



NEW JERSEY DEPARTMENT OF
CHILDREN AND FAMILIES

Policy Manual

Manual:	DCF	DCF Wide	Effective Date: 06-13-2022
Volume:	III	Administrative Policies	
Chapter:	A	Human Resources	Revised Date: 07-05-2022
Subchapter:	2	Work Hours	
Issuance:	400	Pilot Telework Policy	

Purpose:

Telework is an arrangement for a Department of Children and Families (DCF) employee to telework for up to two (2) days in a calendar week. Telework is a privilege offered to eligible employees that allows flexibility in work environment, reduces energy consumption, pollution, unnecessary travel and traffic, improves work/life balance, serves as an effective recruitment and retention strategy, and acts as a useful strategy to facilitate continuity of operation plans during emergency situations. DCF has undertaken a thorough review of its operations and determined that the agency and its employees have sufficient resources needed to facilitate a robust Telework Program.

This policy applies to all full- and part-time employees in the classified, unclassified, and senior executive service whose job duties are conducive to telework. Staff in titles listed in [Attachment A](#) will not be eligible for telework.

Authority:

- CSC Docket Number 2022-2243, Order Establishing Pilot Program, Issued April 6, 2022.

Policy:

A) Telework

- 1) Eligible DCF employees, upon application and certification, may be permitted to telework for up to two (2) days in a calendar week.

- i. If approved, the employee must adhere to a fixed schedule that identifies the specific days that the employee will telework for the duration of the pilot. For example, every Monday and Wednesday is a telework schedule. Schedules may **not** vary from week to week.
 - ii. Individual organizational units may limit teleworkdays to specific days of the week based on operational need.
 - iii. Employees must document their scheduled working hours through the New Jersey electronic Cost Accounting and Timesheet System (eCATs).
- 2) Under no circumstances shall telework impede operations or delivery of services or result in decreased productivity. As a result, management reserves the right to:
 - i. Adjust an employee's telework schedule based on operational need with as much advance notice as possible; and
 - ii. Direct an employee scheduled for telework to report to the employee's Official Reporting Location in circumstances deemed necessary by the appointing authority to fulfill its mission. Such circumstances include, but are not limited to, meeting staff and/or workload requirements, attending meetings, receiving work assignments, training, traveling, accounting for absences of other employees, emergency situations, or other situations deemed necessary by Management. Management will give the employee as much notice as possible of the need to report to the Official Reporting Location. In those instances, the employee will not be able to select an alternate telework day.
- 3) Telework arrangements shall not adversely affect the operations of the Department, employee work performance, staffing patterns, or the health and safety of staff. If there are a disproportionate number of employees in a work unit who wish to telework on the same day or times the employee(s) with the most State seniority will have preference.

B) Eligibility

- 1) DCF's decision to grant or deny an eligible employee's request for a telework arrangement will be based on the nature and content of the employee's position, whether the arrangement improves DCF's ability to meet its mission, staffing and workload requirements, and whether the employee's request is consistent with this program. An employee is eligible to request a routine telework arrangement if:
 - i. The operational needs of the Department permit the employee to perform job duties remotely;
 - ii. The amount of direct contact with vendor, children, families,

and community members required does not render telework prohibitive;

- iii. As reflected in the Performance Assessment Review (ePAR), the employee must meet minimal performance expectations (a “2” or above);
- iv. The employee must not be subject to a current performance-based improvement plan;
- v. All essential job duties can be performed remotely without creating an undue burden on management or co-workers;
- vi. Performance expectations can be met while teleworking;
- vii. Specialized equipment or reference materials are available remotely;
- viii. Confidential information can be securely accessed, protected, and processed while teleworking;
- ix. Information technology systems can be securely accessed while teleworking;
- x. Adequate Supervision can be provided remotely;
- xi. The employee has completed the mandatory telework training; and
- xii. Telework can be performed consistent with the New Jersey First Act, N.J.S.A. 52:14-7(L. 2011, c.70).

