

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



Philadelphia Oversight Division
600 Arch Street, Room 3400
Philadelphia, PA 19106-1596

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

Appellant: [appellant's name]

Agency classification: Public Affairs Specialist
GS-1035-11

Organization: Community Involvement Office
Installation Restoration Program Branch
Environmental Division
Air National Guard Readiness Center
[location]
Air National Guard (ANG)
U.S. Department of the Air Force
[name] ANG Base, [state]

OPM decision: Public Affairs Specialist
GS-1035-11

OPM decision number: C-1035-11-01

Robert D. Hendler
Classification Appeals Officer

/s/ 10/1/98

Date

As provided in section 511.612 of title 5, Code of Federal Regulations (CFR), 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:

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Introduction

On June 18, 1998, the Philadelphia Oversight Division of the U.S. Office of Personnel Management (OPM) accepted a classification appeal from [appellant's name]. His position is classified currently as Public Affairs Specialist, GS-1035-11, Position Description (PD) #30279. The appellant, however, believes the classification should be Public Affairs Specialist, GS-1035-12. The position is in the Community Involvement Office, Installation Restoration Program Branch, Environmental Division, Air National Guard Readiness Center, [location], Air National Guard (ANG), U.S. Department of the Air Force, [name] ANG Base, [state]. We have accepted and decided his appeal under section 5112 of title 5, United States Code (U.S.C.).

General issues

The appellant believes that his position should be credited at Level 3-4, resulting in reclassification to the GS-12 grade level. He provided a list of "activities unique to the site, never before used" to prove his claim that he uses "new and innovative communication approaches" and has "developed new ways to communicate with the public." Further, he claimed:

The guidelines I have to work with are rarely adequate for solving the complex and unusual community involvement problems that are encountered at this site. I must rely upon my ingenuity and seasoned judgment to develop new methods and instantly respond to the issues facing me on a daily basis. This work is environmental community involvement and very little guidance exists in this emerging field. I find that I must develop innovative approaches and new communications techniques to address these unique situations and issues.

He stated:

I am allowed to operate on my own issues within my public affairs function, using general Air Force and Air National Guard guidelines, but I mostly rely on my own ingenuity and judgement. I consult with the appropriate management officials as I determine the need, to receive additional guidance. Although I stated that [name] [Community Involvement Leader] has "total control over the Community Involvement program," that was intended to reflect overall "management" control. [name] has assigned specific areas for each specialist to have responsibility over. I have been given the most controversial areas, including: Contaminated private drinking water wells, handling all complaints associated with the private well testing program and also serving as manager of that program that involves over 400 residences; connections to town water; contaminated crops; studies of recreational ponds which groundwater pollution threatens; etc. To infer that I do not have latitude to deviate from standard approaches on these types of issues is totally incorrect. In fact, I am sought to give direction and provide leadership on these and other issues.

The appellant also is concerned about comments he heard regarding the attitude of the ANG personnelist who audited his position. He provided copies of memoranda from his supervisor of

record, and the Community Involvement Leader, concerning the internal agency classification review process.

These submissions have raised procedural issues warranting clarification. All positions subject to the Classification Law contained in title 5, U.S.C. must be classified in conformance with published position classification standards (PCS's) of OPM or, if there are no directly applicable PCS's, consistently with PCS's for related kinds of work. The classification appeal process is a de novo review that includes a determination as to the duties and responsibilities assigned to the appellant's position and performed by the appellant, and constitutes the proper application of PCS's to those duties and responsibilities. Therefore, the appellant's perceptions regarding the fact-finding methods used by his employing agency in reaching its decision on the classification of his position is moot.

The application of OPM PCS's must be accomplished within the confines of the position classification theories, principles, and practices established by OPM. The Introduction to the Position Classification Standards (Introduction) states that:

Some positions involve performing different kinds and levels of work which, when separately evaluated in terms of duties, responsibilities, and qualifications required, are at different grade levels. . . .

