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STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Division of Human Resource Management
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MEMORANDUM
HR#05-20

January 27, 2020

TO: DHRM Listserv Recipients

FROM: Peter Long, Administrator *Peter Long*
Division of Human Resource Management

SUBJECT: PROPOSED CLASSIFICATION CHANGES – MARIJUANA PROGRAM
SUPERVISOR/INSPECTOR SERIES

Attached are revised proposed classification changes for your information pursuant to NRS 284.160, subsections 3 through 5. If you have any comments or objections regarding these changes, please send your written notification to Deputy Administrator Beverly Ghan at bghan@admin.nv.gov no later than February 26, 2020.

If no written objections are received in this office by February 26, 2020, action will be taken to effect the changes and a report will be made to the Personnel Commission.

Attachments

NOTICE OF PROPOSED CLASSIFICATION CHANGES

Number: Posting #10-20
Posting Expires: February 26, 2020

Per NRS 284.160, the Administrator may make a change in classification without the prior approval of the Commission. The following change(s) are proposed:

CURRENT				PROPOSED			
CODE	TITLE	GRADE	EEO-4	CODE	TITLE	GRADE	EEO-4
10.540	Marijuana Program Supervisor	38	B	<i>10.540</i>	<i>Marijuana Program Supervisor</i>	<i>38</i>	<i>B</i>
10.541	Marijuana Program Inspector II	36	B	<i>10.541</i>	<i>Marijuana Program Inspector II</i>	<i>36</i>	<i>B</i>
10.542	Marijuana Program Inspector I	34	B	<i>10.542</i>	<i>Marijuana Program Inspector I</i>	<i>34</i>	<i>B</i>

Basis for Recommendation

During the 80th Legislative session (2019), Assembly Bill 175 amended NRS 625A (Environmental Health Specialists) to include the provision that states in part, *“The provisions of this chapter, other than NRS 625A.910, do not apply to a person who...is employed by and for the Department of Taxation pursuant to Chapter 453A or 453D of NRS and the regulations adopted pursuant thereto and who conducts inspections to determine compliance with law and regulations for the cultivation, distribution and licensure of establishments or facilities where marijuana is grown, stored, processed or offered for sale, unless the marijuana is utilized as an agent or ingredient in food products.”* As a result of this provision, Marijuana Program Inspectors must be licensed by the Nevada Board of Environmental Health Specialists as a Registered Environmental Health Specialist (R.E.H.S.).

It is therefore recommended that the minimum qualifications be amended to include informational notes detailing the provision that incumbents obtain the requisite licensure within thirty days (30) days of appointment and as a condition of continuing employment. The informational notes were also amended to include provisions for out-of-state applicants who are licensed in another state and to indicate that college or university transcripts and/or documentation of registration as an Environmental Health Specialist is required at the time of application. Lastly, an informational note was included to account for training or experience garnered during service in the military forces of the United States.

In addition, the Education and Experience section of the Minimum Qualifications, at every level, was amended to detail the minimum educational criteria required to obtain either a R.E.H.S. Trainee Certificate or to sit for the examination to obtain a full R.E.H.S. certificate. Furthermore, minor changes were made to the minimum qualifications to maintain consistency with formatting, structure and verbiage.

Throughout the review, management staff within the Department of Taxation, Marijuana Enforcement Division and analysts within the Division of Human Resource Management participated by offering recommendations and reviewing changes throughout the process and they support the recommended changes.

Changes to the class specification are noted as follows: additions in blue and deletions in red.

The formal recommendations and specifications are on file with the Division Administrator, Human Resource Management. To view a copy in Carson City, go to 209 East Musser Street, Suite 101; in Las Vegas, go to 555 East Washington Avenue, Suite 1400. You may also view the recommendations and specifications online at hr.nv.gov/Sections/Classification/Proposed_Classification_Changes/. For additional information call (775) 684-0130.

Objections to the proposed change(s) must be received in writing by February 26, 2020. Objections should be addressed to Beverly Ghan, Deputy Administrator, Compensation, Classification and Recruitment Section of the Division of Human Resource Management, 209 East Musser Street, Suite 101, Carson City, Nevada 89701-4204.

