

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



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

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

**Appellant:** [Appellant's name]

**Agency classification:** Supervisory Civil Engineering Technician  
GS-802-11

**Organization:** [the appellant's installation]  
Forest Service  
U.S. Department of Agriculture  
[the installation's city and state]

**OPM decision:** Supervisory Civil Engineering Technician  
GS-802-11

**OPM decision number:** C-0802-11-04

Signed by Al Herrera  
Al Herrera  
Acting Classification Appeals Officer

September 23, 1998  
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:**

[the appellant's name and address]

Personnel Officer  
[Appellant's servicing personnel office]  
U.S. Department of Agriculture  
[Address of servicing personnel office]

Director, Office of Human Resources  
Management  
U.S. Department of Agriculture  
J.L. Whitten Building, Room 316W  
1400 Independence Avenue, SW.  
Washington, DC 20250

## **Introduction**

On December 1, 1997, the San Francisco Oversight Division of the U.S. Office of Personnel Management (OPM) received a classification appeal from {the appellant}. His position is currently classified as Supervisory Engineering Technician, GS-802-11. However, he believes the grade level of his position should be GS-12. He works in the [appellant's organization], Forest Service, U.S. Department of Agriculture, [city and state of appellant's organization]. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

## **General issues**

The appellant provides information regarding the high quality of his work, including various awards and special recognition that he has received. However, quality of work cannot be considered in determining the grade of a position (*The Classifier's Handbook*, chapter 5). In reaching our classification decision, we have carefully reviewed all information furnished by the appellant and his agency, including his official position description (PD) [appellant's PD number].

## **Position information**

The appellant's position is located in [appellant's organization] (the Forest). He performs a combination of supervisory and nonsupervisory duties. The appellant supervises four civil engineering technicians, three engineering equipment operators, and a support position. He is responsible for the direction and coordination of the completion of construction, reconstruction, and road maintenance projects and other assigned improvements, such as trails, on four ranger districts and a national recreation area. The appellant plans, coordinates and monitors formal contracts, force account work, and engineering contracts dealing with timber sales and road maintenance. The appellant's PD and other material of record furnish much more information about his duties and responsibilities and how they are performed.

## **Series, title, and guide determination**

We find that the appellant's position is properly covered by the Engineering Technician Series, GS-802, and the General Schedule Supervisory Guide (GSSG), titled Supervisory Engineering Technician, and graded using the GS-802 standard and the GSSG. Neither the agency nor the appellant disagrees.

## **Grade determination**

The appellant's supervisory duties and responsibilities are evaluated by applying the GSSG. The appellant's nonsupervisory duties and responsibilities are evaluated by applying the Engineering Technician Standard GS-802. The overall grade reflects the highest level of work performed.

### *General Schedule Supervisory Guide*

The GSSG is used to grade General Schedule supervisory work and related managerial responsibilities that:

- require accomplishment of work through combined technical and administrative direction of others; and
- constitute a major duty occupying at least 25 percent of the position's time; and
- meet at least the lowest level of Factor 3 in the GSSG, based on supervising Federal civilian employees, Federal military or uniformed service employees, volunteers, or other noncontractor personnel.

The appellant provides technical and administrative supervision to eight subordinate positions, and based on the information of record, spends approximately 50% of his time performing supervisory duties, and meets at least the lowest level of Factor 3 in the GSSG.

The GSSG uses six factors: Program Scope and Effect, Organizational Setting, Supervisory and Managerial Authority Exercised, Personal Contacts, Difficulty of Typical Work Directed, and Other Conditions. Under the GSSG if one level of a factor or element is exceeded, but the next higher level is not met, the lower level must be credited. The appellant did not contest his agency's application of the GSSG.

#### *Factor 1, Program Scope and Effect*

This factor contains two elements: Scope and Effect. We discuss each below.

##### *Scope*

The appellant's position fully meets Level 1-2. At Level 1-2 the program segment or work directed is administrative, technical, complex clerical, or comparable in nature. In addition, the functions, activities, or services provided have limited geographic coverage and support most of the activities comprising a typical agency field office, an area office, a small to medium military installation, or comparable activities within agency program segments. Similarly, the appellant directs technical engineering work. This technical work is for roads of the [appellant's organization], which is comparable in geographic coverage to the illustration given in the GSSG at Level 1-2 of a typical national park.