2) DCF in its sole discretion may limit or deny an employee's participation in a telework arrangement for any reason, including but not limited to the following:

- i. The employee is or will be on a performance improvement plan or has performance weaknesses that have been communicated to the employee;
- ii. The employee has been formally disciplined for time/leave abuse, and/or the employee's supervisor has identified problems with time management, use of time, and/or attendance issues and those problems have been clearly communicated to the employee
- iii. The employee is undergoing training in a new job;
- iv. The employee's absence from their official duty station or other worksite imposes undue burdens on their management or co-workers;
- v. The employee has work that warrants being at their official work location to accomplish their duties; and
- vi. The employee is proposing an arrangement that would be impractical for conducting the assigned job duties.

3) Employees who are ineligible for telework because they have not met minimal performance expectations or because they are on a

performance-based improvement plan may apply to participate in the program once they have raised their performance rating to a “2” or above and satisfactorily completed their performance-based improvement plan.

- 4) Employees may request reconsideration of a denial to participate in a telework arrangement no sooner than three (3) months following the denial.
- 5) Employees deemed ineligible In the Telework Pilot Program may instead apply for approval of a [flextime schedule](#) or an alternate workweek program if operational needs support it. Employees who participate in the Telework program will not be eligible for either the flextime or [AWP programs](#).

C) Data Security

1) IT Requirements

- i. Employees working from home shall follow established directives regarding the use of DCF records, data, user IDs, and passwords. Employees are responsible for always protecting and securing sensitive and confidential data and records.
- ii. The loss, unauthorized release or other unpermitted disclosure of confidential information, including but limited to personally identifiable information (PII) must immediately be disclosed to the DCF Privacy Officer pursuant to [DCF's HIPAA policy](#).
- iii. DCF will determine, with information supplied by the employee and the immediate supervisor, the appropriate equipment (including computer hardware, software, hotspots, office equipment, etc.) for each telework arrangement on a case-by-case basis. The immediate supervisor, and the DCF IT Director will serve as resources in this matter. The employee and DCF will keep a detailed inventory of any DCF equipment in an employee's residence.
- iv. DCF employees will only be permitted to use personal devices to accomplish their telework with permission from the DCF IT Director and in compliance with the State of New Jersey's Portable Computing User Agreement ([Attachment E](#)).
- v. The employee is responsible for providing their own Internet and telephone connectivity. DCF will not reimburse any personal telephone or internet service costs that are used for teleworking.
- vi. The employee will configure their telework network and secure their remote computing activities in accordance with the Telework and Remote Access Security standards documented in the [Statewide Information Security Manual](#).

- vii. Teleworking employees must exercise a higher degree of care when discussing, reviewing, or working with confidential or sensitive information at their Alternative Worksite. Whenever possible, portable information assets displaying sensitive information should be positioned so that the screen cannot be viewed by others.
- viii. In the event of an unexpected loss of internet connectivity (that cannot be immediately repaired), equipment failure, or power outage when an employee is teleworking, the employee must immediately report the failure or outage to their supervisor and IT staff so that alternative arrangements can be made. Information Technology has provided all staff teleworking with the necessary technology and equipment to complete work that is normally performed in a traditional work environment. In the event there is a need to pick up equipment, staff **must coordinate with IT staff** for assistance with disassembly and packaging for transport. Staff are expected to use all the tools provided to them to perform their duties.

2) **Confidentiality/Ethics**

- i. All electronic records, data, and files created in connection with the performance of an employee's job duties are the property of DCF and are subject to confidentiality and records retention practices of the State of New Jersey, and the Open Public Records Act (OPRA) as well as all applicable federal rules and regulations. There is no expectation of privacy in the use of any DCF issued device. This means that representatives of DCF are authorized to monitor the use of DCF's network, consisting of printed, computer, or electronic information to ensure that all uses are consistent with state and DCF policies and interests.
- ii. Employees are to abide by all DCF, OIT, state and federal policies, rules, procedures, and regulations that govern data access, data, or information breaches, as well as all [DCF](#) and [State Ethics Commission rules](#), regulations and statutes which govern employee conduct and ethics requirements.

3) **Asset Security**

- i. Employees who receive portable information assets including, but not limited to laptop computers, tablets, smart phones, removable media, etc., assume temporary custodianship of such assets (which remain the property of DCF). Employees are responsible for the physical security and condition of these information assets.
- ii. Portable information assets shall not be left in an unattended

vehicle.