In most instances, the highest level of work assigned to and performed by the employee for the majority of time [emphasis added] is grade-determining. When the highest level of work is a smaller portion of the job, it may be grade controlling only if:

- The work is officially assigned to the position on a regular and recurring basis;
- It is a significant and substantial part of the overall position (i.e., occupying at least 25 percent of the employee's time); and
- The higher level of knowledge and skills needed to perform the work would be required in recruiting for the position if it became vacant.

Our analysis of the position is based in large part on the information provided during a telephone audit with the appellant on August 27, 1998; a telephone interview with his supervisor of record, [name] (identified in the record variously as Supervisory General Engineer [Chief, Otis ANG/CEVO], Remedial Programs Manager, and Senior Environmental Engineer) on August 31, 1998; a telephone interview on September 11, 1998, with [name], Community Involvement Leader, AFCEE/MMR who manages the Community Involvement Office; telephone interviews on August 21 and September 22,

1998, with [name], Community Involvement Leader, U.S. Environmental Protection Agency (EPA), Region [number]; telephone interviews on September 16, 1998, with [name], Deputy for Community Based Programs, U.S. Department of Air Force, and [name], Director of Constituent Outreach on the staff of U.S. Senator [name]; telephone interviews on September 17, 1998, with [name], AFCEE Restoration Programs Manager (RPM) and [name], [activity name] on the staff of State Senator [name]; telephone interviews on September 18, 1998, with [name], Regional Representative for Congressman [name]; telephone interviews on September 22, 1998, with State Representative [name] and his Staff Director, [name]; a telephone interview on September 28, 1998, with [name], [State] Department of Environmental Protection, and our independent review and analysis of the entire appeal record. Our audit with the appellant and our interview with his supervisor confirmed that the PD of record contains the major duties and responsibilities performed by the appellant and is now incorporated by reference into this decision. We also find the proposed PD submitted by the appellant is not accurate regarding Factor 3 as discussed in this decision.

Position information

The ANG position occupied by the appellant is in a matrix management environment. Agency organizational information shows the appellant and his supervisor of record work in the [activity name] installation restoration program (IRP) under a memorandum of understanding (MOU) between the Air Force Center for Environmental Excellence (AFCEE) and the National Guard Readiness Center. The U.S. Department of Air Force became a signatory to the “federal facility agreement (FFA) between the USEPA [Environmental Protection Agency] Region [number], the National Guard Bureau (NGB) and the U.S. Coast Guard (USCG)” and designated itself to substitute for the ANG as the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) lead agent for [activity name]. AFCEE has “primary responsibility for all matters relating to the [activity name] IRP” and will function as “[activity name] Remediation Program Manager.” Under the MOU, the ANG Readiness Center (ANGRC) at [activity name]:

will subordinate its [activity name] IRP personnel to the operational authority of the AFCEE RPM. ANGRC will retain administrative authority over its IRP staff but will consider input from the AFCEE RPM in the performance appraisals of its staff. If the AFCEE RPM’s input is not incorporated, ANGRC will provide a written report to AFCEE as to the reasons why.

The appellant’s description of initiatives from 1993 through 1995 included: (1) being instrumental in adopting Air Force total quality management techniques for the community involvement program with the project manager by forming four citizen teams that continue to function, providing training, establishing charters, taskings, goals, agendas, and leadership; (2) initiating and creating a site mailing list of all area homeowner groups to begin informing them of ongoing cleanup efforts; (3) initiating and producing an “Environmental Update” newsletter sent to the site mailing list six times a year; (4) using knowledge gained from risk communication classes to improve contractor and program staff verbal and non-verbal communications skills by videotaping presentations and giving classroom instruction; (5) arranging appearances on local cable television talk shows to provide updates on the

cleanup work; and, (6) arranging two meetings with local real estate agents to address their needs in selling properties near a hazardous waste area. Other initiatives included: (1) creating a public meeting hotline that lists upcoming meetings, and an activities update line with information on the cleanup program that the public can call to receive updated information; (2) beginning participation with local schools for National Science Week, working with the technical staff to match them to area schools to visit and speak on the cleanup; (3) teaching two seminars on environmental risk communication for environmental engineering students at the [university name] Institute of Technology; (4) starting participation in an environmental day for 600 employees of [name] ANG Base that included presentations and site tours to inform the on-base workforce; (5) initiating program participation at base open houses starting in 1995; (6) beginning and conducting a Saturday morning open house for the contaminated ground water pump and treatment plant on the base allowing people to come who normally had to work during the week, which became an integral part of the community outreach program; (7) starting an open house for the IRP office; (8) beginning internship programs with the [university name], [name] Community College, the [name] Maritime Academy and Southeastern [name] University, including sponsoring a total of five interns to date; and, (9) starting in-studio interviews to conduct 30- and 60-minute stories on the cleanup.