POSTING DATE: January 27, 2020



STATE OF NEVADA
Department of Administration
Division of Human Resource Management

CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
MARIJUANA PROGRAM SUPERVISOR	38	B	10.540
MARIJUANA PROGRAM INSPECTOR II	36	B	10.541
MARIJUANA PROGRAM INSPECTOR I	34	B	10.542

SERIES CONCEPT

Marijuana Program Inspectors are responsible for monitoring Statewide, privately owned marijuana facilities including cultivation facilities, facilities for the production of edible marijuana or marijuana-infused products, independent testing laboratories, distributors and marijuana dispensaries to ensure compliance with State laws and regulations and for public health protection.

Participate in entrance meetings with facility owners and representatives to explain the inspection process, legal requirements, solicit cooperation and obtain access to the facility and information needed to conduct the inspection.

Conduct on-site inspection of facilities, including laboratories, to include the review of policies and procedures, equipment, building plans, water supply and materials; processing, handling and monitoring of product; quality assurance programs; and patient records to protect public health and ensure products are provided in accordance with applicable laws and standards and physician's orders.

Review security and control measures to include controlled access to restricted areas, storage and transportation of marijuana and marijuana products, dispensary records, chain of custody records and disposal of plants and product to ensure compliance with applicable laws and regulations.

Document inspection findings in comprehensive reports to include: detailing lack of compliance with laws and regulations; deficiencies regarding controls, procedures and operations; supporting facts and documentation; and recommendations for corrective action. Participate in exit meetings to discuss findings and respond to questions. Determine certification and license status, take appropriate enforcement action and prepare violation notices and related documents. Conduct follow-up inspections as required.

Assist in the investigation of water borne and food borne illnesses traced back to regulated facilities; identify possible vector control or public health issues; conduct product, water or other material sampling; analyze data; conduct interviews with affected individuals and others to identify source of illness and to ensure remedial measures are taken.

Investigate complaints associated with facility operations; interview complainant and relevant parties; may conduct surveillance and obtain information from confidential sources; coordinate with other regulators and law enforcement as required; document findings of investigation and take appropriate action; maintain case files.

Coordinate work related inspection and oversight of facilities with State, federal and local agencies such as the Food and Drug Administration, Environmental Protection Agency and county health departments; may respond to emergency situations such as chemical spills or transportation accidents involving marijuana and/or marijuana products.

Present and support inspection or investigation findings and recommended enforcement actions to division managers, administrators, legal representatives and other pertinent parties. May present information and/or testify before the Taxation Commission, or at administrative or court hearings.

MARIJUANA PROGRAM SUPERVISOR	38	B	10.540
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SERIES CONCEPT (cont'd)

Perform related duties as assigned.

CLASS CONCEPTS

Marijuana Program Supervisor: Under general direction, the incumbent is responsible for [S] statewide supervision of the inspection, compliance and audit activities for the marijuana program and may perform all or some of the duties as described in the series concept. Work is reviewed through progress reports and meetings. This is the supervisory level in the series.

Establish and ensure the implementation of the inspection schedule; receive[s], review[s] and assign[s] complaints; develop and maintain case files and reports; compile, organize, analyze, interpret and report statistical data; assist in the development and maintenance of a quality assurance program; assist in the development of policies and procedures; participate in developing and monitoring the work unit's budget; may recommend changes to statutes and regulations and/or analyze and track legislative bills; and represent the program inspection function before boards, committees and stakeholders.

Supervise a staff of Marijuana Program Inspectors[+] and support staff to include preparing work performance standards and performance appraisals, assigning and reviewing work, training and disciplinary actions.

Marijuana Program Inspector II: Under general supervision, incumbents perform the full range of duties as described in the series concept and may provide lead work supervision to lower-level Inspectors. Work is reviewed through completed work and periodic meetings with the supervisor. This is the journey level in the series.

Marijuana Program Inspector I: Under direct supervision *of a Registered Environmental Health Specialist*, incumbents perform the range of duties as described in the series concept in a training capacity. Inspections and investigative work [is] *are* reviewed on an ongoing basis. This is the entry level in the series and progression to the next level may occur upon meeting the minimum qualifications for the higher-level class and with the recommendation of the appointing authority.

