

CF OPERATING PROCEDURE
NO. 60-40, Chapter 9

STATE OF FLORIDA
DEPARTMENT OF
CHILDREN AND FAMILIES
TALLAHASSEE, October 9, 2024

Human Resources

ALTERNATIVE WORK LOCATIONS

9-1. Purpose. This operating procedure establishes the Department of Children and Families' (Department) policy for alternative work locations, including hoteling, telework, or occasional work in the field, other offices, or at home. As the Department seeks to serve its clients more effectively, creative approaches are necessary to focus resources on clients. The availability of mobile technologies, better security, and more access points statewide allows the Department to shift the main work location from the office to the field for some workers, such as protective investigators. For other employees, telework or other alternate work arrangements, may be options that allow the Department to use its resources most effectively.

9-2. Scope. This operating procedure applies to all employees of the Department.

9-3. References.

- a. Section 110.171, Florida Statutes (F.S.).
- b. CFOP 50-22, Acceptable Use of Information Technology Resources.
- c. CFOP 50-13, Internet/Intranet Policy.
- d. CFOP 50-2, Security of Data and Information Technology Resources.
- e. CFOP 40-1, Official Travel of the Department of the Department of Children and Families Employees and Non-Employees.

9-4. Terms Defined. For the purposes of this operating procedure, the following definitions shall apply:

- a. Approved Safeguards. Ensuring the adequate protection of the physical security and the data security of the device.
- b. Employee(s). Any person employed in an established Department position in the Senior Management Service, Selected Exempt Service, Career Service, or paid from Other Personal Services (OPS) funds.
- c. Delegated Authority. The Secretary, Deputy Secretary, Chief of Staff, Assistant Secretaries, General Counsel, and Inspector General.
- d. Official Work Location. An employee may have only one official work location. In all cases, the location must be in the best interest of the Department and not for the convenience of the employee. The official work location is the location of the office to which the employee is assigned. For employees participating in telework or hoteling, this is the Department location that is designated by the Delegated Authority.
- e. Alternative Work Location. A work arrangement in which an employee works cooperatively from a different location(s) than the employee's official work location using a technology-based

platform, such as a networked computer and telephone. An alternative work location includes telework, hoteling, and other forms of distributed workplace arrangements. All alternative work locations must be pre-approved by the Delegated Authority.

f. Telework. A work arrangement that allows state employees to conduct all or some of their work away from the official work location during all or a portion of the state employee's established work hours on a regular basis. Performance of required work duties away from the official work location on an occasional basis, sporadically working away from the official work location during all or some portion of the established work hours, or performing duties and responsibilities that, by their nature, are performed routinely in the field away from the official work location is not considered teleworking.

(1) Required Telework. A work arrangement whereby employees are required, on a regular basis, to perform all or some of the normal duties and responsibilities of their positions from their home or another approved telework location.

(2) Optional Telework. A work arrangement whereby employees are allowed, on a regular basis, to perform all or some of the normal duties and responsibilities of their positions from their home or another approved telework location.

g. Hoteling. An alternative work location arrangement in which employees work at a primary office location part of the time and at one or more other locations the remainder of the time. When employees are working in their primary office location, they use a non-dedicated or non-permanent workspace assigned for use by reservation on an as-needed basis. Hoteling is a distinctly different work arrangement from telework and does not require an approved telework agreement unless paired with telework.

h. Department of Management Services (DMS) Telecommuting Guide. A publication of the State of Florida, Department of Management Services, Division of Human Resource Management titled, "Identifying Positions Appropriate for Telework and Determining Employee Eligibility," which can be viewed at:

http://www.dms.myflorida.com/workforce_operations/human_resource_management/state_hr_practitioners/state_employee_telework_program

9-5. Policy.

a. The Department may establish telework as an integral part of the normal business operations of the agency and require that specific work be performed through telework arrangements, or telework may be used as part of the Department's Continuity of Operations Plan, or the Department may establish telework as an optional alternative work arrangement to support employee needs and implement telework arrangements if appropriate and in the best interests of the Department.

b. Employees whose primary work is in the field will have their primary work location in the field. For purposes of supervision, they will report periodically to their regional, circuit, facility, or Headquarters offices. Because they will not be in the office most of the time, they will be in "hoteling" (allocated rather than designated) stations when they report in.

c. Employees may be required to participate in telework as a term and condition of employment, or if not required, such employees may request the opportunity to participate in the Telework Program provided for in paragraph 9-7 of this operating procedure.