From 1996 through the filing of this appeal, initiatives included: (1) conducting two recent public meetings held in a park by pitching a tent for residents to come and meet about work planned in the area because of the lack of attendance at recent public meetings, extending this successful technique to other communities; (2) creating a distribution list for and sending all notices and news releases to local, State, and Federal elected officials to increase their program awareness; (3) arranging for program participation at a two-day environmental symposium at the [name] Maritime Academy resulting in annual displays and lectures by IRP staff; (4) arranging for and presenting risk communications seminars at the [name] Maritime Academy for environmental engineering students; (5) arranging for and conducting quarterly seminars at the [name] Bay Reserve that sponsors an environmental curriculum for area residents; (6) starting the procedures of hand delivering neighborhood notices to area residents whenever an urgent matter affects the community, and hand-delivering notices to residents to alert residents before work commences; and, (7) writing the 1991, 1993 and 1996 Community Involvement Plans, the last of which remains the basis for all interactions with the community.

Other initiatives since 1996 included: (1) starting editorial boards with area newspapers to discuss program coverage and ways to improve understanding of the program in the community; (2) initiating the faxing of news articles about the cleanup more than 30 “key government officials in Air Force, DoD, and the regulatory agencies” to keep them informed “as news is reported daily on the status of the site”; (3) adding off-base locations to conducted tours to give people an idea of where and how base contamination problems affect off-base communities; (4) starting contacts with area homeowner and grassroots organizations to help spread the word about planned public meetings through their “telephone trees” and newsletters; (5) beginning meetings with Falmouth officials to resolve issues related to AFCEE-funded town water connections, using them to foster a better understanding of community concerns and the best way to address those concerns; (6) initiating the creation of an information board to be posted at a cranberry bog where groundwater contamination caused by the

base enters the bog that is used by residents and visitors for walking; and, (7) developing plans for an informational meeting and open house at a cranberry bog where a groundwater extraction well was installed to remove and treat contaminated water, and to discuss plans for additional work in the bog area.

This list of work examples raises another classification issue requiring clarification. The Introduction provides that "As a rule, a position is classified on the basis of the duties actually performed." Additionally, 5 CFR 511.607(a)(1), in discussing PD accuracy issues, provides that OPM will decide classification appeals based on the actual duties and responsibilities assigned by management **and** performed by the employee. Established OPM guidance requires that a representative work cycle be determined for establishing what work is characteristic of the work of a position for grading. Many lower graded positions handle a full work cycle within a period of weeks or months, e.g., processing travel claims or payroll. Many higher graded positions operate in an annual work cycle, e.g., annual budget cycle development, including updating previous year and out-year budget plans. OPM has found that in some cases, e.g., long-term criminal investigations, work cycles beyond one year are appropriate. The point here is that a work cycle of five years (1993-1998) cannot be considered the appealed position's current duties and responsibilities. While the earlier work projects provide useful historical background in the adjudication of this case, we must focus on the more recent work performed by the appellant constituting the current work cycle within the meaning of the position classification process; i.e., within the past 12 to 18 months.

Series, title, and guide determination

The agency determined the appellant's position is covered by the Public Affairs Series, GS-1035, is titled Public Affairs, and is graded using the Public Affairs Specialist, GS-1035 PCS with which the appellant has not disagreed. We concur that the GS-1035 PCS covers the preponderance of the appellant's work. Aspects of the appellant's program support duties, e.g., managing the private well testing program, are covered by the Environmental Protection Assistant Series, GS-029 PCS.

