers of subordinate organizational units and subsequently manage the overall work to enhance achievement of the goals and objectives. Oversee the revision of long range plans, goals and objectives for the work directed. Manage the development of policy changes in response to changes in levels of appropriations or other legislated changes. Manage organizational changes throughout the organization directed, or major change to the structure and content of the program or program segments directed. Exercise discretionary authority to approve the allocation and distribution of funds in the organization's budget.

b. Exercise final authority for the full range of personnel actions and organization design proposals recommended by subordinate supervisors. This level may be credited even if formal clearance is required for a few actions, such as removals and incentive awards above set dollar levels.

The appellant's position does not fully meet Level 3-3a. While she develops annual and multi-year IRM regional work plans, passes down technical guidance and assures implementation of program initiatives by organizations subordinate to the regional office, and determines objectives that need additional emphasis within her program (e.g., IT security), she is not involved on a recurring basis with agency high level program officials to support the development of overall goals and objectives, particularly on a program wide basis. Unlike Level 3-3a she is not involved with high level program officials in directing the development of data for overall goals; is not tasked with directing the securing of legal opinions or preparing position papers or legislative proposals, or carrying out comparable activities which support development of goals related to the highest levels of program management at the bureau level.

The agency found that the appellant's position fully meets Level 3-3b in that it exercises all of the delegated supervisory authorities described at Level 3-2c, and most of the responsibilities listed under Level 3-3b. The appellant does not disagree, and we find that in addition to meeting all of those listed under Level 3-2c, she meets all those listed under Level 3-3b. For instance, she meets authorities 1, 3, 5, 6, and 8 in that she directs work through subordinate supervisors, ensures reasonable equity of performance standards developed by subordinates, makes decisions on work problems presented by subordinate supervisors and evaluates their performance, serves as reviewing official on evaluations of non-supervisory employees, and recommends selections for subordinate supervisory positions. The position exercises responsibilities 2, 4, 7, 9, 10, 11,

12, 13, 14, and 15. Like those responsibilities the appellant exercises significant responsibility in advising managers of higher rank, directs a multi-million dollar program, approves selections for subordinate non-supervisory positions, hears and resolves group grievances or serious employee complaints, reviews and approves serious disciplinary actions involving non-supervisory subordinates, makes decisions on non-routine and costly training needs, determines whether contractor work meets standards of adequacy, approves within-grade increases and extensive overtime and employee travel, recommends awards for non-supervisory personnel and changes in position classification, and finds and implements ways to eliminate significant work bottlenecks.

As previously noted, before a position can be assigned Factor Level 3-4, it must first meet the delegated managerial and supervisory authorities included in both Levels 3-3a and b. The appellant's position meets only Level 3-3b so Factor Level 3-3 is assigned and 775 points are credited.

Factor 4, Personal Contacts

This two part factor assesses the nature and purpose of personal contacts related to supervisory and managerial responsibilities. The nature of contacts, credited under subfactor 4A, and the purpose of those contacts, credited under subfactor 4B, must be based on the same contacts.

Subfactor 4A-Nature of contacts

This subfactor covers the organizational relationships, authority or influence level, setting, and difficulty of preparation associated with making personal contacts involved in supervisory and managerial work. To be credited, the level of contacts must contribute to the successful performance of the work, be a recurring requirement, have a demonstrable impact on the difficulty and responsibility of the position, and require direct contact.

The appellant's position meets Level 4A-3. Like Level 4A-3 the appellant has regular contact with high ranking civilian managers and technical administrative support staff at the bureau level. These contacts often require extensive preparation by the appellant of briefing materials and she must be technically familiar with complex subject matter. The position does not meet Level 4A-4 where contacts are with influential, executive level persons outside the employing agency, regional or national officers of trade associations, key staff of congressional committees, etc.

This subfactor is evaluated at Level 4A-3 and 75 points are credited.

Subfactor 4B-Purpose of contacts

This subfactor covers the purpose of the personal contacts credited in subfactor 4A, including the advisory, representational, negotiating, and commitment making responsibilities *related to supervision and management*.

