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

Washington Oversight Division
1900 E Street, N.W.
Washington, D.C. 20415

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

Appellant:	[name]
Agency classification:	Soil Scientist GS-470-14
Organization:	[Division] Natural Resources Conservation Service Department of Agriculture Washington, D.C.
OPM decision:	Soil Scientist GS-470-14
OPM decision number:	C- 0470-14-01

Richard Quasney
Classification Appeals Officer

June 5, 1998 Date

As provided in section 511.612 of title 5, Code of Federal Regulations, this decision constitutes a classification certificate that is mandatory and binding on all administrative, certifying, payroll, disbursing, and accounting officials of the Government. The agency is responsible for reviewing its classification decisions for identical, similar, or related positions to ensure consistency with this decision. There is no right of further appeal. This decision is subject to discretionary review only under the conditions and time limits specified in title 5, U.S. Code of Federal Regulations, sections 511.605, 511.613, and 511.614, as cited in the Introduction to the Position Classification Standards, appendix 4, section G (address provided in appendix 4, section H).

Decision sent to:

[Appellant's name and address]

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Introduction

On December 16, 1997, the Washington Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a position classification appeal from [appellant], who is employed as a Soil Scientist, GS-470-14, in the [division] of the Natural Resources Conservation Service (NRCS), Department of Agriculture, in Washington, D.C. [Appellant] requested that his position be classified as Soil Scientist, GS-470-15. This appeal was accepted and decided under the provisions of section 5112 of title 5, United States Code.

An on-site position audit was conducted by a Washington Oversight Division representative on April 1, 1998, supplemented by interview with the appellant's first-line supervisor (Division Director), [name], on May 6, 1998. This appeal was decided by considering the audit findings and all information of record furnished by the appellant and his agency, including his official position description, number 8515, classified by the servicing personnel office as Soil Scientist, GS-470-14, on May 30, 1986, and later recertified on August 23, 1995.

General issues

In presenting his request for a higher grade, the appellant provided documentation related to the agency's classification findings on his position. Specifically, his position was desk-audited in June 1996 by a representative of the agency's Administrative Support Division, who evaluated it at the GS-15 level and forwarded the request for upgrade to the NRCS Position Management Committee (PMC) for approval. However, the promotion was subsequently denied by the PMC due to a pending headquarters reorganization, the then-vacant status of the Division Director position, and required high-grade reductions, and the appellant's supervisor was directed to remove the grade- controlling duties from the appellant's position. The appellant argued that the resultant changes made to his position description were basically cosmetic and that no substantive duties or responsibilities were removed from his position.

Classification appeals to the Office of Personnel Management are adjudicated based on a *de novo* review of the appellant's position. Thus, any previous classification decisions or opinions on the part of the appellant's agency have no bearing on the outcome of the OPM review.

In his appeal letter, the appellant referred to certain responsibilities that he previously held in connection with his request for a higher grade. However, 5 U.S. Code 5112 requires that we consider only current duties and responsibilities in classifying positions. OPM guidelines and previous decisions indicate that this has been generally interpreted as referring to those duties that have occurred in about the past year and which are still assigned to the employee's position.

The appellant also referred to his serving as "acting" Division Director, and the additional knowledge requirements imposed by serving as "backstop" to the Division Director and his assistant in their absence. However, duties performed only in the absence of another employee cannot be considered in determining the grade of a position *(The Classifier's Handbook,* Chapter 5).

Position information

The appellant serves both in a general staff capacity with responsibility for such duties as assisting in budget preparation, drafting or reviewing proposed policy and program directives, providing interpretive guidance to State soil scientists, and representing the Division at meetings, seminars, and conferences as assigned, and in addition has more specific functional responsibilities related to the implementation of the National Cooperative Soil Survey (NCSS). Specifically, the appellant develops proposed fund allowances to be allocated among the States to carry out the soil survey program, and affects the transfer and tracking of funds. He monitors soil survey activities and progress throughout the U.S. and prepares various reports ranging from State and national summaries of the status of soil survey operations, including funding and staffing levels, to the status of individual soil survey area projects. He coordinates with the States in forecasting and prioritizing their needs for imagery and orthophotography and serves as the Division representative to the interagency committees for the National Aerial Photography Program (NAPP) and the National Digital Orthophotography Program (NDOP). He approves State requests for the purchase of imagery and orthophotography from the USDA cartographic centers or the U.S. Geological Survey.