Level 1-3 criteria are not met. Factor level 1-3 involves directing 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, technical, or professional services directly affecting a large or complex multimission military installation also falls at this level.

While the appellant directs technical work, the geographical coverage of four ranger districts and a national recreational area are not equivalent to that described for Level 1-3 in the guide.

Since the scope of work directed by the appellant does not meet Level 1-3, it is evaluated at Level 1-2.

### *Effect*

The appellant's position meets Level 1-2 criteria. As expected at Level 1-2, the appellant's unit provides technical engineering support which significantly affects the operations of the [appellant's organization].

Level 1-3 criteria are not met. At Level 1-3 the work directly and significantly impacts a wide range of agency (i.e., Department of Agriculture) activities, the work of other agencies, or the operations of outside interests, or the general public. The appellant's subordinate organization provides service primarily to the [the appellant's organization] and a national recreation area. While the roads on which the appellant's unit works are used by the general public, the work is done primarily for the Forest Service and directly affects the employees and managers of the [appellant's organization].

Level 1-3 may also be met by providing administrative services to a large complex multimission organization. However, the [appellant's organization] is not equivalent to a large or complex multimission organization as this term is defined in the GSSG.

With both Scope and Effect evaluated at Level 1-2, Factor 1 is evaluated at Level 1-2 overall and 350 points are credited.

### *Factor 2, Organizational Setting*

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

The appellant's position is properly evaluated at Level 2-1. At Level 2-1 the position is accountable to a position that is two or more levels below the first SES, flag or general officer, equivalent or higher position in the direct supervisory chain. Similarly, the appellant's position is more than two levels below the first SES position in the direct supervisory chain.

The appellant's position does not meet the criterion for Level 2-2. At Factor level 2-2 the position is accountable to a position that is one reporting level below the first SES, flag or general officer, or equivalent or higher level position in the direct supervisory chain. As stated above, the appellant's position is more than two levels below the first SES position in the direct supervisory chain.

Factor 2 is evaluated at Level 2-1 and 100 points are credited.

### *Factor 3, Supervisory and Managerial Authority Exercised*

This factor covers the delegated supervisory and managerial authorities which are exercised on a recurring basis.

This position meets Level 3-2c. At Level 3-2c, supervisors must carry out at least three of the first four, and a total of six or more of the ten authorities and responsibilities listed. The appellant's PD indicates that he plans work to be accomplished by subordinates, sets and adjusts short-term priorities, and prepares schedules for completion of work; assigns work to subordinates based on priorities, selective consideration of the difficulty and requirements of assignments, and the capabilities of employees; evaluates work performance of subordinates; and provides guidance and assistance to subordinate engineers. These are responsibilities 1, 2, and 3. In addition, the record shows that the appellant provides guidance and assistance to subordinate technicians; effects minor disciplinary measures, such as verbal warnings and cautions; and participates in the Work Environment Continuous Improvement Process. These are responsibilities 4, 7, and 9. Thus, the appellant carries out three of the first four, and at least six of the ten responsibilities listed.

The appellant's position does not meet the criteria for Level 3-3. To meet Level 3-3, the supervisor must exercise delegated managerial authority to set a series of annual, multi-year, or similar types of long-range work. While the appellant is a member of the Engineering Leadership Team in formulation of road project programs and plans for the Forest, he does not regularly exercise delegated managerial authority to set a series of *annual*, multi-year, or similar types of long-range work. In addition, positions at Level 3-3 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). The appellant on the other hand works closely with staff at the field level.

The second way that Level 3-3 can be met is by exercising all or nearly all of the delegated supervisory authorities and responsibilities described at Level 3-2c of the GSSG and, in addition, at least eight of 15 functions listed. The appellant does not meet all or nearly all of the delegated supervisory authorities and responsibilities described at Level 3-2c. Rather, as shown above and as stated in his PD, the appellant exercises the minimum supervisory and managerial authorities and responsibilities.

