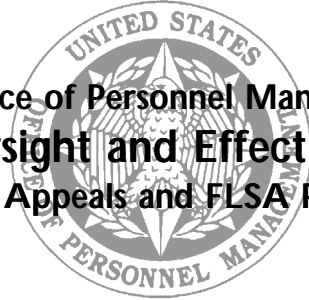


U.S. Office of Personnel Management
Office of Merit Systems Oversight and Effectiveness
Classification Appeals and FLSA Programs



Dallas Oversight Division
1100 Commerce Street, Room 4C22
Dallas, TX 75242

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

Appellant: [appellant's name]

Agency classification: Archeologist
GS-193-11

Organization: [activity]
U.S. Army Engineer District [location]
U.S. Department of the Army
[geographic location]

OPM decision: Archeologist
GS-193-11

OPM decision number: C-0193-11-01

/s/ Bonnie J. Brandon

Bonnie J. Brandon
Classification Appeals Officer

1/31/00

Date

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

Decision sent to:

[appellant's name and address]

[servicing personnel office]

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Introduction

On September 1, 1999, the Dallas Oversight Division of the U.S. Office of Personnel Management (OPM) accepted an appeal from [the appellant]. The appealed position is assigned to the [appellant's activity], U.S. Army Engineer District, [location], U.S. Department of the Army, in [city, state]. The agency has classified the position as Archeologist, GS-193-11. The appellant filed a classification appeal with the Department of Defense, Civilian Personnel Management Service (CPMS) in August 1999. CPMS determined that the position was correctly classified at GS-11. The appellant believes his position should be classified as Archeologist, GS-193-12, and has filed an appeal with this office under the provisions of section 5112 of title 5, United States Code.

To help decide this appeal, a Dallas Oversight Division representative conducted telephone interviews with the appellant and his immediate supervisor. In reaching our classification decision, we reviewed the interview findings and the information of record furnished by the appellant and his agency, including his official position description, [number], dated November 26, 1980.

In his appeal to us, the appellant indicates that his current position description is not an adequate description of his duties and responsibilities. The appellant raised similar concerns in his classification appeal to CPMS. He indicates that he has been unable to satisfactorily resolve his concerns about his position description with his employing agency. His supervisor has provided a signed statement certifying that the appellant is performing the duties outlined in his position description.

Essentially, the appellant disagrees with his position description because he believes it does not sufficiently reflect the full degree of his responsibility for overall program management. During our fact-finding, we confirmed that, although the appellant participates in program management decisions by making determinations and recommendations on a variety of issues, the overall objectives of the program are set and controlled at the headquarters level of his organization. The appellant's duties and responsibilities primarily relate to identifying and studying cultural resources affected by proposed or on-going District construction, operation, and maintenance projects. Accordingly, we find the appellant's official position description is adequate for classification purposes.

Position information

The appellant is one of nineteen employees on the [appellant's activity] staff which comprises the following other occupations: Civil Engineer, Civil Engineering Technician, Economist, Biologist, Geographer, and Social Science Analyst. The appellant is supervised by the Chief of the [appellant's activity].

The appellant is the District's archeological specialist and has responsibility for accomplishing cultural resource studies and providing advice, assistance, and consultation with other

professionals in cultural resource matters in connection with construction, operation, and maintenance projects. A summary of the appellant's major duties and responsibilities follows.

- The appellant is responsible for planning, organizing, and coordinating cultural resource studies with universities, museums, historical societies, and other local, State, and Federal agencies.
- The appellant establishes and maintains controls for evaluation, preservation, and protection of man-made or natural sites within or near Corps of Engineer (COE) project locations.
- The appellant performs field investigations to evaluate cultural resources and determine the significance of sites.
- The appellant is responsible for preparing reports on objects, sites, structures, or areas of cultural significance for survey reports, design memoranda, and environmental statements on significant cultural resources.
- The appellant performs reimbursable cultural resource impact and survey work for the Natural Resources Conservation Service office in [a specific state].
- The appellant prepares scopes of work for COE projects that are to be completed through the use of archeological contractor services.

Series, title, and standard determination

The appellant does not question the series or title of his position. We concur with the agency's determination that the duties performed by the appellant and the knowledge required for the position are best covered by the Archeology Series, GS-193. This series includes positions that involve professional work in archeology, which is the scientific study of past human activities through the physical remains of life and past human activities. Work in this series may include research, field investigations, laboratory analysis, library research, interpretation or consultative work, preparation of reports for publication, curatorship and exhibition of collections, or development and implementation of programs and projects which carry out such work. Such work requires a knowledge of professional archeological principles, theories, concepts, methods, and techniques.

The proper title for the appealed position, according to the position classification standard for the GS-193 series, is Archeologist.