Grade determination

The published Public Affairs Series, GS-1035 PCS is written in Factor Evaluation System (FES) format. Positions graded under the FES format are compared to nine factors. Levels are assigned for each factor and the points associated with the assigned levels are totaled and converted to a grade level by application of the Grade Conversion Table contained in the PCS. Under the FES, factor level descriptions mark the lower end, i.e., the floor, of the ranges for the indicated factor level. If a position fails in any significant aspect to meet a particular level in the standard, the next lower level and its lower point value must be assigned unless the deficiency is balanced by an equally important aspect that meets a higher level.

The appellant disagrees with the evaluation of Factor 3, Guidelines, and agrees with his agency's crediting of Levels 1-7, 2-4, 4-4, 5-4, 6-4, 7-3, 8-1 and 9-1. We reviewed carefully the levels assigned to the other factors by the agency and the accompanying rationale with which the appellant

has not taken issue. We found these determinations to be appropriate for Factors 1, 2, 4, 5, 7, 8, and 9 and have so credited the position. Accordingly, our appeal analysis focuses on the evaluation of the remaining factors.

Factor 3, Guidelines

This factor covers the nature of guidelines and the judgment needed to apply them. Guides used in the Public Affairs Series include, for example: standard communication methods, practices and techniques, established agency policies and procedures, previously completed work and reference materials such as style manuals, publications or public affairs handbooks, standard texts on communication, and directories of print and broadcast media outlets. As discussed in the PCS, positions vary in the specificity, applicability and availability of the guidelines for performance of assignments. Consequently, the constraints and judgmental demands placed upon specialists vary. For example, the existence of specific procedures and policies may limit the opportunity of the public affairs specialist in making or recommending decisions or actions. However, in the absence of procedures or precedents or under broadly stated objectives, public affairs specialists may use considerable judgment developing new approaches in communicating agency programs to various publics. Guidelines are not to be confused with the knowledge described under Factor 1, Knowledge Required by the Position.

At Level 3-3 (275 points), guidelines including operating instructions, public affairs manuals, agency or local policies and regulations, and standard agency public affairs practices and precedents are readily available and generally applicable to situations encountered, although some gaps exist in specific areas. For routine work situations, the public affairs specialist independently selects, interprets and applies the guides, modifying and adapting them to suit specific situations not directly covered by the guidelines. In addition, the specialist is beginning to interpret and apply guidelines and precedents in some unusual situations without assistance from others.

In contrast, guidelines at Level 3-4 (450 points) are agency policy statements or broad precedents and are applicable in establishing a general program direction or setting a tone but not totally sufficient for dealing specifically with the more complex, intricate or unusual situations, issues or problems encountered on a recurring basis. The specialist is required to deviate from standard approaches in developing new ways to communicate the agency's message on controversial and sensitive issues where public reaction has been negative or indifferent and understanding by agency publics of information programs is essential to success of agency mission. As stated in the FES Primary Standard, guidelines for performing the work at Level 3-4 are scarce and of limited use. Work requires deviating from traditional methods or researching trends and patterns to develop new methods, criteria, or proposed new policies.

The appellant claims that the work examples discussed above support evaluation at Level 3-4 because they show “activities unique to the site, never before used,” that he uses “new and innovative communication approaches” and has “developed new ways to communicate with the public.” Deviating from standard approaches and developing new methods at Level 3-4 does not mean using

established methods and techniques for the first time in a local situation. Level 3-4 contemplates substantially deviating from, or significantly changing and extending established approaches and methods in the occupation. The examples provided by the appellant do not show that he operates with the dearth of guidelines envisioned at Level 3-4. The January 1992 EPA Community Relations in Superfund: A Handbook states:

Since publication of the September, 1983, interim version, community relations efforts have increasingly become standard for EPA and State agencies responsible for Superfund actions. Regional and State staff conducting effective community relations efforts are growing in number, and necessary resources are increasingly available. The primary emphasis of this revised handbook, therefore, is on practical guidance for planning and implementing community relations activities, with secondary emphasis on the rationale for such activities.

This Handbook is supplemented by EPA guidance on contract management for community relations, as well as by EPA policy and guidance on community relations during particular phases of Superfund response actions. . . .