Factor 3 is evaluated at Level 3-2 and 450 points are credited.

### *Factor 4, Personal Contacts*

This is a two part factor which assesses the nature and the purpose of personal contacts related to supervisory and managerial responsibilities.

*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 contacts must be a recurring requirement.

The nature of the appellant's contacts meets Subfactor Level 4A-2. As described at this level, the appellant has regular contact with higher ranking managers, supervisors, leaders and staff of program, administrative, and other work units and activities throughout the Forest. His contacts also include the general public, timber purchasers, and contractors. As described at this level, his contacts may be informal, occur in conferences and meetings, or take place through telephone contact, and sometimes require nonroutine or special preparation.

The nature of the appellant's contacts does not meet Subfactor 4A-3. The appellant's frequent contacts are not generally with high ranking military or civilian managers, supervisors, leaders and technical staff at the bureau level (Forest Service headquarters), as described at this level. Nor does the appellant frequently have contact with congressional committee and subcommittee staff assistants below staff director or chief counsel levels, versus case workers, or others equivalent to those described at this level.

Subfactor 4-A is evaluated at 4A-2 and credited with 50 points.

*Subfactor 4-B — Purpose of Contacts*

This subfactor covers the purpose of the personal contacts credited in Subfactor 4B.

The purpose of the appellant's contacts meets Subfactor Level 4B-2. At this level, the purpose of contacts is to ensure that information provided to outside parties is accurate and consistent; to plan and coordinate the work directed with that of others outside the subordinate organization; and/or to resolve differences of opinion among managers, supervisors, leaders, employees, contractors or others. Similarly, the main purpose of the appellant's contacts is to plan and coordinate the work of the unit, inspect contracted work, administer cooperative agreements, and to resolve conflicts regarding priorities, standards of completed work, and level of road maintenance.

The purpose of the appellant's contacts does not fully meet Subfactor Level 4B-3. The appellant's contacts are generally not to justify, defend, or negotiate in representing the [appellant's organization] in obtaining or committing resources, and in gaining compliance with established policies, regulations, or contracts.

Subfactor 4-B is evaluated at 4B-2 and credited with 75 points.

*Factor 5, Difficulty of Typical Work Directed*

This factor considers the highest grade which best characterizes the nature of the basic (mission oriented) nonsupervisory work performed or overseen by the organization directed and constitutes 25 percent or more of the workload (not positions or employees) of the organization.

The appellant supervises four nonsupervisory civil engineering technicians, GS-9, three engineering equipment operators, WG-10, and one support position. For purposes of this evaluation, we accept the agency's classification of the positions supervised by the appellant. GS-9 best characterizes the nature of the basic nonsupervisory work performed by the appellant's branch, and the record indicates GS-9 constitutes at least 25 percent of the branch's workload. Thus, GS-9 is the level of base work directed by the appellant and meets level 5-5.

Factor 5 is evaluated at Level 5-5 and credited with 650 points.

*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.

As required at Level 6-3, the appellant's supervision and oversight requires coordination of civil engineering technician work at the GS-9 level. The appellant's work does not meet Level 6-4. Level 6-4 requires coordination of work comparable in difficulty to the GS-11 level, or the direction of subordinate supervisors and/or contractors who each direct substantial workloads comparable to the GS-9 or 10 level. The appellant is a first line supervisor and does not direct the work of subordinate supervisors or contractors.

The GSSG instructs that credit for "Special Situations" may be given for positions meeting levels 6-1 through 6-3. If a position meets three or more of the special situations cited in the standard, a single level is added for this factor. We find that the appellant's position does not fully meet any of the special situations.

Factor 6 is evaluated at Level 6-3 and credited with 975 points.



*Summary of Supervisory Duties and Responsibilities*

In sum, we have evaluated the appellant's position as follows:

<b>Factor</b>	<b>Level</b>	<b>Points</b>
1. Program scope and effect	1-2	350
2. Organizational setting	2-1	100
3. Supervisory and managerial authority exercised	3-2	450
4. Personal Contacts		
4A Nature of Contacts	4A-2	50
4B Purpose of Contacts	4B-2	75
5. Difficulty of Typical Work Directed	5-5	650
6. Other Conditions	6-3	975
Total Points:		2,650

The 2,650 total points fall within the GS-11 range (2,355 - 2,750) of the point-to-grade conversion chart of the GSSG and the appellant's position is properly evaluated at GS-11 for supervisory work.