The appellant's position meets Level 4B-3. Like Level 4B-3 the purpose of her contacts is to justify, defend, or negotiate in representing the IRM program, in obtaining or committing resources; *and* in gaining compliance with established IT policies, regulations, or contracts. Similar to the appellant's position, this level requires justifying, defending, or negotiating on behalf of the organization with the necessary level of authority to commit resources and gain compliance with established policies of the organization. Like Level 4B-3 the appellant has the requisite control over resources and the authority necessary to gain support and compliance with established policies. The position does not meet Level 4B-4 where the purpose is to influence, motivate, or persuade persons or groups to accept opinions or take actions related to advancing the fundamental goals and objectives of the program or segments directed, or involving the commitment or distribution of major resources, when intense opposition or resistance is encountered.

This subfactor is evaluated at Level 4B-3 and 100 points are credited.

Factor 5, Difficulty of Typical Work Directed

This factor measures the difficulty and complexity of the basic work most typical of the organization directed, as well as other line, staff, or contracted work for which the supervisor has technical or oversight responsibility, directly or through subordinate supervisors, team leaders, or others. The level is determined by determining the highest grade which best characterizes the nature of the basic (mission oriented) nonsupervisory work performed or overseen by the organization directed; and which constitutes 25 percent or more of the workload of the organization.

As previously noted in the "Position information" section of this evaluation, the appellant supervises 25 subordinate positions (plus 2 contractors) classified in various series and grade levels. For purposes of base level determination, we have excluded the 2 GS-13 level supervisory positions, 1 GS-301-13 and 1 GS-13 equivalent contractor position which both function with an extraordinary degree of independence from supervision, and the 3 support positions. We have counted all others in the base level including the workload of 2 GS-13s, 14 GS-12s (includes 1 contractor and student trainee), and 4 GS-11s. Based on our review, the highest grade which best characterizes the nature of the basic (mission oriented) non-supervisory work performed in the appellant's unit, and constitutes 25 percent or more of the workload of the organization is GS-12. Using the conversion chart in the GSSG for Factor 5, that base level equates to Level 5-7 and 930 points are credited.

Factor 6, Other Conditions

This factor measures the extent to which various conditions contribute to the difficulty and complexity of carrying out supervisory duties, authorities, and responsibilities.

Factor Level 6-5 describes three sublevels (6-5a, b, c); assignment of any one of them warrants crediting a position at Level 6-5. The appellant's position meets Level 6-5a. Similar to that level she supervises administrative work at the GS-12 level, and makes major recommendations in three of the areas listed. For example, she makes recommendations on significant internal and

external IRM program issues affecting not only her unit but the region's program as well. She recommends changes on organizational structure and the resources to devote to the IRM program to meet planned goals and objectives.

The appellant's position does not meet Factor Level 6-6. Unlike that level her position does not require exceptional coordination and integration of administrative work comparable in difficulty to a GS-13 or higher base level. In addition, although her subordinate supervisors direct GS-12 level workloads, that base work does not require of each supervisor similar coordination as that described at Level 6-5a.

Factor 6 is evaluated at Level 6-5 and 1,225 points are credited.

Summary

By application of the GSSG, we have evaluated the appellant's supervisory duties as follows:

<i>Factor</i>	<i>Level</i>	<i>Points</i>
1. Program Scope and Effect	1-3	550
2. Organizational Setting	2-2	250
3. Supervisory and Managerial Authority Exercised	3-3	775
4. Personal Contacts		
4A Nature of Contacts	4A-3	75
4B Purpose of Contacts	4B-3	100
5. Difficulty of Typical Work Directed	5-7	930
6. Other Conditions	6-5	<u>1,225</u>
<i>Total</i>		3,905

A total of 3,905 points falls into the GS-14 range (3,605-4,050) by reference to the point-to-grade conversion chart in the GSSG. Therefore the appellant's supervisory duties are graded at the GS-14 level.

Decision

The proper series and grade of the appellant's position is GS-301-14. Selection of a title is at the discretion of the agency.