EPA recognizes that Federal agencies may have their own community relations programs and guidance. However, CERCLA §120(a)(2) states that EPA rules, guidelines, regulations, and criteria are applicable to Federal agencies and that Federal agencies may not adopt or utilize any guidelines, rules, regulations, or criteria that are inconsistent with those established by the EPA Administrator under CERCLA. This Handbook provides Federal agencies with guidance to more closely coordinate the planning and implementation of their community relations programs with CERCLA, the NCP, and EPA policies.

Appendix A of the Handbook describes community relations and techniques, including their purpose, when they should be used, their benefits, limitations, other activities that can be conducted with other activities, and techniques for conducting each activity. These methods include community interviews, door-to-door canvassing, fact sheets, exhibits, open house/availability sessions, news conferences, new releases, public meetings, public notices, site tours, telephone hotlines, briefings, and small group meeting. Appendix F contains published references on topics such as risk communication, and EPA superfund community relations policies and methods. Appendix H contains EPA community relations directives. These include training the technical staff in community relations, encouraging management involvement in community relations, using various techniques to maintain regular communications with the community, how to conduct community interviews and the proper role of contractor employees in those interviews, making information repositories user-friendly, and using State and local officials in the information distribution and community relations process. Other appendices include a suggested format for and sample of a community relations plan, suggested format for and sample of a proposed plan, a suggested format for and sample of a responsiveness summary, and sample program fact sheets.

EPA Office of Solid Waste and Emergency Response (OSWER) Directive #9230.0-20 of November 30, 1990, described innovative methods to increase public involvement as including how to effectively use citizen work groups, how effectively to conduct citizen superfund workshops, the benefits of increasing the number of citizen interviews, and how to effectively use open house/availability sessions. U.S. Department of Defense (DoD) and the U.S. Department of Air Force published regulations provide additional technical and program policy and guidelines on community involvement and public communications. Air Force Instruction 35-202, dated July 25, 1994, Public Affairs, Environmental Community Involvement, defines public affairs requirements for the various IRP phases, including IRP community relations plan preparation, and refers users to OSWER Directive #9230.0-3B, Community Relations in Superfund: A Handbook. Restoration Advisory Board (RAB) Implementation Guidelines were issued by DoD and EPA September 27, 1994, expanding DoD's Technical Review Committee (TRC) concept, also citing DoD policies on community involvement in "Management Guidance for Execution of the FY94/95 and Development of the FY96 Defense Environmental Restoration Program," April 14, 1994. Additional Air Force guidance on the RAB was issued January 17, 1996, and final DoD rules on technical assistance for public participation were published on February 2, 1998. Thus, we find that most methods and techniques described by the appellant are not new and innovative within the meaning of the superfund community relations program or the GS-1035 occupation. Most of the appellant's work assignments reflect improvements in and adaptations of established occupational approaches, methods, and techniques typical of Level 3-3. As at Level 3-3, the appellant relies on seasoned judgment to adapt and apply the most effective techniques to achieve established program goals, e.g., assuring public notices are distributed to both meet regulatory requirements and community based program goals. Were the appellant's work to only require minor deviations or straightforward adaptations that neatly conformed to guidelines, a lower level of credit would apply.

Implicit in the appellant's rationale is his broad authority in running the IRP public affairs program. A February 25, 1998, memorandum signed by [Community Involvement Leader's name] and [supervisor of record's name] states:

The public affairs function of the AFCEE/MMR office is contained within the community involvement section. While the general overall approach to community involvement includes the public affairs activities, the nuances of PA [public affairs] activities is handled directly by the PA specialist. . . . The individual, [appellant's name], operates in an independent mode, responsible for making decisions and carrying out the PA function within the overall objectives developed by the IRP office. [appellant's name] has the latitude to deviate from the norm to resolve complex and unusual situations, problems, or issues without seeking approval each time from [Community Involvement Leader's name] or myself. . . . we have to rely on ourselves to be innovative to resolve because neither our previous experience nor any Federal Public Affairs guidance provide cookbook answers for every situation.