Series determination

The appellant's position is properly assigned to the Soil Science Series, GS-470, which covers positions involving professional and scientific work in the investigation of soils, their management, and their adaptation for alternative uses. Neither the agency nor the appellant disagrees.

Title determination

The authorized title for nonsupervisory positions in this series is Soil Scientist.

Standard determination

The position was initially evaluated by application and extrapolation of the grade-level criteria provided in the classification standard for the Soil Science Series, GS-470, dated June 1970. However, because this standard provides criteria to the GS- 13 level only, the Research Grants Grade Evaluation Guide was consulted as a source of higher grade-level criteria.

Grade determination

Evaluation using the Soil Science Series Standard, GS-470

Grade-level criteria in this standard are expressed in terms of two factors, Nature of Assignment and Level of Responsibility.

Nature of Assignment

This factor deals with the variety and purpose of the duties performed; the scope and significance of the assignments; difficulty or complexity; and the knowledge requirements and judgment required. At the lower grade levels, soil scientists are engaged in detailed survey and investigative activity where they follow standard procedures outlined in agency manuals. At the higher levels, they are engaged in varied classification, mapping, or irrigation suitability activities of progressively broader scope and complexity.

At the GS-13 level, soil scientists apply great depth of knowledge and comprehensive experience in one or more broad areas of soil science. They serve as expert technical advisors and consultants on technical soil science matters. Their assignments are characterized by complexity and controversy for which they must frequently develop new approaches. GS-13 soil scientists have freedom in the selection or development of methodology to the extent that no significant departure from approved policy is involved. They develop and issue technical standards, interpretational guidelines, and other guidelines based on national policy governing and providing technical direction to soil science activity within their assigned work areas, such as classification, mapping, interpretation, special studies, or management problems. They direct the preparation of technical soils reports and legends, and special purpose maps for the use of land managers. They make periodic field inspections of work in progress to assist with unusually difficult soils or land classification problems and to ascertain compliance with procedures. They review completed survey reports and maps for completeness and conformance to policy.

The standard further describes four illustrative assignments as examples of work typifying the GS-13 level. These include:

- Providing technical direction to a diversified and highly complex soil science program, e.g., for a State, including all associated functional activities.

- Serving as technical advisor and consultant on technical soils problems related to the management of forest resources in a regional area, e.g., several States, including providing technical direction to soil survey and investigatory activities of agency soil scientists within the jurisdiction.

- Serving as staff specialist in soil survey interpretation work for a multi-State area, to include advising on the preparation of soil survey reports from individual States and performing the final technical review prior to submission to national headquarters.

- Providing technical direction to the economic land classification activities and other elements of irrigation project investigation at the regional level, to include developing and reviewing specifications to ensure program uniformity, making field progress reviews, and reviewing and approving land classification criteria.

Thus, both the GS-13 criteria and the examples cited above describe either State or regional level work, although the regional work is characterized as being more functionally limited than the State work, which tends to encompass full program responsibility. However, this should not be interpreted as implying that positions operating at the national headquarters level be automatically graded above GS-13, nor does this suggest that positions with regional and national responsibility be graded at GS-14 and GS-15 respectively. Rather, extrapolation of the criteria to those grade levels would require a progressive increase in the scope and complexity of the work, and in the associated level of responsibility and delegated authority addressed below. That is, the GS-14 level would represent work of significantly greater difficulty, breadth, and responsibility than at GS-13, whereas the GS-15 level would represent a equivalent increase in magnitude for these factors beyond GS-14.

The appellant's position exceeds the GS-13 level in terms of scope, in that his work has agencywide coverage, and in terms of complexity, in that his analyses and recommendations contribute toward the development of national-level policy and overall program implementation and thus must consider a much broader range of variables than would be encountered at the State or regional levels. However, drawing a distinction between the types of work that would be expected at the GS-14 and GS-15 levels is more validly accomplished by reference to a published standard that provides criteria for those grade levels, in this case the Research Grants GradeEvaluation Guide discussed later in this report.

