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UNITED STATES DEPARTMENT OF THE INTERIOR ROUTE SLIP

DI-535
(REV. 7/06)

Indicate routing order by number. Strike out office when cleared.

TO		MAIL STOP	TO		MAIL STOP
S	SECRETARY	7229	PMB	ASST SECY. - POLICY, MGMT. & BUDGET	5113
OCL	Office of Congressional and Legislative Affairs	6242	PIO	Office of the Chief Information Officer	5312
OCO	Office of Communications	6013	TPIA	Take Pride in America	3559
OEI	Office of External and Intergovernmental Affairs	6216			
OES	Office of Executive Secretariat and Regulatory Affairs	7229		DEPUTY ASST. SECY. - POLICY, AND INTERNATIONAL AFFAIRS	5120
OIW	Office of Indian Water Rights	2321			
OST	Office of the Special Trustee for American Indians	5140	PEP	Office of Environmental Policy & Compliance	2342
OHT	Office of Historical Trust Accounting	5140	PNR	Natural Resource Damage Assessment and Restoration	3548
			PPA	Office of Policy Analysis	3530
			PHI	Office of Hawaiian Relations	3530
DS	DEPUTY SECRETARY	7229		DEPUTY ASST. SECY. - INSULAR AFFAIRS	4311a
SOL	SOLICITOR	6352	PIA	Office of Insular Affairs	4311a
SOL-AD	Division of Administration	6556			
SOL-PW	Division of Parks and Wildlife	3210		DEPUTY ASST. SECY. - PERFORMANCE, ACCOUNTABILITY, AND HUMAN RESOURCES	5120
SOL-GL	Division of General Law	7308		Deputy Chief Human Capital Officer	5120
SOL-IA	Division of Indian Affairs	6512	PCS	Center for Competitive Sourcing Excellence	2044
SOL-LW	Division of Land and Water Resources	5512	PPP	Office of Planning and Performance Management	5258
SOL-MR	Division of Mineral Resources	6312	PHA	Office of Hearings and Appeals	QC300
SOL-OE	Office of Ethics	4356	PHR	Office of Human Resources	5230
			PCR	Office of Civil Rights	5230
LM	ASST. SECY. - LAND AND MINERALS MGMT.	6628	PHS	Office of Occupational Health and Safety	5230
LLM	Bureau of Land Management	5628	PHC	Office of Strategic Development of Human Capital	5230
LMS	Minerals Management Service	4212	PCA	Office of Collaborative Action and Dispute Resolution	5258
LSM	Office of Surface Mining Reclamation & Enforcement	233-SIB	PAC	Indian Arts and Crafts Board	2058
WS	ASST. SECY. - WATER AND SCIENCE	6640			
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FNP	National Park Service	3112	PSD	Office of Small & Disadvantaged Business Utilization	2252
FWS	U.S. Fish and Wildlife Service	3238	NBC	National Business Center	1346
			PWF	Office of Wildland Fire Coordination	2660
IA	ASST. SECY. - INDIAN AFFAIRS	4141			
BIA	Bureau of Indian Affairs	4141		DEPUTY ASST. SECY. - LAW ENFORCEMENT AND SECURITY	7354
			PLE	Office of Law Enforcement, Security, and Emergency Management	7354
OIG	INSPECTOR GENERAL	5341			

The attached communication has a due date or deadline of _____ Please call _____ on _____ for PICKUP.
REMARKS: (Include a description of communication attached.)

new version w/ date

FROM	BUREAU/OFFICE SYMBOL	MAIL STOP/BLDG.	TELEPHONE NUMBER	DATE
	PMB/OHR	5211		



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240



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JUN 21 2007

Memorandum

To: Director, Bureau of Indian Affairs
Director, National Park Service
Acting Director, Bureau of Land Management
Director, Fish and Wildlife Service

From: Nancy Miller *Nancy Miller*
Acting Director, Office of Human Resources



Subject: Changes to the GS-0401 Fire Management Specialist Qualification Standard

The Office of Personnel Management has made some significant changes to the Operating Manual for Qualifications Standards for General Schedule Positions. Part E.4 – E.4(a) of the General Policies and Instructions were revised, effective February 15, 2005, to address the “Acceptability of Higher Education for Meeting Minimum Qualification Requirements.” The OPM changes primarily address the substantial problem of diploma mills and the use of bogus degrees to meet positive education requirements and as qualifying criteria in-lieu of experience. While these changes apply to all positions, they have a significant impact on positions covered by the Supplemental Standard for Fire Management positions in the GS-401 Fire Management series. The purpose of this letter is to transmit these changes to you and to explain the impact to employees who may apply for GS-401 positions **or** who are currently in a GS-401 position. This letter will clarify your responsibilities in complying with this Human Resources legal requirement.

When the supplemental standard for Fire Management Specialist was approved on July 29, 2002, the United States Department of Agriculture and the Department of the Interior worked jointly to create a draft interpretative guidance for implementation. Based on the OPM changes to Part E.4 – E.4(a), the Department can only use the supplemental standard and attachment 1. The use of attachments 2 and 3 are not permissible. You can only credit educational coursework that is listed on an official transcript from an accredited college or university. This eliminates the use of all of National Wildfire Coordinating Group course work, and the Technical Fire Management coursework not listed on an official transcript, even though they were previously allowed.