D) Performance Evaluation

- 1) An employee and immediate supervisor will maintain an appropriate level of communication as agreed to in the Teleworking Agreement. Such communication will, at a minimum, be at a frequency consistent with employees working in the office and conducted in a manner appropriate for the job and the individuals involved. The employee's performance, including their productivity, will, at a minimum, be the same as if the employee worked in the official duty location, and must be monitored by the immediate supervisor.
- 2) Supervisors must provide regular, concrete performance feedback to any employee who engages in telework including but not limited to written assessment of employee progress and productivity via ePAR.
 - i. Supervisors must establish and provide timetables and deliverables, as appropriate, for the completion of tasks that are performed in whole or in part by the teleworking employee; and
 - ii. Supervisors must continually monitor and assess the teleworking employee's job performance and report findings to senior management as necessary or required.
- 3) Within the first 45 days of an employee's approval to telework, supervisors and employees must have an in-person meeting, in addition to and separate from any regularly scheduled performance evaluations in their regular workplace to discuss performance and modification of performance expectations necessary to reflect the required criteria for telework. Except in case of delay cause by a supervisor, failure to attend this in-person meeting may result in revocation of the employee's ability to telework.
- 4) Supervisors must alert employees, in writing, to any tasks and/or expectations that may differ from their normally defined tasks and/or expectations due to telework. Failure of a Supervisor to adhere to this requirement may result in revocation of the Supervisor's authorization to telework.

E) Revocation of a Telework Arrangement

- 1) Telework may be revoked at any time during the pilot program if employees are not successfully meeting performance expectations, failing to comply with their telework agreements, failing to complete the mandatory telework training, and/or scheduling telework in lieu of utilizing accrued time to address personal issues. Telework may also be revoked based on the appointing authority's operational needs, which may change over time.
- 2) Prior to revocation, the Supervisor shall notify the employee of any

deficiencies, in writing, as well as the timeframe in which such deficiencies must be effectively addressed by issuing the employee a development/corrective action plan so the employee may endeavor to meet expectations in a timely manner.

- i. The Office of Employee Relations will notify the appropriate Union, as pertinent, for appropriate counseling to take place regarding a pending revocation.
 - ii. If an employee can demonstrate that they are able to meet performance expectations in a timely matter following counseling, then, the employee will be permitted to continue teleworking.
- 3) The Office of Human Resources must approve a revocation following the period prescribed by the development/corrective action plan. Employees who can demonstrate that they have met expectations in a timely manner following this counseling shall not have their telework authorization revoked.

F) Establishing an Alternate Worksite

1) Appropriate Environment

- i. An employee will establish an appropriate, professional, and safe environment within their residence. DCF will not be responsible for costs associated with initial setup, or ongoing maintenance of, an employee's residential office or telework location, such as remodeling, furniture, or lighting, nor for repairs or modifications to the remote office space.
- ii. Employees will maintain their telework offices in a professional manner by taking such measures as: establishing a daily schedule (with times for breaks, lunch, and start and stop times), routinely monitoring email, MS Teams chats, text messages, voicemails and other technologies used for communication with colleagues, staff and supervisors throughout the day, denoting meetings in the MS Outlook calendar, and ensuring that an appropriate voicemail message is in place when the employee is unavailable.
- iii. Because the telework program is voluntary, a participating employee must cooperate in responding to inquiries, questions, and requests for information, including as to the telework office and equipment.

2) Availability

Employees teleworking shall be available to their coworkers, supervisors, and others in the same manner as if they were in a traditional office environment. Employees must be responsive and available when contacted during the workday by a Supervisor, Manager, or other colleagues.

Employees are expected to participate in scheduled conference calls and other available modes of communication established by the Supervisor. Employees who have State issued cell phones shall ensure they are operable and, if necessary, provide an alternate phone number (e.g., personal cell phone) to a Supervisor in the event technical issues arise that impact the employee's ability to use their work cell phone. Employees agree to check voicemail and email frequently to facilitate appropriate communication and to have a recorded message on their residential/cell phone and office voicemail indicating the days, hours, and location of their availability.