Level of Responsibility

This factor considers such aspects as the impact of interpretations or findings; supervision or guidance received; review of recommendations and commitment authority; contacts; available guidelines; adaptation of guidelines; and planning responsibility. At the lower levels, soil scientists receive considerable instruction on unfamiliar phases of the work, and their methodology, decisions, and findings are reviewed. At the higher levels, emphasis is on extension, adaptation, and development of approaches and guidelines, where interpretations and determinations are the bases for major land management and use decisions. Contacts are important and varied (e.g., public officials, private groups, landowners, land managers, and others), and the degree of involvement in conflicting land use determinations is important. Technical supervision is primarily exercised through review of the finished product, and most commitments of a technical nature are conclusive, although in some cases final approval may depend on action by others.

At the GS-13 level, soil scientists are considered to be experts in one or more broad areas of the profession, and review of their work is essentially for recommendations and policy compliance. They represent their agencies in cooperative and coordinative activities with other Federal, State, and local agencies in the planning and execution of soils-related activities. In their dealings with persons outside the agency, they are authorized to commit their organizations to courses of action on technical soils matters. Their decisions are usually the final technical rulings on extremely complex or sensitive matters. Their recommendations are important considerations in broad long- range planning and national policy.

This level basically describes the way in which a recognized technical expert in the field of soil science would be expected to operate and generally characterizes the appellant's level of responsibility. However, in its description of such job elements as presumed technical accuracy, representational responsibilities, and input to broad long-range planning and national policy, it could also apply to positions at higher levels, with the difference lying primarily in the realm of organizational context, i.e., whether the work pertains to regional or agencywide programs and issues. Again, the Research Grants Grade-Evaluation Guide provides the framework for distinguishing between the level of responsibility that would be expected at GS-14 versus GS-15.

Evaluation using the Research Grants Grade-Evaluation Guide

Grade-level criteria in this guide are expressed in terms of two factors, Assignment Characteristics and Level of Responsibility.

Assignment Characteristics

This factor reflects the nature and scope of functions carried out by the individual scientist; the complexity, novelty, and scope of the subject matter assigned; the kind and degree of technical and managerial judgment required; and the extent and intensity of scientific knowledge involved in carrying out the assignment.

At the GS-14 level, scientists serve as staff specialists responsible for providing technical leadership and guidance in a major subject matter, functional, or program area. Assignments at this level have a broader scope of responsibility than those at GS-13 and require an intensive subject-matter knowledge and significant leadership qualities. Whereas GS-13 scientists perform evaluations of the scientific validity and recommendations for the amount and kind of support to be given individual research proposals and projects, GS-14 scientists function in a lead role for their agency in seeking a balanced research endeavor and in stimulating change along particular lines. They serve as the agency representative on permanent or ad hoc committees to evaluate research proposals, to assess the scientific quality and validity of ongoing research, and to plan future approaches and emphasis. They evaluate the significance of research results and initiate appropriate action to assure that proper emphasis is given to critical and far-reaching research.

The appellant's position is basically aligned with the GS-14 level described above. Consistent with that level, he serves as a staff specialist responsible for providing technical leadership and guidance for what can be broadly characterized as the implementation phase of the national soil survey program. Through his development of proposed State fund allowances and his role as Division representative to the NAPP and NDOP steering committees, he ensures a comprehensive yet balanced approach to the completion of the national soil survey effort and due consideration to agency-mandated priorities and emphases. Unlike the GS-13 level, his concentration is not on individual soil survey projects but rather on the effective implementation of the overall program through the provision of the appropriate levels of funding and technical support.

At the GS-15 level, scientists serve as staff experts and consultants, providing leadership and direction for programs of national and international scope and impact. They establish goals and objectives for the research programs; allocate scarce resources among major competitive programs; organize efforts to initiate pioneering programs and to resolve critical issues involving national policies; develop policies and plans for strengthening agency and national programs of scientific and public urgency; determine the need for and direct the preparation of technical and administrative guides, standards, and criteria to accomplish national research objectives; continually evaluate the utilization of resources against progress made, making adjustments between programs to meet exceptionally important new or changed national policies and goals; and integrate and coordinate the efforts of others in the agency at the GS-14 and lower levels who are giving technical leadership to a research grants area. GS-15 scientists commonly serve as team leaders or program directors with 1-3 associates.