An undated cover memorandum from [name], Director, AFCEE/CC, to the February 25, 1998, memorandum states: "The [activity name] operates under extreme public and media scrutiny. We

depend solely on [appellant's name] to manage our public affairs. He is required to analyze, anticipate, and react to fast breaking events without the benefit of high level PA advice.”

In a staff summary sheet dated June 4, 1998, referring to the above two documents, Colonel [name], Director, Environmental Restoration, AFCEE, states:

The [activity name] community involvement program hinges on a quality public affairs effort. This program, as you know, has no equal in Air Force. The public affairs specialist works independently of a higher level PA authority and must be able, and does, act quickly to get the Air Force story out immediately in fast breaking events. An example occurred last week when the [Stae name] Governor made a misleading statement about the Air Force missing a milestone. A fast PA release got the Air Force story (an extension to the milestone was pending-then later received) to press the same day. . . . Efforts to upgrade the public affairs position have failed in the past due to the classification of the level of responsibility and independence of the [activity name] PA Specialist. . . . We would like to add the weight of the AFCEE Director to the ANG argument that the [activity name] PA Specialist operates at a high level of responsibility and independent, generally, of any higher PA authority.

These endorsements reflect misconceptions regarding the position classification process. First, it is an established classified principle that only the effect of properly performed work is to be considered in the position classification process. How well the appellant responds to fast breaking news in assuring the [activity nmae] position is made known relates to the quality of his performance and is covered by the performance management and awards programs. Second, the level of responsibility and independence of action are position aspects addressed under Factor 2, Supervisory Controls, that has not been contested by the appellant as discussed previously in this decision.

Third, the presence or absence of another public affairs position in the direct chain of command does not automatically affect the evaluation of the position for this factor. The GS-1035 PCS recognizes that positions in other occupations perform many duties found in most public affairs positions. Positions for which subject matter is paramount are classified to the series covering the program knowledges are the necessary qualifications, e.g., Environmental Engineering Series, GS-819. The duties and responsibilities assigned to position flow from the mission assigned to the organization in which the position is located. The positions created to perform the assigned mission must be considered in relation to one another. Therefore, the duties and responsibilities assigned to the appellant may not be considered in a vacuum. The PD occupied by [Community Involvement Leader's name] (Environmental Protection Specialist, GS-028-13, PD #80352680), certified as current and accurate by competent management authority, states:

Advises and manages implementation of plans and procedures for enhancing public understanding of the Installation Restoration Program at [activity name]. Works closely with the remediation Program Manager, public affairs, technical and legal staff to identify information needs and formulate innovative approaches and techniques for

achieving meaningful exchange of information Air Force, Air Guard, regulators and the public and developing communication strategies for meeting those needs Represents Remedial Program Manager at various formal and informal meetings. Workshops, and other public forums, as well as with the press, Congressional staff members, regulators, other government officials and public leaders. . . . Advises on IRP public participation requirements.

Our fact-finding confirmed that [Community Involvement Leader's name]'s position is tasked with program responsibility for the full range of community involvement functions, and is expected to formulate program strategies, local policies, methods, and techniques with appropriate input from the appellant. Interviews with other people knowledgeable of the program and its history revealed that a limited community involvement and public affairs program was in place before the AFCEE takeover. Those knowledgeable of the program confirmed the appellant's efforts in such areas as forming process action teams, but also stated the program was limited in public outreach efforts because of limited resources. As the only permanent community involvement employee, the appellant's program development work was limited since he had to concentrate on meeting public notice and meeting regulatory requirements. Since AFCEE assumption of program responsibility, the appellant has participated in program development initiative meetings with the RPM, and the Community Involvement Leader to overcome community involvement and public affairs program shortfalls, e.g., daily faxing of news clips, meeting agendas, program flyers and other materials to various stakeholders. Major changes in program strategy, e.g., applying the CERCLA nine decision criteria matrix to expand community involvement earlier in the cleanup process, were decided by higher level AFCEE, U.S. Department of Air Force, and DoD officials in concert with EPA and State program officials, and implemented under the direction of the Community Involvement Leader.