The standard for the Archeology Series, GS-193, does not contain grade evaluation criteria. The standard suggests that archeologist positions be evaluated by application of various other standards, depending on their primary duties and the setting in which they work. For example, archeologists assigned to interpretive functions are evaluated by reference to the Guide for the

Evaluation of Professional Positions Engaged in Interpretive Work. In the appellant's case, the position description shows that the appellant performs interpretive studies to determine the identity of cultural resources and evaluate their significance for environmental application. This work occupies approximately 10 percent of the appellant's time. The *Introduction to the Position Classification Standards* explains that duties comprising less than 25 percent of the work time of a position cannot be grade controlling. Therefore, the interpretive guide is not applied in this decision to evaluate the appellant's duties.

The Introduction to the Position Classification Standards states that the standard used to evaluate work not covered by specific grade level criteria should be for a kind of work as similar as possible to the position to be evaluated with respect to the kind of work processes, functions, or subject matter of work performed; the qualifications required to do the work; the level of difficulty and responsibility; and the combination of classification factors which have the greatest influence on the grade level.

The History Series, GS-170, includes positions which advise on, administer, supervise, or perform research or other work in the field of history when the work requires a professional knowledge of established methods and techniques of historical research in the collection, evaluation, analysis, or presentation of historical facts. This work requires professional qualifications similar to those required by the appellant's position, and involves subject matter, level of difficulty, and classification factors similar to those required by the appellant's cultural resources work for the District. For instance, the appellant's work is closely related to the determination, through archeological means, of the history of the various peoples who have inhabited or traveled through the area now covered by the District. Thus, the standard for the History Series, GS-170, is an appropriate standard to use in evaluating the appellant's position.

Grade determination

The grade level criteria in the GS-170 standard are presented in terms of two main classification factors: Nature of the assignment and Level of responsibility.

Nature of the assignment

This factor incorporates those elements of scope and complexity inherent in the assignment which make it more difficult or less difficult to accomplish, as distinguished from the nature or extent of the employee's responsibilities for resolving the problems presented by the assignment, the supervision the employee receives, the nature of the employee's decisions or recommendations or any other performance element. The other components of this factor include the knowledges and skills which the employee must possess to accomplish the work and the mental demands involved.

At the GS-11 level, assignments usually involve one or more major topics or themes of history and require consideration and treatment of several related topics in order to place the study in its

proper context. Such assignments may be undertaken either as part of the continuing historical program of the agency, as “special” studies for use by agency officials in current program planning, or as a part of a broader project under the direction of an historian of higher grade. Assignments typically involve some problems of organization and analysis or some difficulties in the critical evaluation of the evidence and in the establishment of historical fact.

GS-11 employees are expected to exercise a good understanding of the purposes of the project and to consider such matters as the accessibility of source material and the time or other limitations involved in independently planning the details of project accomplishment. In resolving the problems presented by the assignment, GS-11 employees must employ (1) a good knowledge of available research sources, (2) a good grasp of the primary subject matter involved and of related subject-matter fields to achieve complete coverage of significant sources, (3) sound critical judgment to evaluate sources, establish historical fact, and develop hypotheses to account for causal relationships, and (4) substantial skill in organizing and writing a narrative that sets forth a balanced and realistic picture of the subject under consideration.

Similar to the GS-11 level, the appellant acts as the sole source for cultural resource program management in the [specific] District. Controlled property within the District contains 3,000 archeological sites. The appellant is responsible for making determinations of the significance of archeological sites that may be affected by COE projects and developing action plans for them. The appellant is required to collect data from existing State Historic Preservation Office data bases and archeological libraries and through field investigations. He provides cultural resources guidance for all District permit activities including Water Resources, Regulatory, Real Estate, Operations, and Military Installations. This involves the preparation of reports on objects, sites, structures, and areas of cultural significance for survey reports, design memoranda, and environmental statements. The nature of the appellant’s assignments are comparable to those described at the GS-11 level.

Assignments at the GS-12 level are distinguished from those at GS-11 by their broader scope, greater depth of treatment, more varied subject matter, greater need for sound critical judgment, and the increasing number of considerations which must be taken into account. Assignments at the GS-12 level present substantial planning problems. This requires the employee to apply a good knowledge of the subject-matter fields involved and potential sources of evidence, to anticipate the major difficulties to be overcome, and to develop tentative approaches to the solution of those difficulties as a part of the planning process.

GS-12 historians engaged in studies in connection with identification, recognition, preservation, restoration, reconstruction, or interpretation of sites of importance to the national historical heritage must be fully familiar with both the purposes to be served by their work and the place of their recommendations in the context of the *nationwide* program. Evaluation of evidence and establishment of historical fact at the GS-12 level present substantial difficulties in the analysis of the facts developed. They require the employee to evolve and test hypotheses, to clarify causal relationships, and to develop a reasonable, well-balanced, and factually accurate synthesis.

Problems in presentation are also characteristic of assignments at the GS-12 level. These arise out of the necessity to present in an appropriate form an objective and complete picture of the subject under consideration which clearly establishes the relative values and importance of the historical facts involved.