This level clearly intends a degree of program management responsibility that is not present in the appellant's position. The appellant serves as a staff expert and consultant, but there his position's similarity to these criteria ends. He does not provide program direction in terms of its goals, objectives, plans, and policies; he does not direct the preparation of technical and administrative guides; and he does not allocate resources among programs, making adjustments to achieve changed policies and goals. In terms of the overall soil survey program, these are management functions vested in the positions of the Division Director and his assistant. The appellant does not have what can be considered independent responsibility and authority over a major program segment or functional activity. For example, although he is the point of contact for the [division] on the acquisition of imagery and orthophotography specifically for use in soil survey operations, overall responsibility for agency acquisition and funding for these services, including agency representation to the interagency steering committees established for cost-sharing and technical collaboration, resides with a designated scientist in the Resource Inventory Division. Further, although the appellant has had varying degrees of involvement in the national soil survey digitizing initiative since its inception in 1995, there is a recently-appointed national digitizing coordinator, duty-stationed at the State office in Morgantown, West Virginia, who coordinates, expedites, and monitors the accomplishment of digitizing efforts for the soil survey program. Although the appellant may work with that individual in developing funding criteria and preparing initial State allocation recommendations, and is responsible for maintaining accurate maps of digitizing project status, his role falls short of the management authority that would be expected at GS-15. Unlike scientists at this level, his position is not structured as that of a team leader or program director, nor does he coordinate the efforts of other scientists in the agency in the sense intended by the standard. Rather, his position provides staff support and technical expertise contributing toward the program management activities of the Division, but he does not have independent authority to determine policy and allocate resources within the parameters of his own functional responsibilities without the review and approval of others.

Level of Responsibility

This factor reflects the nature and extent of guidelines available; supervisory control exercised over the position; nature and extent of personal contacts; and responsibility for program development.

At the GS-14 level, scientists are responsible for providing an integrated and responsive agency effort for a research program or area, receiving little or no technical guidance or direction from superiors other than that provided by agency policies, practices, and funding levels. They establish criteria and standards for others to follow in planning, reviewing, and evaluating research projects. Supervisory control is primarily administrative and concerns such matters as approval for overall funding levels and priorities assigned to research efforts, initiating new programs, organizing symposia, and changing objectives of research efforts which have an important impact on major programs.

At the GS-15 level, scientists play a major role in the formulation of agencywide program objectives, plans, policies, and criteria. They formulate the posture of the agency for the support of research in broad and important areas of national interest. They advise the highest levels of agency management in major areas of importance in overall policy and program direction and serve as spokesmen for the agency in this regard with the scientific community. Supervision is nominal, with work reviewed only in terms of the fulfillment of broad program objectives and national goals, the effect of advice and influence in managing and achieving a quality research program, and the contribution to the advancement of research in a broad field to meet exceptionally important new and changing national interests.

The appellant's position more closely matches the GS-14 level criteria described above, in that he receives minimal technical direction with supervision consisting primarily of guidance related to overall funds available and broad priorities related to soil survey operations (e.g., tribal lands, designated Congressional districts, etc.) In contrast, GS-15 level of responsibility is predicated on the same programmatic authority discussed at that level under Assignment Characteristics above, in its reference to formulating the posture of the agency and providing overall policy and program direction. Although supervision over the appellant's position is general in nature, it cannot be characterized as nominal, i.e., only in terms of the fulfillment of broad program objectives, since he is not held accountable for the success of the overall program but rather for the effectiveness of his assigned functional responsibilities. He provides technical advice and recommendations to higher levels of program management (i.e., within the Division), but responsibility for advising the highest levels of agency management on program direction and policy, and for authoritatively representing these to the broader scientific community, is clearly vested in the positions of Division Director and, by extension, his assistant.

Summary

Since the appellant's position is best evaluated at the GS-14 level with respect to both classification factors, it must be graded at GS-14 overall.

Decision

The appealed position is properly classified as Soil Scientist, GS-470-14.