3) Timekeeping

- i. Telework employees will be required to record all hours worked in eCATS. Telework employees will be held to the same standard of compliance as office-based employees. Telework hours worked in excess of those specified per day and per work week by non-exempt employees will require the advance approval of the supervisor/cost center manager.
- ii. Non-exempt employees who fail to comply with this requirement may be subject to immediate revocation of the telework agreement and/or possible disciplinary action. Employees who are unclear of their exempt/non-exempt status should contact the DCF Office of Human Resources at dcfhumres@nj.gov or 609-888-7830.
- iii. The telework employee must notify their immediate supervisor promptly of any situations that interfere with their ability to perform their approved telework.
 1. For example: loss of power, unexpected dependent care issues, etc. Use of accrued leave time will be required to cover the scheduled telework hours if the employee is unable to telework at that time.
- iv. In accordance with [DCF Timekeeping policy](#), supervisors must review and certify in eCATS that employees are paid only for work performed and that leave time usage from scheduled work hours are properly reflected. Supervisors must obtain a reasonable assurance that employees are working when scheduled. Reasonable assurance may include a review of work products to ensure an acceptable level of productivity during the time spent teleworking as well as written weekly status reports provided by the employee, which document progress on work assignments and projects.

4) Business Expenses

DCF will only reimburse an employee for business expenses that are pre-

approved by the Chief Fiscal Officer. Employees will be responsible for providing appropriate documentation of such business-related expenses as a condition of reimbursement. Tax implications related to the teleworker's residential office or telework location are the responsibility of the employee.

5) Late Opening, Early Dismissal, Agency Closure

If a situation arises at a DCF office or school location that causes a late opening, early dismissal, or complete closure (e.g., power, or plumbing failure, weather incident), a telework employee is **not excused** from scheduled telework duty for that period of time as they would not be affected by those conditions. In these situations, employees scheduled for telework on the affected day must work their regularly scheduled hours.

6) Holidays

If an employee's telework day falls on a holiday, the day is forfeited as a telework day. Another day that week cannot be substituted.

7) Inability to Perform Telework

If emergent circumstances occur at an employee's Alternate Worksite that impacts the employee's ability to perform official duties, the employee shall **immediately** notify their Supervisor, covering Supervisor, or Cost Center Manager. In such an emergent situation, the Supervisor, covering Supervisor, or Cost Center Manager may direct the employee to report to the Official Reporting Location or approve appropriate paid leave or leave without pay.

8) Dependent Care

Telework is not intended or designed to be a replacement for appropriate dependent care (e.g., childcare or elder care). Although a telework arrangement may indirectly benefit an employee with dependent care responsibilities, the focus of the telework arrangement must remain on job performance and meeting business demands. To that end, the telework employee must attest in the Teleworking Agreement that care arrangements are in place for dependents during the hours that the employee will be teleworking. In addition, prospective telework employees are encouraged to discuss telework expectations with family members prior to entering a telework agreement. Withholding or misrepresenting information may lead to cancellation of the telework arrangement and/or disciplinary action.

9) Compensation and Benefits

Telework does not change the employee's salary, benefits, work week designation or official duty location. Salary, work hours, and benefits will remain subject to the rules governing the appropriate collective bargaining agreement and existing State statutes and regulations.

Procedures:

1) Telework Application

- a) Employees requesting permission to participate in the Pilot Telework Program must apply ([Attachment B](#)) to their immediate Supervisor. The employee will self- certify their eligibility for the program.
- b) Telework is not a rolling enrollment program. Eligible employees may apply for telework during the program's open enrollment period four (4) times per year during the first pay period in July, October, January, and April. Applications submitted during these time periods must be approved by the supervisor, cost center manager, and Office of Human Resources. New employees will have the option to enroll at the time of hire.
- c) The employee will be able to select preferred telework day(s). The employee's preference is not a guaranteed approval of the schedule. Schedules will be approved based on operational need.
- d) Once a schedule is approved, it will be the employee's schedule for the duration of the Pilot program and can only be modified by reapplication. When considering schedule change requests, the Cost Center Manager will evaluate whether and to what extent such changes impact operational needs.
- e) The application will include a telework Self-Assessment ([Attachment C](#)) to gauge employees' ability to work telework. Employees should seriously consider the factors set forth in the self-assessment in conjunction with their job duties. The self-assessment will include topics including but not limited to: Self-Management; Technology; Communication Capacity; and Space.