MINIMUM QUALIFICATIONS

INFORMATIONAL NOTES:

- * An individual registered as an Environmental Health Specialist with the National Environmental Health Association (NEHA), State of Nevada or another State will be deemed to have met the requirement for a Bachelor's degree from an accredited college or university.
- * Education above the Bachelor's level does not substitute for the required experience.
- * *At the Marijuana Program Inspector I, registration as an Environmental Health Specialist Trainee (R.E.H.S.T.) by the Nevada Board of Environmental Health Specialists is required within 30 days of appointment and as a condition of continuing employment.*
- * *At the Marijuana Program Supervisor and Marijuana Program Inspector II, registration as an Environmental Health Specialist (R.E.H.S.) by the Nevada Board of Environmental Health Specialists is required within 30 days of appointment and as a condition of continuing employment.*
- * *Out-of-state applicants who are licensed in another state must obtain an Endorsement or R.E.H.S.T. provisional licensure, by the Nevada Board of Environmental Health Specialists within 30 days of appointment and as a condition of continuing employment.*
- * *College or university transcripts and/or documentation of registration as an Environmental Health Specialist (E.H.S.) is required at the time of application.*

MINIMUM QUALIFICATIONS (cont'd)

SPECIAL REQUIREMENTS:

- * *Applicants who possess training or experience obtained during service in the military forces of the United States may be deemed by the Nevada Board of Environmental Health Specialists to be eligible for R.E.H.S. registration. Verification of this eligibility from the Nevada Board of Environmental Health Specialists is required at the time of application.*
- * Pursuant to NRS 284.4066, positions in this series have been identified as affecting public safety. Persons offered employment must submit to a pre[-]employment screening test for controlled substances.
- * Persons offered employment in this series must submit to a criminal background investigation.
- * Exposure to the odor and/or the handling of marijuana, marijuana infused products, and products used to cultivate marijuana are a component of this position.
- * A valid driver's license *or evidence of equivalent mobility* is required at the time of appointment and as a condition of continuing employment.

MARIJUANA PROGRAM SUPERVISOR

EDUCATION AND EXPERIENCE: Bachelor's degree from an accredited college or university [~~in the biological or life sciences, botany, medical sciences, public health, health care, criminal justice or closely related field~~] *which includes at least 30 semester (45 quarter) hours in core natural science credits* and [~~four~~] *three* years of experience performing professional environmental health duties which included interpreting and applying public health laws and regulations, and conducting public health related inspections and/or investigations; **OR** one year of experience as a Marijuana Program Inspector II in Nevada State service. [~~OR an equivalent combination of education and experience as described above.~~] (See Informational Notes and Special Requirements)

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

[Working] General knowledge of: budgetary principles and practices; supervisory principles and practices; program administration; generally accepted accounting principles and auditing standards; principles and practices of project and program management; emergency response techniques and methods. **Ability to:** establish and meet goals and objectives; effectively train professional-level staff and review and evaluate work activities; maintain organized tracking systems; interpret patterns and develop alternate plans; develop and maintain a quality assurance system; establish and maintain collaborative working relationships with related agencies, facility operators, the media and other stakeholders; analyze and monitor legislative bills; *and all knowledge, skills and abilities at the lower levels.*

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Working knowledge of: supervisory techniques including selection, motivation, training, work assignment and review, performance evaluation and discipline; the appropriate determination of administrative sanctions and corrective action plans; the functions, operations and goals of the division; state budgeting and program budgeting requirements and processes; the state legislative process. **Ability to:** organize the activities of others and delegate work effectively to accomplish program goals; identify and respond to staff training needs; analyze accounting and financial records and develop accurate and meaningful conclusions; recognize program needs and requirements and implement needed changes; interpret and enforce division policies and rules; apply conflict resolution techniques to issues involving regulated facilities and other agencies; coordinate the unit's response to challenges from inspected facilities to include defense of findings and recommendations in adversarial hearings; coordinate the completion of public health projects and the resolution of public health issues.

MARIJUANA PROGRAM INSPECTOR II

EDUCATION AND EXPERIENCE: Bachelor's degree from an accredited college or university [~~in the biological or life sciences, botany, medical sciences, public health, health care, criminal justice or closely related field~~] *which includes at least 30 semester (45 quarter) hours in core natural science credits* and

MINIMUM QUALIFICATIONS (cont'd)

MARIJUANA PROGRAM INSPECTOR II (cont'd)

EDUCATION AND EXPERIENCE: (cont'd)

~~[three]~~ **two** years of experience performing professional environmental health duties which included interpreting public health laws and conducting public health related inspections and/or investigations; **OR** ~~[two years]~~ **one year** of experience as a Marijuana Program Inspector I in Nevada State service. ~~[; OR an equivalent combination of education and experience as described above.]~~ (See Informational Notes and Special Requirements)