*Engineering Technician Standard*

The Engineering Technician, GS-802 standard, is used to evaluate the appellant's nonsupervisory work. This standard defines grade levels GS-1 through 9 and 11 using two factors: Nature of assignment and Level of responsibility. The appellant believes both of these factors should be evaluated at the GS-12 level. To be evaluated above a described grade level, duties and responsibilities would need to clearly exceed the described level. The GS-802 standard states "because positions at GS-10 level were found to be highly individualized, it was not practical to develop standard criteria for positions at this level. Accordingly, positions should be evaluated by comparison with the criteria for GS-9 and GS-11." Our evaluation of the appellant's nonsupervisory duties and responsibilities with respect to these factors and his desired GS-12 level follows.

*Nature of assignment*

The highest level of Nature of assignment described in the engineering technician standard is GS-11. As described in the standard, GS-11 technicians perform work of broad scope and complexity that requires application of (1) demonstrated ability to interpret, select, adapt, and apply many guidelines, precedents, and engineering principles and practices which relate to the area of specialization; and (2) some knowledge of related scientific and engineering fields. To provide further information, the standard provides three illustrative assignments of work of the broad scope and complexity envisioned at the GS-11 level:

- The first illustrative assignment describes developing cost estimates for competitive bidding for a variety of multiple-use construction projects. This includes determining (a) construction operations and methods involved and the time required to complete each phase or feature, (b) various types and capacities of construction equipment required and cost of operation and maintenance, (c) material types and quantities, and (d) overhead, tax, and other costs. While the appellant's PD indicates he prepares project budget proposals for future years and project work plans, the projects are normally narrower in scope and complexity than multiple-use construction projects. The budget estimates prepared by the appellant are primarily for the pre-construction, construction, and maintenance of roads. While the roads may be intended for various purposes, such as for lumber trucks, high clearance vehicles, or passenger cars, they generally are not comparable to a variety of multiple-use construction projects or for other projects fully equivalent in scope and complexity to those intended in this illustration.
- The second illustrative assignment envisions preparing designs and specifications for various interrelated utility systems such as heating, plumbing, air conditioning, ventilating, pumping, gas supply, and pneumatic control systems. The assignment typically involves these systems within complex or nonconventional office buildings, technical laboratories, experimental buildings, or equivalent facilities. The appellant's PD indicates that while the appellant's engineering projects may occasionally require that he improvise solutions for use *on a test basis*, the projects normally worked on are not typically complex or nonconventional in the sense intended by the standard, generally experimental in nature, or involve the design of interrelated systems to the extent depicted in this illustrative assignment. We make this determination taking into account the various considerations affecting road work decisions, such as effects on watershed and fisheries, and the need to handle high levels of rainfall (average of 100 inches a year).
- The third illustrative GS-11 level assignment given in the standard describes planning the approach and details and conducting various experimental projects to develop electrical circuitry equipment or breadboards of systems characterized by (a) performance requirements that are somewhat difficult to achieve because of combinations of conflicting characteristics such as versatility, reliability, size, ease of operation, and maintenance; or (b) required use of techniques or components in combinations or applications differing from previous usage. The appellant's typical assignments do not regularly include fully equivalent experimental projects involving complexities comparable to those described in this example. Rather, the appellant's assignments are generally conventional projects even considering such factors as terrain, soils, rainfall, visually sensitive areas, and traffic flow aspects of the forest's roads, and possible conflicting goals, such as recreation, logging, and preservation or restoration of watershed resources.

As is further described in the standard, GS-11 technicians are *typically* confronted with a *variety* of complex problems in which considerable judgment is needed to make sound engineering compromises and decisions. We acknowledge that the appellant must adapt or extend standard or traditional techniques and, on occasion, improvise solutions for use *on a test basis*, as is noted in his PD.