(1) Where employees are required to telework as a part of normal business operations, the employee's position description shall include the telework requirement and specify the minimum amount of telework required. Such employees shall receive at least 30 calendar days' written notice of

intent to impose or remove a requirement to telework, and at least 15 calendar days' written notice of intent to revise the terms and conditions of a current telework arrangement. Such employees shall be provided with the equipment and supplies necessary to carry out the job functions from the telework location. A telework requirement shall be included in recruiting announcements.

(2) Where employees are not required to telework as a part of normal business operations, the Department may provide telework as an optional alternative work arrangement to support employee's needs if appropriate for the position and in the best interest of the Department.

d. Performance measures shall be established that support telework program analysis, and data shall be reported annually to the DMS in accordance with s. 110.171(7), F.S. Such measures must include, but need not be limited to, those that quantify financial impacts associated with changes in office space requirements resulting from the telework program. The Department's Office of General Services will coordinate this requirement with DMS.

e. If an employee will be teleworking from a location that is outside of the state of Florida, additional factors must be taken into consideration prior to approval including distance away from the official work location and applicable laws in the other state on issues such as unemployment insurance, taxes, and workers compensation. All requests for telework from a location outside of the state of Florida must be approved by the Secretary.

f. All pay, leave, and other benefits are determined using the employee's official work location.

g. Leaves of absence while the employee is assigned to an alternative work location is governed by the Department's established policies and procedures governing leave.

h. Changes to the employee's work schedule, including overtime work, must be approved in advance by the employee's supervisor. An employee's failure to obtain proper and prior approval for overtime work may result in appropriate disciplinary action if overtime hours are claimed or reported on the employee's time sheet and it is determined the employee failed to obtain prior approval to work such hours except in a true client emergency.

i. Hoteling arrangements result in reduced real estate costs by reducing the use of office space. Hoteling arrangements may be initiated to enhance mission accomplishment; to improve service to clients; to improve productivity; to attract and retain high-quality employees in key occupations; to reduce office space and associated costs; or to reduce commuting distance.

j. Security and Confidentiality.

(1) Employees shall apply approved safeguards to protect State/Department data or records from unauthorized use and disclosure or damage as set forth in CFOP 50-2, Security of Data and Information Technology Resources, and CFOP 50-22, Acceptable Use of Information Technology Resources, and shall comply with the public records requirements set forth in Chapter 119, F.S.

(2) The Information Security Officer has been designated as the Health Insurance Portability and Accountability Act (HIPAA) Security Officer and must be contacted where there is a security concern involving HIPPA.

(3) Employees must also comply with all applicable program-specific statutory requirements, federal laws and regulations, and State statutes and administrative rules governing such records and data.

(4) All records, papers, documents, and correspondence, as well as Department-approved removable computer media, containing confidential material, should be safeguarded in a locked storage container when the workstation is unoccupied and at the end of the day.

(5) Release or destruction of any records may be done only at the employee's official work location in accordance with governing Department policies and procedures, and appropriate federal and State statutes, regulations, and rules, as applicable.

(6) Computerized files and data are official Department records and are also governed by this operating procedure.

9-6. Technical Requirements for Hoteling.

a. Workstations shall include the following:

(1) Sufficient cubicles or walled offices (stations) as determined by the region, facility, or Headquarters.

(2) Telephone land lines at each station if determined necessary by the region, facility, or Headquarters.

(3) A port replicator at each station along with a monitor, keyboard, and mouse attached.

(4) DCF standard Wireless Fidelity (WIFI).

b. Each employee can only use approved remote data communications methods.

c. Only State-owned computers and mobile devices shall be used to connect to the DCF network. Standard DCF approved data-at-rest and data-in-motion encryption technology shall be utilized to ensure confidentiality of information.

9-7. Telework Plan.

a. Management determines employee work schedules consistent with the organizational needs of the Department. Where an employee is required to telework, the employee's Position Description shall include this requirement and specify the minimum amount of telework required. A request by an employee to telework must be evaluated by the Delegated Authority to ensure it meets policy and eligibility criteria, and that work to be performed is suitable for telework. The request will also be evaluated based on the availability of necessary equipment and resources to carry out the job functions from the telework location.

b. Eligibility Criteria. To become and remain eligible to participate in the optional telework program, an employee must meet the following minimum criteria:

(1) The employee must have and maintain a satisfactory performance rating on their annual performance evaluation.

(2) The employee must not be under any form of disciplinary action(s) or have documented attendance or performance deficiencies.

(3) The employee must agree to the requirements stipulated in the Telework Agreement (form CF 1916, available in DCF Forms) and meet or exceed all security requirements.