The GS-12 level, which reflects the greater scope and depth of treatment than that at GS-11, exceeds the scope of the appellant's work. The appellant develops action plans when an archeological site is studied so that its significance can be determined. The result is a synthesis of information about the various cultures being studied. The appellant prepares interpretive studies, written reports, charts, graphs, and maps for environmental statements, survey reports, and design memoranda. These reports are necessary to complete environmental appraisals regarding the cultural resources impact from a project which are considered in selecting and recommending the most desirable development plan. The degree of national importance contemplated in the standard for GS-12 assignments is not found in the appellant's assignments. The appellant's work is part of a regional cultural resources program rather than a *nationwide* program.

The appellant's work falls short of the scope envisioned at the GS-12 level. Since his work fully meets the GS-11 level, the nature of the appellant's archeological assignments is best evaluated at the GS-11 level.

Level of responsibility

This factor includes consideration of the nature and extent of the supervisory control exercised over the work, the nature and extent of the employee's responsibility for personal contact work and for making recommendations or decisions, and similar matters. The degree of "authoritativeness" with which the work of the employee is viewed by the employee's agency and by others in the profession and the extent to which the employee's opinion is sought and given weight within the employee's area of competence also are indicators of the employee's level of responsibility.

At the GS-11 level, historians typically function with professional independence within the limitations imposed by the scope and objectives of the assignment, which are clearly defined by the supervisor or a higher-grade employee, or established by specific directives from higher echelons. Employees at this level are responsible for developing working plans and blocking out the major areas of research to accomplish the assignment, determining approaches and techniques, and modifying work plans and approaches as necessary in the course of the study. Typically, only modifications to working plans which would have the effect of changing the scope or coverage of the assignment are discussed with the supervisor before implementation. Higher grade specialists in the same field are not necessarily available for consultation. Work at this level is typically reviewed at higher organizational echelons both for their soundness in light of the supporting historical evidence and in light of overall program considerations.

Similar to the GS-11 level, the appellant operates within District objectives, but these are not normally in the form of specific directives. The requirements of the cultural resources program

are guided by several Federal laws including the National Historic Preservation Act, the Archeological Resource Protection Act, and the Native American Grave Protection and Repatriation Act. The appellant receives work assignments directly from District project managers. As at the GS-11 level, the appellant establishes consultative relationships with professional colleagues both within and outside the Federal Government. The appellant coordinates cultural resource studies with universities, museums, historical societies, and other Federal, State, and local agencies. In matters pertaining to cultural resources and District activities, the appellant maintains continued coordination with the State Historical Preservation Officer, the National Park Service, and the Advisory Council on Historic Preservation (ACHP). He maintains contacts with individuals in other natural resource disciplines to prepare and update environmental impact statements or assessments for COE projects. The appellant is also responsible for coordinating with Native American governments on issues regarding impacts to Native American graves and repatriation. The appellant's work meets the GS-11 level.

At the GS-12 level, work assignments are usually expressed in terms of the subject areas to be covered or the objectives to be served by the study. Within this framework, GS-12 employees are allowed considerable latitude in setting the parameters of their assignments. They develop and modify working plans as necessary to meet the objectives of their assignments. Recommendations are accepted as being sound in light of the available historical evidence, but they are reviewed in the context of *nationwide* program considerations. The nature of the review of their completed work is essentially the same as that described at the GS-11 level.

The appellant's work is consistent with the GS-12 level of operating within study objectives and being allowed considerable latitude in setting the parameters of the assignments. The appellant receives no technical guidance in completing assignments and individually develops and modifies his working plans as necessary. He receives no critical review with regard to cultural resource programs or activities. Rather, the appellant's work is reviewed for District perspective and compatibility. As the person responsible for planning and directing the District's cultural resources program, the appellant also has contacts consistent with the GS-12 level where specialists must establish and maintain continuing working relationships with management officials in order to keep abreast of current policy, planning and operational problems and make known to the officials the background resources available to them. The appellant is solely responsible for all State Historical Preservation Office and ACHP contacts and negotiation including the review of comments and recommendations related to District projects.

The appellant's determinations are typically accepted as being sound in light of the available historic evidence, rather than being closely reviewed at higher organizational levels. However, these determinations do not receive the *nationwide* program consideration prescribed for the GS-12 level. Furthermore, the appellant's other archeological work is not regularly reviewed within the context of *nationwide* program consideration to the extent envisioned by the GS-170 standard for the GS-12 level.

Although the appellant's position meets some aspects of the GS-12 level of responsibility, his work fails to meet the critical aspect that differentiates the GS-12 level of responsibility from that

of the GS-11 level. The appellant's position fully meets the GS-11 level of this factor. Therefore, the appellant's level of responsibility is best evaluated at the GS-11 level.

Summary

The appellant's position is best evaluated at the GS-11 level with respect to both factors of the GS-170 standard. Therefore, it must be graded GS-11 overall.

Decision

The appellant's position is properly classified as Archeologist, GS-193-11.