

STATE OF WISCONSIN
CLASSIFICATION SPECIFICATION

ENVIRONMENTAL ENFORCEMENT SPECIALIST
CLASSIFICATION SERIES

I. INTRODUCTION

A. Purpose of This Classification Specification

This classification specification is the basic authority under ER 2.04, Wis. Adm. Code for making classification decisions relative to present and future professional science positions located within the Department of Natural Resources and the Department of Agriculture, Trade, and Consumer Protection's Division of Agricultural Resource Management, and the Department of Military Affairs. Positions allocated to this series are involved in environmental enforcement for a wide variety of department programs. This classification specification will not specifically identify every eventuality or combination of duties and responsibilities of positions that currently exist, or those that result from changing program emphasis in the future. Rather, it is designed to serve as a framework for classification decision-making in this occupational area.

Classification decisions must be based on the "best fit" of the duties within the existing classification structure. The "best fit" is determined by the majority (i.e., more than 50%) of the work assigned to and performed by the position when compared to the class concepts and definitions of this specification or through other methods of position analysis. Position analysis defines the nature and character of the work through the use of any or all of the following: definition statements; listing of areas of specialization; representative examples of work performed; allocation patterns of representative positions; job evaluation guide charts, standards or factors; statements of inclusion and exclusion; licensure or certification requirements; and other such information necessary to facilitate the assignment of positions to the appropriate classification.

B. Inclusions

This series encompasses professional environmental enforcement science positions found in the central, region, or field offices of the Department of Natural Resources (DNR) and the Department of Agriculture, Trade, and Consumer Protection (DATCP), Division of Agricultural Resource Management and in the Department of Military Affairs (DMA). Positions may serve as a leadworker.

C. Exclusions

Excluded from this classification series are the following types of positions:

1. Supervisory and management positions as defined in Wis. Stat. 111.81 (19) and (13) as administered and interpreted by the Wisconsin Employment Relations Commission.
2. Any position specializing in policy analysis, program planning, facility or regional planning, land use, program evaluation, purchasing or budgeting activities which do not

require the ongoing application of professional scientific environmental enforcement principles for a majority of the time and which are better identified within a different classification series.

3. Positions which have some responsibilities identified within this series and whose work activities affect environmental enforcement actions; but do not perform the work the majority of the time and whose positions are better identified in a different program specific classification.
4. All other positions which are more appropriately identified by other classification specifications.

D. Entrance Into and Progression Through This Series

Employees enter this classification series by competitive examination. Progression to the senior level will occur through reclassification. Progression to the advanced level will typically occur through some form of competitive examination.

II. DEFINITIONS

ENVIRONMENTAL ENFORCEMENT SPECIALIST

Positions work under close progressing to limited supervision. Principles and practices have been learned prior to entrance into this classification series. The emphasis is in developing skills in working with and/or understanding the program, state systems, user group(s) and the mechanics of the program; and developing an understanding and applying the statutes, rules, regulations, administrative code and standards required in the program area. Initial work assignments are well defined and short term in duration. Over time the work assignments become long term or short term with the employee expected to exercise independent judgment in determining specifics and priorities, as the objectives are progressively less clear. The positions may be in contact with outside entities and may have assignments which cross program lines depending on where the individual employee's performance level is determined. The supervisor reviews the work to determine the completeness or accuracy and adherence to policy.

ENVIRONMENTAL ENFORCEMENT SPECIALIST-SENIOR

Positions at this level develop and follow broadly defined work objectives and the review of the work is limited to administrative evaluation by the supervisor. Positions at this level function as (1) a region environmental enforcement specialist responsible for developing, administering and evaluating a major portion of the environmental enforcement program being implemented regionwide; or (2) a central office specialist responsible for planning, coordinating and implementing specific aspects of the program as well as directing investigations. Environmental enforcement specialists at this level serve as a region focus for enforcement operations and decisions, provide statute and code interpretation guidance and an enforcement training resource.

Representative Positions

Enforcement Specialist (DNR) - Implement the region's environmental enforcement program to bring regulated entities into compliance with environmental statutory and rule requirements through the selection and application of formal administrative secondary enforcement measures. Review case histories and

consult with staff to determine enforceability of a violation and appropriate enforcement response. Determine if a case should be investigated as a civil or criminal violation. Initiate, develop and follow formal enforcement actions through to resolution. Monitor entity's response to enforcement and initiate follow-up. Prepare and issue consent and enforcement orders. Ensure enforcement actions are in accordance with department codes, guidelines and handbooks and review enforcement actions for consistency. Serve as administrative liaison with the Attorney General, District Attorney and US EPA offices in the resolution of referred cases. Provide enforcement assistance to compliance/surveillance/investigation activities. Provide briefings and recommendations on enforcement matters.

Environmental Enforcement Specialist–Senior (DATCP) - This is environmental enforcement, remediation, investigation and compliance work for a wide variety of agrichemical programs. The position represents the department in a multi-district region of the state. The position is responsible for providing field oversight for environmental investigation and remediation projects related to improper handling, storage, use or disposal of pesticides, fertilizers, or other agrichemicals. Activities are coordinated with bureau engineers and/or hydrogeologists. The position prepares legal case documentation related to filing civil or criminal actions in circuit court. Positions may serve as a lead investigator for the department's toxic response team in determining the causes of sudden animal illness or death. Promote voluntary compliance with program laws.

