



STATE OF NEW JERSEY

In the Matter of Cannabis Laboratory
Evaluator, Department of the
Treasury

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2025-956

Request for Title Creation and Title
Reallocation

ISSUED: December 18, 2024 (SLK)

The Division of Agency Services (Agency Services), on behalf of the Department of the Treasury (Treasury), requests the creation of a new title series, Cannabis Laboratory Evaluator, in the competitive division of the career service and the reallocation of the title series to the noncompetitive division of the career service on an interim basis.

By way of background, the series will be exclusive to the Treasury and consist of four levels:

- Cannabis Laboratory Evaluator 1 (P22)
- Cannabis Laboratory Evaluator 2 (P25)
- Cannabis Laboratory Evaluator Supervisor (R28)
- Cannabis Laboratory Evaluator Manager (&31)

The Cannabis Laboratory Evaluator title series is being created to classify a new State function, approved by voter referendum, and delegated to the Cannabis Regulatory Commission (CRC) by statute. The CRC is in-but-not-of the Treasury. These titles will classify employees responsible for the regulatory evaluation of cannabis testing laboratories and for overseeing the legal cannabis industry in the State of New Jersey.

Positions in this class will assist the CRC's compliance and regulatory teams with 1.) the development of regulations that respond to expanding scientific evidence, 2.) lead oversight and regulation of testing laboratories that conduct third-party testing on cannabis products, and 3.) review and audit of cannabis product submissions to the CRC, with focus on consumer safety. These duties and responsibilities cannot be absorbed by an existing title within the State title plan. Therefore, a new series is needed to classify the positions.

Agency Services recommends the series be allocated to the noncompetitive division of the career service on an interim basis for a period of one year in accordance with *N.J.A.C.* 4A:3-1.2(c) due to the need for immediate appointments arising from a new legislative program. Additionally, it indicates that interim noncompetitive allocation is necessary to adequately staff the office in timely matter. Agency Services provides that the titles will be reallocated to the competitive division of the career service after one year. Moreover, it notes that title specifications have been developed to accommodate this request, and the bargaining units for this respective series have been provided notice by the Governor's Office of Employee Relations. Further, it indicates that the effective date of this action will be the beginning of the first pay period that follows the Civil Service Commission's (Commission) approval.

The establishment of the new titles is as follows:

Cannabis Laboratory Evaluator 1

P22 D Non-Competitive (Interim) NE/12

Cannabis Laboratory Evaluator 2

P25 D Non-Competitive (Interim) NE/12

Cannabis Laboratory Evaluator Supervisor

R28 D Non-Competitive (Interim) NE/12

Cannabis Laboratory Evaluator Manager

&31 D Non-Competitive (Interim) NE/12

CONCLUSION

N.J.A.C. 4A:3-3.6(a) states, in pertinent part, that the Commission may determine that a new title or title series is necessary. *N.J.A.C.* 4A:3-1.2(a) states that the Commission shall allocate and reallocate career service titles between the competitive and noncompetitive divisions.

N.J.A.C. 4A:3-1.2(c) provides that a job title may be placed in the noncompetitive division on an ongoing or interim basis when it is determined by the

Commission that it is appropriate to make permanent appointments to the title and one or more of the following criteria are met.

1. Competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job;
2. Certification procedures based on ranked eligible lists have not or are likely have not or likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems, and working conditions; or
3. There is a need for immediate appointments arising from a new legislation program or major agency reorganization.

N.J.A.C. 4A:3-1.2(e) provides, in pertinent part, that prior to any reallocation from the competitive to noncompetitive division, whether on an ongoing or interim basis, an administrative review shall be conducted and notice of the proposed reallocation shall be sent to affected appointing authorities and negotiations representatives. The notice shall designate the period of time, which in no event shall be less than 20 days, during which written comment may be submitted, and may provide for a public hearing.

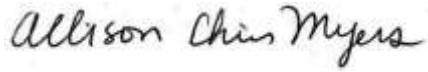
Based on the foregoing, ample reasons exist for the establishment of the Cannabis Laboratory Evaluator title series and its allocation to the noncompetitive division on an interim basis based on *N.J.A.C.* 4A:3-1.2(c)3. In this regard, the CRC has a critical need to hire quickly and staff its office in response to recent legislative mandates. Additionally, *N.J.A.C.* 4A:3-1.2(g) provides that if a title is designated noncompetitive on an interim basis, at the end of the interim noncompetitive period, which shall be no greater than one year, the job title shall be redesignated as competitive. Individuals appointed during the interim noncompetitive period shall, upon successful completion of their working test periods, attain permanent status in the competitive division.

ORDER

Therefore, it is ordered that this request be granted, and the Cannabis Laboratory Evaluator title series be established. It is also ordered that the request for interim noncompetitive designation for the Cannabis Laboratory Evaluator title series be granted. The effective date of this action will be the beginning of the first pay period that follows the Commission's approval and will end one year later. At the end of this period, the subject title will be returned to the competitive division of the career service.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 18TH DAY OF DECEMBER, 2024



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