(4) The employee must agree to attend all required meetings and training programs at locations designated by the Department. Employees are entitled to be reimbursed for per diem and travel expenses in accordance with section 112.061 Florida Statutes and CFOP 40-1, Official Travel of the Department of Children and Families Employees and Non-Employees and should follow these policies when determining point of origin for travel. Travel reimbursement will not be provided for any travel between the employees telework location and the employees official work location.

c. Employees participating in the telework program are subject to the same rules, policies, and procedures regarding attendance, leave, job performance, performance evaluations, discipline, and separation action as are all other employees. An employee's participation in the telework program will not adversely affect their eligibility for advancement or any other employment rights or benefits.

d. An employee's participation in the optional telework program is voluntary, and the employee may elect to cease participating in the program at any time.

e. Employees participating in the telework program are prohibited from conducting face-to-face State business at the teleworker's residence. Teleworkers should schedule meetings at their official work location or an appropriate alternate location. If a teleworker has difficulty locating a meeting location, they should consult with their supervisor to determine an appropriate location to conduct a face-to-face meeting.

f. Telework is not to be utilized for providing care for others at home (e.g., childcare, elder care, etc.). Employees cannot work effectively while trying to care for others. Therefore, an employee participating in the telework program is required to have adequate arrangements for caregiving before the start of the telework arrangement. The Department may require documentation of the caregiving arrangements.

g. Approved participation in the optional telework program must be supported by a written agreement on form CF 1916 to include:

(1) The address of the approved telework location; if there is a need to change the telework location a new telework agreement must be completed with the new location before the change occurs.

(2) Verification by the employee that the telework location will provide a workspace that is free of safety and fire hazards.

(3) Provisions which hold the State and the Department harmless against any and all claims, excluding workers' compensation claims, resulting from an employee working at an approved telework location.

(4) A description of the security controls that the Department considers appropriate and necessary to protect State-owned equipment.

(5) A description of the conditions imposed to ensure the appropriate use and maintenance of any equipment, or items provided by the State to the employee to facilitate satisfactory performance of the State's business while participating in the telework program. This requirement may include, but is not limited to, a description of the installation and maintenance of any telephone equipment determined to be necessary by the Department, and the responsibility for incurring or paying for any ongoing communications costs initiated or received at the telework location that are related to the performance of State business.

(6) The telework agreement requires justification for why it was approved.

h. The agreement must be signed and agreed to by the requesting employee, the employee's supervisor, the Hospital Administrator, Headquarters Program Director or their Designee and the Delegated Authority prior to the commencement of participation in the telework program.

i. The Telework Agreement (form CF 1916) for all approved telework can be found in DCF Forms.

j. An employee may telework up to five (5) workdays per week. The employee is expected to meet with the supervisor to receive work assignments and to review completed work as necessary on a schedule to be determined by the supervisor. The employee will continue to complete all assigned work according to work procedures, guidelines, and performance standards.

k. Terminating Optional or Required Telework.

(1) Participation in optional telework may be terminated at any time by the employee or the supervisor. The employee must be given written notice of not less than 10 calendar days that the employee's participation in the telework program will be terminated. However, terminations of participation in the optional telework program that are related to employee discipline or work performance deficiencies are not subject to the 10 calendar days' notice provision.

(2) Participation in required telework requires at least 30 calendar days written notice of intent to impose or remove a requirement to telework in accordance with section 110.171(6), F.S.

(3) The supervisor must contact their local employee relations representative for assistance with terminating a telework agreement related to employee discipline or work performance deficiencies. The local employee relations representative will assist with the written notice to the employee advising the employee of the expected date of return to work full time at the employee's official work location. The Notice of Termination of Telework Agreement (form CF 752, available in DCF Forms) will be used to provide the required written notice of termination of the telework arrangement.

(4) Telework termination forms must be approved by the direct supervisor and Hospital Administrator, Headquarters Program Director or their Designee.

(5) A copy of the written notice of termination of optional telework or required telework shall be provided to the Human Resources to remove the telework designation from the People First System.

l. A telework employee is covered under the Workers' Compensation Act if injured in the course of performing official duties at the telework location. An employee's claim for benefits or services will be governed by Chapter 440, F.S. If an injury is determined to have been caused by employee negligence or employee failure in maintaining safe working conditions over which the employee has or had control, the employee may be subject to disciplinary action.

m. Reimbursable Expenses. Telework may incur various expenses to establish and maintain the telework arrangement. Employees interested in teleworking should work with their supervisor, human resources representative, and information systems representative to determine those expenses that are eligible for reimbursement. Verification of expense eligibility and approval from the Delegated Authority, or their designee, must be received before making any purchases or securing any services. All reimbursements will be in accordance with Department policy, Department of Financial Services' regulations, and Florida Statutes.