2) Human Resources Requirements

- a) The DCF Office of Human Resources shall work with Supervisors to confirm employee meets self-certified eligibility criteria and make a **recommendation** regarding employee's eligibility to the Cost Center Managers.
- b) If a Cost Center Manager and employee **disagree** as to eligibility, the Cost Center Manager shall identify, in writing, to Human Resources personnel which criteria they feel the employees do not meet.
- c) An employee may request a **consultation** to be held between the employee, Supervisor, and Human Resources personnel regarding the disputed eligibility. As necessary, a representative from the Office of Employee Relations may be included. The employee may request union representation to participate in the consultation.
- d) Following the **consultation**, to discuss the eligibility dispute, the Office of Human Resources will make a recommendation in writing, to the Cost Center Manager. The Cost Center Manager shall review the recommendation and

make the final determination regarding employee eligibility and provide written notice of their decision to the employee.

3) Denial to participate in the Telework Pilot Program

If an employee is not approved to participate in the Telework Pilot Program, they have a right to file a grievance in accordance with N.J.A.C. 4A:2-3.3.

4) Telework Schedule

a) The Cost Center manager and immediate supervisor will agree upon the number of days of telework allowed each week, the work schedule the employee will routinely maintain, and the manner and frequency of communication. The total number of days for which telework may be approved may not exceed two (2) days per week. The telework schedule is a standard schedule established for the duration of the pilot. If desired, employees may request, in writing, to change their telework schedule during the duration of pilot telework program. Changes to the telework schedule are subject to the same review/approval process described above.

b) Pursuant to Policy Section A) 3 above, if management exercises its discretion to adjust an employee's schedule based on operational needs, employees do not have the right to appeal such schedule changes.

5) Telework Agreement

a) All telework arrangements, including work schedule and responsibilities, will be formalized in a Telework Agreement signed by the employee, the employee's immediate supervisor and Cost Center manager ([Attachment D](#)).

b) Telework agreements will be reviewed periodically by management to determine if they should be renewed, canceled, or revised based on individual agreements should be made to individual agreements.

6) Training

All employees participating the Pilot Telework Program shall successfully complete telework training created by the Civil Service Commission prior to being approved to participate in the program. Failure to complete the mandatory training is grounds for revocation of telework agreement.

7) Change in Position

If a telework employee is promoted, reassigned, or otherwise changes position within DCF, that employee shall request new approval to revise/continue the telework arrangement in the new position.

Key Terms (Definitions):

- **Alternative Worksite** means a location in an employee's primary residence, designated by the employee as the location they will use to perform their official

duties, or another location pre-approved by the appointing authority.

- **Cost Center Manager** means the manager responsible for a significant organizational entity reporting to the Commissioner, Deputy Commissioner, Chief of Staff, or an Assistant Commissioner.
- **Official Reporting Location** means the location to which an employee reports when the employee is not working at an Alternative Worksite or in the field.
- **Telework** means performance of official duties at an Alternative Worksite.
- **Reasonable Accommodation** means the approved regular telework to enable an employee with disabilities to perform their essential duties. Requests for reasonable accommodations must be approved through established ADA/Human Resources channels by the employee's appointing authority.

Forms and Attachments:

- [Attachment A](#) – List of titles/functions ineligible for telework
- [Attachment B](#) – Employee Application for Telework
- [Attachment C](#) – Employee Self-Assessment Tool
- [Attachment D](#) - Employee Telework Agreement
- [Attachment E](#) – State of New Jersey Portable Computing User Agreement
- [Attachment F](#) - DCF Pilot Telework Program Guide
- [Attachment G](#) – 45 Day Telework Face-to-Face Review
- [Telework Frequently Asked Questions \(FAQ\)](#)

Related Information:

Any questions about this Telework Pilot Program, Flextime or AWP should be directed to DCFHumRes@dcf.nj.gov.

Policy History:

- Revised – 7/5/2022
- Revised – 6/22/2022
- New Policy – 6/13/2022