During our fact-finding, some sources stressed the organizational location of the appellant's position; i.e., AFCEE functions as a Headquarters, Air Force component, and the organizational location has a positive impact on the grade level worth of the appellant's work. This is incorrect for two reasons. First, it assumes that all headquarters' work meets or exceeds Level 3-4. As discussed previously in this decision, it is the work performed, and not the organizational location of the work, that controls grade level worth. Second, working on projects that may entail Level 3-4 creativity does not result in all positions engaged in the project meeting that level. For example, if the AFCEE position responsible for establishing AFCEE community involvement policy and strategy might be construed as meeting Level 3-4, the appellant's involvement in a support mode; i.e., without delegated decision making responsibility, precludes crediting that same level to the appellant's position. This is in concert with the basic classification principle that two positions may not be credited for performing the same work. As discussed above, the record shows that other positions on the staff are delegated responsibility for any community involvement and related public relations strategies that may approach or meet Level 3-4. Therefore, the position is credited properly at Level 3-3 (275 points).

Factor 6, Personal contacts

This factor includes face-to-face contacts and telephone and radio dialogue with persons not in the supervisory chain. The levels for this factor are based on what is required to make the initial contact, the difficulty in communicating with those contacted, and the setting in which the contacts take place, e.g., the degree to which the employee and those contacted recognize their relative roles and authorities. Above the lowest level, points are credited only for contacts which are essential for successful performance of the work that have a demonstrable impact on the difficulty and responsibility of the work performed.

Level 6-3 (60 points) contacts are with specialized groups or individuals from outside the employing agency where the contact is not routinely established, the purpose of each contact is different and the roles of the public affairs specialist and the other person are established during the contact. Typical of such contacts are with representatives of the news media, organized groups wanting to provide input to agency decisions, or professional or trade organizations affected by agency programs. Other contacts at this level are with employees or management officials in the same agency, but outside the immediate organization. Such contacts are moderately unstructured in that they are not established on a routine basis, the purpose and extent of each contact is different, and the role and authority of each party are identified and developed during the contact. Typical contacts at this level involve situations in which the public affairs specialist advises program managers or management officials. These consulting relationships constitute moderately unstructured situations when the issues are sensitive or controversial, the meetings are not routine, and the parties hold opposing points-of-view on a given course of action. This level typically occurs where the specialist is an in-house consultant and experiences the same difficulty in encouraging agency managers to adopt recommendations as would be found in relationships with persons outside the agency.

In contrast, Level 6-4 (110 points) contacts are with nationally or internationally known groups or individuals from outside the employing agency where the contact is not routinely or easily established. Each contact is conducted for different reasons and under different circumstances. As clarified in the Primary Standard, Level 6-4 contacts are in highly unstructured settings, e.g., contacts are characterized by problems such as, the officials may be relatively inaccessible; arrangements may have to be made for accompanying staff members; appointments may have to be made well in advance; each party may be very unclear as to the role and authority of the other; and each contact may be conducted under different ground rules. Typical of these contacts are meetings with nationally known members of the news media, national leaders of civic or trade organizations having an interest in or affected by agency policies or programs, State governors, mayors of large cities or high-level county or regional governmental officials.

As discussed previously in this decision, the work that controls the classification of a position must be regular and recurring. The contacts considered in the grade level analysis of a position, therefore, must contribute to the performance of those grade controlling duties. The PD of record states that:

contacts are with community leaders, civic groups, government representatives, and members of the print and broadcast media. Involvement with these groups is fairly unstructured especially with local groups and media representatives in that contacts vary in purpose, are not routinely established, and the extent of the problem or issue is unspecified.

The DoD Civilian Personnel Management Service classification advisory to the employing agency on this position states:

this employee also was contact with local and national news companies, high ranking Government officials, i.e., Deputy Undersecretary of Air Force [name], Deputy Undersecretary [name], Senator [name], Congressman [name], etc. Such contacts are indicative of Level 6-4 which include contacts with nationally or internationally known groups or individuals from outside the employing agency whether the contact is not routine or easily established and each is conducted for different reasons and under different circumstances.

