



New Jersey Department of Children and Families EEO Plan 2018- 2020

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Commissioner

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Plan Component 1: Introduction

The New Jersey Department of Children and Families (DCF) is committed to promoting inclusivity and diversity and maintains a comprehensive program to ensure that workforce and contracting practice reflects these principles. Diversity within the State of New Jersey public employment sector provides opportunity to foster mutual awareness, knowledge, sensitivity and respect for our shared strengths and culturally unique perspectives, to challenge ingrained stereotypes, and to promote mutual understanding and civility.

DCF is committed to a work and learning environment conducive to open discussion and the free exchange of ideas. Embodying, promoting and celebrating diversity inspires innovative ideas, practical solutions, and team-building to achieve DCF’s goal of professional excellence in serving New Jersey’s families and protecting vulnerable children. All individuals have the right to participate in programs and activities operated by the Department and its subrecipients, regardless of race, color, national origin, sex, religion, disability, or any other protected category. All complaints of discrimination, regardless of where reported or from whom, are taken seriously. Additionally, the Department will ensure that its subrecipients comply with all applicable federal and State laws regarding employment discrimination.

The commitment of DCF to develop and maintain equal employment opportunity and diversity throughout the Department is set out in this Equal Employment Opportunity Plan (hereinafter referred to as the “Plan” or the “EEO Plan”).

Plan Component 2: State Laws

STATE LAW:

New Jersey Law Against Discrimination(NJLAD) NJSA 10:5-12: The NJLAD prohibits unlawful employment discrimination based on an individual's race, creed, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), familial status, marital/civil union status, religion, domestic partnership status, affectional or sexual orientation, gender identity or expression, atypical hereditary cellular or blood trait, genetic information, liability for military service, and mental or physical disability (including perceived disability, and AIDS and HIV status).

Plan Component 3: EEO & Nondiscrimination in Employment Policy Statement

DCF and the State of New Jersey are committed to the principles of equal employment opportunity. DCF will provide equal employment opportunity in accordance with all applicable federal, state, and local laws, and will implement a comprehensive program to put those principles into practice.

Plan Component 4: Delegation of Responsibility, Authority & Compliance

The general responsibilities for the prompt and effective implementation of this Plan are set forth below.

State Division of Equal Employment Opportunity

The Division of Equal Employment Opportunity/Affirmative Action was created by law to ensure equal employment opportunities for all New Jersey State employees and prospective employees. The Division also serves to prevent State employees, prospective State employees, and persons doing business with the State, from being subjected to discrimination and/or harassment based on the protected categories. The Division of EEO/AA is charged with ensuring that all employees and applicants for employment with the State of New Jersey work in an environment free from all forms of employment discrimination in accordance with the State of New Jersey's Policy Prohibiting Discrimination in the Workplace. The Division of EEO/AA is also charged with ensuring that all State Departments and Agencies comply with the applicable law, policies and procedures.

The EEO Director of the Office of Equal Employment Opportunity/Affirmative Action or designee (hereinafter referred to as the "EEO Director")

The EEO Director is responsible for the implementation of the EEO Plan as it pertains to employees. All discrimination complaints from employees of the Department or individuals filing a job application with the Department should go to

the EEO Director. If the designated recipient of the EEO complaints changes, DCF will notify employees and applicants for employment of the new designee. The EEO Director shall assist in the implementation of the Plan consistent with all applicable federal, state, and local laws and guidelines, monitor the progress of equal employment opportunity and employment diversity initiatives throughout DCF, and provide suggestions for EEO Plan revisions as appropriate.

The Director of Legal Affairs or designee (hereinafter referred to as the “Director of Legal Affairs”)

The Director of Legal Affairs is responsible for the implementation of the Plan as it pertains to contractors, clients, customers, program recipients, and program participants. The Director of Legal Affairs shall handle all discrimination complaints from outside parties that are not employees of the Department. The Director of Legal Affairs shall ensure that all contractors, funding recipients, service providers and outside entities that assist DCF in its mission comply with all applicable federal, state, and local equal employment opportunity law and guidelines.