However, as discussed in the preceding paragraphs, we find that his typical assignments have less scope and complexity than intended at GS-11 and so fall short of that level.

In his appeal the appellant indicates that, as described at the GS-11 level, his knowledge of related engineering or scientific fields in providing guidance and assistance to subordinate engineers is a very large portion of his job. However, information in the record, including his PD, indicates this occupies about ten percent of his work time, less than the twenty-five percent needed to be considered a significant portion of his position for classification purposes.

As noted above, at the GS-11 level, the technician performs work of broad scope and complexity that requires the interpretation and application of a large body of varied guidelines and precedents, and some knowledge of related engineering or scientific fields, i.e., hydrology. We do not find that the appellant's work is of comparable scope and complexity. Along these lines, the appellant notes that there are no guidelines or precedents for areas of his work, and that where guidelines or precedents might be available they may not always be specific to the project. For example, he states that there are no manuals or precedents for various practices in stabilizing or decommissioning roads, such as removing culverts, water barring, and deep patching. The complexity of his projects may also be affected by high levels of rainfall, load conditions (timber trucks), slopes, and soil conditions, where established specifications, practices, and precedents may not always be available. He also mentions assisting in coming up with a method for conducting road assessments as part of watershed analysis. He believes that he is required to use ingenuity and creative thinking in devising new ways of accomplishing objectives and in adapting new ways to accomplish objectives and in adapting existing equipment or current techniques to new uses, as described at the GS-11 level.

It is our assessment that the nature of the appellant's typical projects does not meet the GS-11 level and does not provide the opportunity to apply the extent of ingenuity and creative thinking that is envisioned in the standard. The lack of available guidelines, or guidelines not being directly specific or applicable to each project or phase of a project, does not mean assignments or projects are therefore equivalent to the GS-11 level. Positions supportable at these and lower levels would have assignments that do not have directly applicable guidelines. It is the scope and complexity of the assignments that are key. In making our assessment, we have considered that the appellant needs to coordinate with other interested parties, such as district rangers, in accomplishing his work as is described at the GS-11 level, and that he has forest-wide versus district level responsibility.

We have determined that the appellant's position does not meet the GS-11 level for Nature of assignment. The appellant's agency has evaluated this factor at GS-10 based on their finding that the appellant's work meets the GS-11 criteria of broad scope (forest-wide versus district-wide), exceeds GS-9 in the need to coordinate with other interested parties, but falls short of the GS-11 level in complexity and the related need for interpretation of a large body of varied guidelines and precedents, and in the ingenuity and creative thinking in devising new ways to accomplish objectives and in adapting existing equipment or current techniques. For purposes of this evaluation, we accept the agency's evaluation of this factor at GS-10. However, as noted in our further discussion, assessment

of this factor at either GS-10 or GS-9 does not affect our determination of the overall grade of the appellant's position.

#### *Level of responsibility*

The highest Level of responsibility described in the engineering technician standard is GS-11. We do not find that the appellant's responsibilities fully meet GS-11 criteria. We do note that the appellant's level of responsibility does have some similarities to GS-11 criteria in that he has considerable freedom in planning and carrying out the work, and there is little supervisory review during the progress of projects. However, careful reading of the engineering technician standard and other OPM guidelines indicates that for a person's level of responsibility to truly meet GS-11 criteria, those responsibilities should be exercised within the context of GS-11 level assignments. In discussing the first classification factor of this standard, Nature of assignments, we have found that the appellant's assignments do not meet the GS-11 level.

#### *Summary of the Engineering Technician Standard*

In sum, we find the appellant's nonsupervisory work is not at the GS-12 level and falls short of meeting the GS-11 criteria for both Nature of assignment and Level of responsibility.

#### **Decision**

The GSSG instructs us that the overall grade of a supervisory position reflects the highest level of work performed. We have found that the appellant's supervisory work meets the GS-11 level and is the highest graded work he performs. Therefore, the appellant's overall grade reflects the higher level of the supervisory work performed and is graded GS-11.

The appellant's position is properly classified as Supervisory Engineering Technician, GS-802-11.