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Working knowledge of: ~~[state laws and regulations related to the cultivation and dispensing of marijuana;]~~ the principles of good laboratory practice; federal standards of the Food and Drug Administration and Environmental Protection Agency related to packaging and labeling requirements and water supply standards; vermin control and pesticide use to include correct application, chemical types, public health and environmental impact significance and public protection; the prevention and control of disease through environmental measures such as personal hygiene and sanitation; ~~[the role of other State, federal and local agencies as related to marijuana;]~~ calibrated testing equipment such as scales, production calibration equipment, electronic thermometers and light meters; investigative methods appropriate to regulatory compliance functions; informal dispute resolution techniques; and policies and procedures for obtaining variance from regulations. **General knowledge of:** engineering drawings and reports such as plumbing and architectural drawings and material specifications; building codes and common building practices (Uniform Building Code), plumbing code and common plumbing practices (Uniform Plumbing Code). **Ability to:** interpret and explain complex regulations and requirements; evaluate laboratory proficiency to ensure accuracy of results; read and understand laboratory reports and facility staff notes; interpret and consistently apply laws, rules and procedures in cases such as nuisances, emergencies and epidemiological hazards; evaluate the professional skills and technical abilities of facility personnel; use investigative techniques and conduct effective interviews to acquire necessary information and gather clear and concise documentation; be alert to issues signifying the need for further investigation; apply sound professional judgment in identifying areas of non-compliance and recommendations for enforcement or other corrective actions; research health and laboratory issues and regulations; develop rapport, gain the trust of others, and maintain objectivity; negotiate and exchange ideas and information to arrive jointly at conclusions or solutions; motivate people to comply with public health laws; organize and maintain accurate records; effectively manage time and prioritize workload; effectively present findings and rationale in administrative or legal settings; **and all knowledge skills and abilities required at the lower level.**

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

(These are identical to the entry level knowledge, skills and abilities identified for Marijuana Program Supervisor.)

MARIJUANA PROGRAM INSPECTOR I

EDUCATION AND EXPERIENCE: Bachelor's degree from an accredited college or university ~~[in the biological or life sciences, botany, medical sciences, public health, health care, criminal justice]~~ **which includes at least 30 semester (45 quarter) hours in core natural science credits and one year of experience performing professional environmental health duties which included interpreting public health laws and conducting public health related inspections and/or investigations.** ~~[or closely related field and one year of experience performing professional environmental health duties which included interpreting public health laws and conducting public health related inspections and/or investigations; OR one year of experience as an Environmental Health Specialist I, Health Facilities Inspector I or Child Care Facilities Surveyor; OR two years of experience as a Health/Human Services Professional Trainee; OR an equivalent combination of education and experience as described above.]~~ (See Informational Notes and Special Requirements)

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MINIMUM QUALIFICATIONS (cont'd)

MARIJUANA PROGRAM INSPECTOR I (cont'd)

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at the time of application):

Working knowledge of: composition and proper English grammar, spelling and punctuation to prepare reports. **General knowledge of:** biology, chemistry, epidemiology, physics and mathematics as applied to public health; plants and growing characteristics; herbicides, insecticides, and fertilizers; the scientific method (observation, experimentation and conclusions) used in investigations such as food borne illness outbreaks; regulatory and compliance processes; general food and drug safety practices **Ability to:** read and understand legal, technical and scientific documents; take samples according to established sampling protocol and preservation methods; logically organize and synthesize material, information and human resources to optimize efficiency and minimize duplication of effort; work effectively with frequent interruptions and distractions in locations such as dispensaries, and processing and cultivation facilities; communicate effectively orally with individuals and before groups; establish and maintain cooperative working relationships; maintain composure in demanding situations; proficiently use word processing and spreadsheet software.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

(These are identical to the entry level knowledge, skills and abilities identified for Marijuana Program Inspector II.)

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

	<u>10.540</u>	<u>10.541</u>	<u>10.542</u>
ESTABLISHED:	12/11/13R 3/19/14UC	12/11/13R 3/19/14UC	12/11/13R 3/19/14UC
REVISED:	4/27/18UC	4/27/18UC	4/27/18UC
REVISED:	2/26/20UC	2/26/20UC	2/26/20UC