Plan Component 5: Bi Annual EEO Plan Review

The EEO Director and the Director of Legal Affairs will review the EEO Plan at least once every two years, and any revised Plan will be submitted to the Commissioner for approval. Every two years, the EEO Director and the Director of Legal Affairs shall monitor and coordinate updated training (available from, and in coordination with, the *State Division of Equal Employment Opportunity*) on the following topics:

- The requirements of all applicable federal, state, and local laws;
- The role of the Director of Legal Affairs in carrying out DCF’s EEO Plan; and,
- The role of the EEO Director in carrying out DCF’s EEO Plan.

Plan Component 6: Complaints

A. The Department will designate a coordinator responsible for overseeing the complaint process in the following way:

1. Complaints from Employees of the Department Will Be Handled by the EEO Director, or designee

Regarding discrimination complaints from employees of the Department, the Department adheres to the New Jersey State Policy Prohibiting Discrimination in the Workplace, N.J.A.C. 4A:7-3.1 (“EEO Policy”).

2. Complaints from Clients, Customers, or Program Participants of the Department and Employees, Customers, or Program Participants of a Subrecipient Will be Handled by the Director of Legal Affairs, or designee

Regarding discrimination complaints from clients, customers, and program participants of the Department, as well as employees, clients, customers, or program participants of a subrecipient implementing funding from DCF, the Department will designate the Director of Legal Affairs, or other designee as the complaint coordinator responsible for overseeing the complaint process.

3. Additionally, in accordance with N.J.A.C. 13:1C-1.1 et seq., the Department has established a designated coordinator known as the ADA Coordinator to ensure Departmental compliance with requirements under the Americans with Disabilities Act (ADA). Complaints received regarding the denial of services in the context of the ADA will be referred to the EEO Director, or designee relating to complaints from or regarding employees. Complaints received alleging denial of reasonable accommodations/ services relating to clients, customers, and program participants of the Department will be referred to the Director of Legal Affairs, or designee.

- B. The Department will notify employees and subrecipients of prohibited discrimination in the Department's programs and activities and the Department's policy and procedures for handling discrimination complaints in the following way:

1. For Employees of the Department

The EEO Director will notify employees of prohibited discrimination in the Department's programs and activities by distributing and making available the EEO Policy. The Department will notify its employees of the policy and procedures for handling discrimination complaints by distributing and making available the New Jersey State Model Procedures for Internal Complaints Alleging Discrimination in the Workplace ("State Complaint Procedure").

2. For Employees, Clients, Customers or Program Recipients of Subrecipients

The Department will notify subrecipients of prohibited discrimination in the Department's programs and activities by incorporating into its sub grant agreements all required federal general assurances and special conditions on federal civil rights requirements. A copy of the Department's policies regarding prohibited discrimination in the Department's programs and activities will be made available to all subrecipients. Subrecipients will be required to agree to abide by the policy as a condition of the grant award in the Standard Language Document or other assurances.

- C. The Department will establish the following written procedures for receiving discrimination complaints from employees and clients, customers, or program participants:

1. For Employees of the Department

An employee of the Department may report allegations of discrimination to the EEO Director, or designee. The complaint procedure will follow the procedure established by the State Complaint Procedure.

2. For Clients, Customers, or Program Participants of the Department and Employees, Clients, Customers, or Program Participants of a Subrecipient

A client, customer, or program participant of the Department as well as an employee, client, customer, or program participant of a subrecipient implementing funding from DCF may report allegations of discriminations to the Director of Legal Affairs, or designee. The Director of Legal Affairs may then designate an appropriate person to conduct an internal investigation of the complaint or refer it to the appropriate agency for investigation. An employee of the Department that receives a discrimination complaint from a client, customer, or program participant of the Department, or an employee, client, customer, or program participant of a subrecipient implementing funding will forward the complaint to the Director of Legal Affairs. The Department employee will then notify the complainant that the complaint has been forwarded to the Director of Legal Affairs for further action.