Based on our fact-finding, we disagree for several reasons. First, contacts with most of these people are not regular and recurring within the meaning of the position classification system. Contacts with Senators [name] and [name], and with Representative [name] typically are with and through their staffs. Contacts with high ranking U.S. Department of Air Force and DoD officials have decreased significantly since the arrival of the Community Involvement Leader. Second, given the ongoing interest of these elected officials in the IRP, these elected officials and their staffs cannot be construed as relatively inaccessible; it is highly unlikely that each party may be very unclear as to the role and authority of the other; and the regularity of the contacts, e.g., program updates and responding to constituent letters, do not reflect contacts being conducted under different ground rules. The arrangements made for accompanying staff members and appointments made well in advance pertain primarily to periodic scheduled tours and program briefings. Third, while the initial contacts with these parties may have reflected aspects of the challenges present at Level 6-4, these contacts are not part of a work cycle that can be considered the current duties of the position as discussed previously in this decision. Fourth, the current contact protocol with Pentagon and other high level authorities was initially brokered by the Community Involvement Coordinator, and credit for those contacts must be given to that position. Contacts with the national media, e.g., briefing and taking representatives from National Geographic on a tour approximately 2 years ago, and conducting one or two interviews with CNN in 1995, and 3 or 4 contacts with National Public Radio over the past 20 months are not regular and recurring within the meaning of the position classification process. The picking up of these stories by other major news outlets is not because of direct contacts by the appellant and, therefore, is not creditable under this factor. In contrast, we find the appellant's contacts with local and Boston-area media, organized local groups intensely interested in the IRP, and town level elected officials on matters of continuing environmental sensitivity reflect the structure of contacts, level of sensitivity, and the setting typical of Level 6-3, and have so credited the position.

Summary

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

Factor	Level	Points
1. Knowledge required by the position	1-7	1250
2. Supervisory controls	2-4	450
3. Guidelines	3-3	275
4. Complexity	4-4	225
5. Scope and effect	5-4	225
6. Personal contacts	6-3	60
7. Purpose of contacts	7-3	120
8. Physical demands	8-1	5
9. Work environment	9-1	<u>5</u>
Total points:		2,615

A total of 2,615 points falls within the GS-11 grade level point range of 2,355-2,750 points on the Grade Conversion Table in the GS-1035 PCS.

We find the appellant's private well drinking water testing and related work are covered by the Environmental Protection Assistant Series, GS-029. This series covers technical support work connecting the operation of environmental programs, and may involve independently performing limited assignments in a prescribed segment of an environmental protection program. The work requires the ability to apply established instructions, rules, regulations, and procedures used for those environmental protection activities. Although very sensitive to community relations, and integral to the IRP effort, the well testing program operates within well-established environmental program criteria and does not require the application of the environmental knowledge of the level typical of Environmental Protection Specialist Series, GS-028. The appellant's duties require a basic understanding of these fields of knowledge, e.g., the significance of testing data and knowledge of hydrogeology and basic chemistry to describe the program and [activity name] processes to the public. However, the work does not require practical knowledge and understanding of one or more environmental sciences or related fields (e.g., biology, ecology, chemistry, hydrology, radiation physics, environmental law, real property functions, statistics) sufficient to assess and correlate environmental data, verify results, and discuss technical aspects of work with scientists, engineers, and other environmental experts found at Level 1-6, the lowest level described in the GS-028 PCS. For example, the appellant's work does not require technical decision making equivalent to making wetland determinations, or determining compliance with applicable laws and regulations when conducting site inspections of hazardous waste disposal, transport, or storage facilities. These decisions are vested in [activity name] technical staff positions. The technical management staff typically review deviations from established well sampling protocols suggested by the appellant, e.g., sampling requested by concerned residents although their wells are not close enough to a

contaminated water plume to fall within the sampling area. Given the limited technical knowledge applied in this aspect of the appellant's position, application of an appropriate classification standard to the appellant's actual GS-029 work yields a combination of factor levels resulting in a lower grade level than that produced by application of the GS-1035 PCS.

Decision

The appellant's position is classified properly as Public Affairs Specialist, GS-1035-11.