

Maintaining Training Records

- Retailers should maintain records documenting that all individual employees have been trained, including management.
- One copy of the test given to employees and the correct answers should be kept in your records.
- A record of the test results for each employee, including the employee's name, the date(s) of testing, and the employee's test score. A passing score is 80%+.
- Retailers should determine the format of the records (e.g., paper, electronic) and should retain the records for 4 years in order to be able to provide evidence of a training program.
- Reminder: Retail merchants who are found non-compliant during a FDA inspection can provide proof of the store's employee training to the FDA to receive a lower penalty during the 48-month time period covered by the civil money penalty schedules in section 103(q)(2)(A) of the Tobacco Control Act.
- Retailers should keep any refresher training records and record any training conducted due to receiving a violation.

Internal Compliance Check Program

- Retailer merchants should consider implementing an internal compliance check program, also known as a mystery shopper program, considering any State or local laws related to such programs.
- Internal compliance checks should be performed at random and varying times of the day and at least once every 6 months. Retail merchants should take corrective action for employees who fail an internal compliance check. Also, the employee should be notified immediately and given additional training.

Note: Retail merchants should consider establishing company policies that take employee performance on compliance checks into account. It should also be considered to establish appropriate corrective measures, in accordance with State and local law, for employee noncompliance. FDA recommends that retail merchants document the procedures and corrective actions for their internal compliance check program.

To ensure that management has a vested interest in employee compliance with laws prohibiting the sale of cigarettes, smokeless tobacco, and other tobacco products to underage youth, retailers also should consider making a store's compliance rate a component of a retail supervisor's performance review, if permitted by law.

- Retailers who have in-store videotaping should periodically review the tapes to ensure that employees are complying with Tobacco 21 Laws and Regulations and following store policies related to reducing the illegal sale of cigarettes, smokeless tobacco, and other tobacco products to underage youth. Specifically, retailers should review the tapes to ensure that store employees are requesting and examining photographic identification from customers who appear under the age of 30.

Why You Should Implement The Responsible Tobacco Retailer Training Program in Your Store?

The Tobacco Control Act does not require retailers to implement retailer training programs. However, it provides for two schedules of civil money penalties for violations of restrictions promulgated under section 906(d) of the FD&C Act, as amended by the Tobacco Control Act, pertaining to the sale and distribution of tobacco products, including youth access, and advertising and promotion restrictions—a schedule of lower penalties for retailers who have implemented a training program that complies with the standards set by FDA and a schedule of higher penalties for those who have not.

Nevada's Responsible Tobacco Retailer Training Program was developed using FDA's Center for Tobacco Products- *Guidelines for Industry, Tobacco Retailer Training Programs.*



11 Benefits Of Training Employees

Employers derive many benefits from organizing training programs for their employees, especially when they dedicatedly and consistently carry out these programs. Here are some likely advantages:

1. **Increased productivity and performance:** When employees undergo training, it improves their skills and knowledge of the job and builds their confidence in their abilities. This will improve their performance and make them work more efficiently and effectively.
2. **Uniformity of work processes:** When employees in a workplace are exposed to training, it helps to standardize the work process among the staff. Workers will apply and follow similar procedures as a result of their exposure to similar training.
3. **Reduced wastage:** When employees are trained, they will learn to make good, safe and economical use of the company's materials, tools and equipment. Accidents and equipment damage will be minimized, and this will keep waste low.
4. **Reduced supervision:** Though training employees should not eliminate the need for supervision, it can significantly reduce the need for excessive supervision in the workplace.
5. **Promoting from within:** When an organization needs professionals with new or specific skills, they don't have to go into the labor market to employ new professionals from outside sources. They can look inward and select promising staff members who can be promoted after they are trained in this set of new skills needed by the organization.

11 Benefits Of Training Employees Con't

6. **Improved organizational structure:** When a company has an organized system of training for employees, it helps them learn in a consistent and systematic way. It also prevents the employees from learning by trial and error.
7. **Boosted morale:** Employees of organizations who go through training programs will feel like they are a part of a supportive work environment where they are appreciated, which will boost their morale and make them approach their job duties with more self-confidence.
8. **Improved knowledge of policies and goals:** A good training program will always help employees get acquainted with their organization's ethics, values, policies, visions and missions.
9. **Improved customer valuation:** When employees of an organization are exposed to consistent training, it improves their skills on the job and makes them work more professionally and productively. Customers will feel the impact of this elevated service, and it will improve their opinion of the organization.
10. **Better workplace environment:** Consistent training will help employees work more effectively in the workplace environment. This brings about an atmosphere in the organization that encourages every employee to feel valued and welcomed.
11. **Improved and updated technology:** With the ever-increasing change in technology across all industries, exposing employees to new techniques in advanced technology will help to increase efficiency and productivity in the organization.

If you need assistance or have a question regarding this resource, or any other resource for the Responsible Tobacco Retailer Training Program, please email Your State Tobacco Control Program at: info@responsibletoabacconv.com

Nevada Responsible Tobacco Retailer



Training Module:

Retention of Employee Records & Internal Compliance Check Program

Tobacco Control Program
Division of Public and Behavioral Health

This publication is supported by the Nevada State Division of Public and Behavioral Health through funds allocated from Senate Bill 460, Section 9 of the 81st Session. Its contents are solely the responsibility of the authors and do not necessarily represent the official views of the Division.