ENVIRONMENTAL ENFORCEMENT SPECIALIST-ADVANCED

Positions at this level: (1) serve as the department technical expert for a major portion of the environmental enforcement program; or (2) serve as the Environmental Enforcement program expert with in-depth knowledge of a specific regulatory program (such as Air Pollution Control); or (3) serve as an Environmental Enforcement program training expert. Positions at this level work under general supervision.

Positions may provide technical guidance or serve as a leadworker for other unit staff; positions serving in this technical expert or leadworker role may assign projects to other staff to balance workload, provide technical work review, assist management with administration of program policy or training plans, and lead the most high-profile or complex case investigations.

Representative Positions

Environmental Enforcement Expert (DNR):

Positions may either:

- (1) serve as the department expert for a major portion of the environmental enforcement program.
- (2) serve as the Environmental Enforcement program expert with in-depth knowledge of the legal, policy and procedural requirements of a specific regulatory program and the enforcement mechanisms used to most effectively address violations of the statutes and administrative codes applicable to the program. In addition to performing broad regulatory program casework, these positions provide expertise, guidance and mentoring to regulatory and enforcement staff statewide in the development of quality work products and successful, appropriate outcomes to enforcement cases within their area of specialized expertise; or
- (3) serve as an Environmental Enforcement program training expert, with responsibilities for training Environmental Enforcement staff, Agency Pollution Control Scientists and Engineers, or Conservation Wardens in the safe and proper response to violations including investigative techniques, sampling,

evidence collection, elements of the offense, procedures for evaluating and resolving violations, enforcement decision making and preparation of enforcement documents such as compliance orders and requests for prosecution.

Serve as the department's administrative liaison with the Attorney General's office or the District Attorney's office in the resolution of referred cases. Investigate civil and criminal cases.

Environmental Enforcement Specialist – Advanced (DATCP):

Technical Expert: In addition to work described at the senior level, this position serves as the department's technical expert regarding field inspection activities as well as provides primary liaison services to other Bureau programs that interact with field inspection functional work. In addition, the position performs a variety of professional work related to environmental enforcement, remediation, investigation and compliance work for a wide variety of agrichemical programs requiring comprehensive technical knowledge. Work requires an understanding of a basic science related field; position represents the department in a multi-district region of the state.

This position provides technical work review, guidance, and oversight where necessary to environmental enforcement staff for inspectional activities in coordination with supervisors and program specialists. This position performs field review and training of inspectional activities, including assisting in maintaining policies and procedures. This position assists with strategic planning and work planning related to inspection goals, assisting with balancing workload to ensure compliance with department enforcement goals. The position will provide support to the Section chief in the development of rules and program policy; plan or conduct training workshops for internal staff, government, industry organizations, etc. This position will also assist Bureau managers and supervisors in establishing program standards for inspection related enforcement skills.

Compliance Leadworker: This is professional work responsible for environmental enforcement, investigation and compliance work for a wide variety of agrichemical programs requiring significant technical knowledge. The position serves as a leadworker. The position is responsible for compliance case activities including case review, and conducting compliance conferences with the regulated industry. The position prepares legal case documents related to filing of civil or criminal actions in circuit court and administrative proceedings. The position serves as a technical expert, trainer and resource to the regulated industry and the general public for compliance and enforcement activities.

As a leadworker, this position makes casework or related assignments, in coordination with supervisors, to other environmental enforcement staff where necessary to complete an investigation. This position performs a thorough review of investigations, enforcement actions and policies and provides enforcement training to environmental enforcement staff, including assisting Bureau managers and supervisors in establishing program standards for compliance skills. This position assists with strategic planning and work planning related to enforcement goals, assisting with balancing workload to ensure compliance with department enforcement goals. The position will provide support to the Section chief in the development of rules and program policy; plan or conduct training workshops for internal staff, government, industry organizations, etc.

III. QUALIFICATIONS

The qualifications required for these positions will be determined at the time of recruitment. Such determinations will be made based on an analysis of the goals and worker activities performed and by an identification of the education, training, work, or other life experience which would provide reasonable assurance that the knowledge and skills required upon appointment have been acquired.

IV. ADMINISTRATIVE INFORMATION

This classification series was created effective October 12, 1997 and announced in Bulletin CC/SC-74 to describe positions which perform professional level environmental enforcement work at the Departments of Natural Resources, and Agriculture, Trade and Consumer Protection. The creation of this classification series resulted from the Governor's Human Resource Reform Commission recommendation to simplify the classification system. This action resulted in the abolishment of the Environmental Enforcement Specialist classification series (class codes 55461 through 55464) and the Environmental Enforcement Specialist Senior and Advanced Management classifications (class codes 55465 and 55466).

The classification specification was modified effective November 20, 2011, and announced in bulletin OSER-0290-MRS/SC to update allocations for the DNR at the Advanced level and to add allocations for DATCP at the Senior and Advanced levels. The DMA was also included as an agency utilizing the classification.

CAJ
DD/AJS/PLW
55471