Employees who met qualification requirements prior to February 15, 2005 and were either appointed, promoted or reassigned into the GS-0401, Fire Management Specialist positions are not affected by these changes. It must be noted that their current status

under the GS-0401 standard is limited to the position and grade they currently hold. These employees must meet the positive education requirements for the GS-0401 series based on the new criteria if they wish to be reassigned, detailed or participate in merit promotion. The only exception would be a "career-ladder" promotion based on the competition held prior to February 15, 2005.

More problematic are employees who were determined qualified for the GS-0401, Fire Management positions on or after February 15, 2005 based on NWCG or TFM coursework not listed on an academic transcript. In order to correct this problem there are several action items which must be taken to comply with these new requirements:

1. Review all promotions, placements, and conversions of any applicant or employee placed in a GS-0401 Fire Management position using NWCG, TFM or any other coursework not listed on an official transcript from an accredited college or university since February 15, 2005. HR offices must review all relevant merit promotion and delegated examining case files and the Official Personnel Folders (OPF) of the affected employees since that date.
 - a. If the employee met Part A of the qualifications standard and the coursework meets the new requirement, no further action is necessary.
 - b. If the employee met qualification requirements using Part B of the qualifications standard and they meet the new educational requirement, no further action is required.
 - c. If the employee met qualification requirements using Part B of the qualifications standard and they do not meet the educational requirement as stated in Part E.4 – E.4(a) for the GS-401 series, a complete qualifications analysis must be accomplished by the HR Office. A detailed written analysis must be completed by the HR Office listing the academic shortfall of the employee.
 - 1) The employee must be notified and counseled on these problems and offered an opportunity to supply other academic transcripts which could meet the standard's education requirement, e.g., have the NWCG and TFM courses added to an academic transcript.
 - 2) If the employee cannot supply academic transcripts which would meet the positive education requirements for the GS-0401, the HR Office must correct the erroneous action by placing the employee into a position for which they fully meet the qualification requirements. It is up to the servicing HR Office, in conjunction with management, to find a position which offers the least adverse impact on the employee.¹

¹ While lateral reassignments are the ideal and least adverse to the employee, a change to lower grade may be the only legal option available. The Department of the Interior HR Offices are authorized to use pay retention based on the provisions of 5 CFR, Part 536.302(a). The HR Office must consult with their employee relations staff or the Solicitor's Office for possible adverse impact. All correspondence with the affected employees must meet and reflect statutory and procedural requirements.

2. From the date of this memorandum, do not promote, convert, reassign or detail any employee or applicant into GS-0401 Fire Management positions unless they fully meet the GS-0401 Standard requirements based on Part E.4 – E.4(a).
3. Certificates and referral lists:
 - a. For certificates and referral lists where selections or offers of employment have not yet been made, please review, and if necessary, re-issue lists to remove the names of employees who no longer meet qualifications.
 - b. For certificates and referral lists where selections and offers of employment have been made, please review the selected candidates to ensure that they meet the qualifications. If a candidate does not meet the qualifications, the offer of employment must be withdrawn.
4. Vacancy announcements currently open need to be either amended or re-issued in order to reflect these changes. The Department leaves this up to the discretion of the HR Office as to which way is the most efficient.

The action items listed above need to be initiated by the servicing HR Office no later than the end of the second pay period following the receipt of this memorandum. A status report must be submitted to the Department's Office of Human Resources immediately following the initiation of the required actions and updated every pay period until all actions have been completed. The report will consist of the name of the servicing HR Office, name of the employee, proposed action to be taken, proposed date of that action, and when completed, the actual personnel action taken and the effective date. The report will be emailed to the point-of-contact (POC) listed below. If email is not available please contact the POC by phone for additional arrangements.

Also reflected in the Supplemental Standard was a reference to the requirement for incumbents and new hires into the Fire Management positions to complete at least 6 lower level and 18 upper level courses to meet the 24 semester hours for the GS-0401 standard. In a letter dated March 16, 2007, OPM informed the Department that this interpretation of the standard is not appropriate. The OPM standard makes no provision for splitting up levels of course work to meet education requirements into specific ratios. OPM does not sanction the practice of specifying the number of hours for upper or lower level courses. HR Offices must ensure that transcripts reflect course work considered as equivalent to a major field of study. The standard prescribes that the nature and quality of this course work must have been such that it would serve as a prerequisite for more advanced study in the field or subject matter area.

This interpretation may have placed many of our employees in a questionable position due to no fault of their own. The Department's HR Offices must now review merit promotion and delegated examination case files to see if priority consideration is due for competitive appointments and merit promotion. The OPFs must also be reviewed to see if this issue affects the current status of the employee. The HR Office must make those changes which brings the employee into compliance with the OPM standard.

Should you have questions about this letter, please contact Michael Ballew on 202-513-0755, or on email at Michael_Ballew@ios.doi.gov.

cc:

Deputy Secretary

Chief of Staff

Deputy Assistant Secretary – Business Management and Wildland Fire

Director, Office of Wildland Fire Coordination

Director, Fire Management, Bureau of Indian Affairs

Assistant Director, Fire and Aviation Management, Bureau of Land Management

Chief, Branch of Fire Management, U. S. Fish and Wildlife Service

Division Chief, Fire and Aviation Management, National Park Service

Director, Fire and Aviation Management, USDA, U. S. Forest Service