- D. The Department will establish the following procedures for investigating discrimination complaints from employees and clients, customers, or program participants:

1. For Employees of the Department

The Department will follow the procedures established by the State Complaint Procedure for investigation of discrimination complaints from employees of the Department.

2. For Clients, Customers, or Program Participants of the Department Lodging Complaints against the Department or its Employees

The EEO Director shall, within fourteen business days of receiving the complaint, send the complainant a letter acknowledging receipt of the complaint and confirm if the complaint was forwarded to any State or federal agency. The EEO Director shall notify the Director of Legal Affairs. The EEO Director shall then, within 120 days of receipt of the complaint, have an internal review or investigation, if appropriate, of the complaint conducted and determine whether any corrective action is necessary.

3. For Employees, Clients, Customers, or Program Participants of a Subrecipient

The Director of Legal Affairs shall, within fourteen business days of receiving the complaint, review the complaint and refer it for investigation to the Division on Civil Rights (DCR), the DOJ Office for Civil Rights (OCR), the U.S. Equal Employment Opportunity Commission (EEOC), or another appropriate agency. The Director of Legal Affairs shall send the complainant a letter informing the complainant that the complaint has been referred to the appropriate agency for investigation.

Complaints may be filed with the following external agencies:

Division on Civil Rights
N. J. Department of Law & Public Safety
(Within 180 days for violation of the discriminatory act)

Trenton Regional Office
140 East Front Street
6th Floor, P.O. Box 090
Trenton NJ 08625-0090
(609) 292-4605

Newark Regional Office
31 Clinton Street, 3rd floor
P.O. Box 46001
Newark, NJ 07102
(973) 648-2700

Atlantic City Office
1325 Boardwalk
1st Floor
Atlantic City, NJ 08401
(609) 441-3100

Camden Regional Office
One Port Center, 4th Floor
2 Riverside Drive, Suite 402
Camden, NJ 08103
(856) 614-2550

United States Equal Employment Opportunity
Commission (EEOC)
(Within 300 days of the discriminatory act)
National Call Center – 1 800-669-4000

*Newark Area Office
One Newark Center, 21st Floor
Raymond Blvd at McCarter Highway (Rt.21)
Newark, New Jersey 07102-5233
(973) 645-4684

4. Policy When Forwarding Complaints to External Agencies

If a complaint from a client, customer, or program participant of the Department is forwarded to an external agency, the Director of Legal Affairs shall notify the OCR in writing of such referral. If a complaint from an employee, client, customer, or program participant of a subrecipient is forwarded to the DCR, EEOC, or other local fair employment practices agency, the Director of Legal Affairs shall notify the OCR in writing of such referral.

- E. During the investigation of the complaint, the appropriate Complaint Coordinator shall inform a complainant that they may also file a complaint with the OCR at the following address:

Office for Civil Rights, Office of Justice Programs, U.S. Dept. of Justice
810 Seventh Street N.W.
Washington, DC 20531

- F. The Department will provide training to Department employees, via in-person training or training made available on the Internet or Departmental Intranet website, on their responsibility to refer discrimination complaints, or potential discrimination issues, to the Director of Legal Affairs for processing as soon as the alleged discrimination comes to their attention.
- G. The Department will notify employees and clients, customers, and program participants of prohibited discrimination by making available the Department's policy prohibiting discrimination on the Department's public and Intranet websites. This policy will contain the procedures for filing a complaint of discrimination.
- H. The Department will require that as part of the sub grant award package, subrecipients have procedures in place for responding to discrimination complaints that employees and clients, customers, and program participants file directly with the subrecipient.
- G. If there is a conflict of interest, the complaint may be filed with the Division of EEO/AA. In addition to filing an internal complaint, individuals have the right to file complaints simultaneously with the U.S. Equal Employment Opportunity Commission (EEOC) and/or the New Jersey Division on Civil Rights (DCR).