9-8. Technical Requirements for Participation in the Telework Program.

a. Employees must have a high-speed internet connection (DSL, Cable, etc.) to efficiently telework.

b. Only State-owned computers and mobile devices shall be used to connect to the DCF network. Standard DCF approved data-at-rest and data-in-motion encryption technology shall be utilized to ensure confidentiality of information.

c. Employees must follow CFOP 50-2, Security of Data and Information Technology Resources, and CFOP 50-22, Acceptable Use of Information Technology Resources.

d. A periodic review by Information Technology Systems staff may occur with at least 24 hours advance notice to ensure compliance with the appropriate access methodologies. Any noncompliance could result in revocation of telework computer related privileges.

e. State-Owned Equipment.

(1) State-owned equipment will be used at the employee's approved telework location. The equipment will continue to be maintained by the State but must be protected against damage and unauthorized use. If maintenance is required on the equipment, it is the responsibility of the teleworker to return the equipment to a state office for service. The employee is expected to establish approved safeguards to ensure the telework location is free from hazards to the employee and State-owned equipment. The supervisor or agency representative may inspect the telework location periodically to ensure proper maintenance of State-owned equipment but must notify the employee at least 24 hours in advance of the inspection.

(2) Employees are forbidden from saving Department data on any unencrypted removable media device (USB drive, CD, floppy drive, etc.).

(3) Employees must follow CFOP 50-13, Internet/Intranet Policy, when using State-owned equipment while participating in the telework program if the approved telework location is their home or residence.

(4) State-owned equipment must be returned to a State office annually or as requested to verify form CF 1941, State-Owned Tangible Personal Property Assignment (available in DCF Forms), and to conduct a health check of the device.

f. Private Owned Equipment.

(1) Department maintenance of an employee's personal equipment used while participating in the telework program is prohibited. Also, the Department will not be liable to the employee for personal equipment and costs for personal utility expenses associated with telework.

(2) Equipment provided by the employee will be at no cost to the Department and will be maintained by the employee. The Department is not liable for damages to the employee's property which is related to the employee's participation in the telework program except as provided for by section 768.28, F.S. The Department is not responsible for operating cost, home maintenance, or any incidental cost (e.g., utilities) associated with the employee's participation in the Telework Program.

(3) Employees are forbidden from saving Department data on a personal PC or other computer related equipment or on any personal removable media device (USB drive, CD, floppy drive, etc.).

g. Telecom Requirements. Employees using a home Wireless Network must follow all procedures in CFOP 50-7, Statewide Office Automation Standards.

9-9. Approval Process for the Optional Telework Program.

a. An employee may request approval to telework by completing the Telework Agreement (form CF 1916, available in DCF Forms) and submitting it to his/her supervisor.

b. The supervisor determines whether the request is appropriate based on the tasks and responsibilities assigned to the employee, the employee's job performance, organizational unit/Department needs, and how well the security controls can be met. Additional levels of review and approval may be required by the Delegated Authority within their organizational unit.

c. If recommended, the supervisor submits the completed Telework Agreement for review and approval by the Hospital Administrator, Headquarters Program Director, or their Designee and, if approved, it is then sent to the Delegated Authority for review and approval. If not approved, the Agreement is returned to the employee without action.

d. Records.

(1) The approved Telework Agreement or the Notice of Termination of Telework Agreement shall be sent to Human Resources and the Human Resources representative will update the information in People First. A copy of the approved Telework Agreement (form CF 1916, available in DCF Forms), and any Notice of Termination of Telework Agreement (form CF 752, available in DCF Forms), should be placed in the employee's official personnel file.

(2) The supervisor shall check to ensure that the People First telework screen is updated for employees approved to telework.

(3) The Headquarters Human Resources Office will produce reports to assist managers and supervisors ensure that employees approved for telework are accurately recorded in People First.

9-10. Report Requirements. A report of all employees participating in required telework and optional telework will be generated at six-month intervals by the Human Resources Office and distributed to management for updating and verification of those employees participating in required and optional telework.

BY DIRECTION OF THE SECRETARY:

(Signed original copy on file)

SHELBY JEFFERSON
Human Resources Director

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

Revisions to CFOP 60-40, Chapter 9 include, but are not limited to, the following:

- Adds Secretary approval when the telework location is outside of the state of Florida.
- Adds a justification for the approval of a telework agreement.
- Clarifies who must approve of the termination of the telework agreement.
- Removed all instances of Regional Managing Director.