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Senator MICHAEL L. TESTA, JR.
District 1 (Atlantic, Cape May and Cumberland)
Senator HOLLY T. SCHEPISI
District 39 (Bergen and Passaic)

Co-Sponsored by:
Senator A.M. Bucco

SYNOPSIS
Requires State employees work in person if job requires face-to-face interaction with public; requires State agency provide alternatives if closure is unpreventable.

CURRENT VERSION OF TEXT
Introduced Pending Technical Review by Legislative Counsel.
AN ACT concerning in-person work for certain State employees.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. As used in this act, P.L. c. (pending before the Legislature as this bill):

   “State agency” means any of the principal departments in the Executive Branch of the State Government, and any division, board, bureau, office, commission, or other instrumentality within or created by such department; the Legislature of the State and any office, board, bureau, or commission within or created by the Legislative Branch; and any independent State authority, commission, instrumentality, or agency.

   “State employee” means any person holding an office or employment in a State agency.

2. a. For the duration of the public health emergency and state of emergency declared on March 9, 2020 by the Governor pursuant to Executive Order No. 103 of 2020 and extended, when applicable, by subsequent executive orders, the head of a State agency shall require a State employee to work in person if the duties and responsibilities of the State employee require face-to-face interaction with the public. In-person work for those State employees required to work in person pursuant to this subsection shall commence on the 30th business day following the effective date of P.L. c. (pending before the Legislature as this bill).

   The head of the State agency, in consultation with the head of human resources or the head of personnel at the State agency, shall publish on the website of that State agency a reopening plan not later than the 15th business day following the effective date of P.L. c. (pending before the Legislature as this bill) that details the procedures and policies related to having those impacted State employees return to in-person work for the duration of the public health emergency and state of emergency declared, and as extended, by the Governor that includes, but need not be limited to, the following:

   (1) the personal protective equipment that will be provided by the State agency, the additional cleaning protocols to be implemented, and the efforts to ensure social distancing at the State agency;

   (2) the actions the State agency will take to protect State employees who are required to work in locations outside of the State agency office building for activities such as audits and inspections;

   (3) the requirements that members of the public shall meet in order to enter the State agency office building; and
(4) a description of the proper contingencies for State employees who have a high risk of contracting the coronavirus disease 2019 (COVID-19).

b. If the head of the State agency determines that a temporary closure of a State agency office building is necessary, the head of the State agency shall provide the public with reasonable alternatives consistent with any federal and State laws concerning government records and privacy, which may include the following:

(1) electronic or technological platforms, including platforms that offer interactive, real-time, two-way audio or video capabilities; or

(2) the use of a mobile unit at or nearby the State agency office building.

c. On or before the 60th business day following the effective date of this act, the head of the State agency shall submit a written report to the Governor and the Legislature on the measures taken in the prior 60 days to comply with the provisions of this act, P.L. c. (pending before the Legislature as this bill).

3. This act shall take effect immediately and shall expire at the end of the public health emergency caused by the coronavirus disease 2019 (COVID-19) either: upon the expiration of Executive Order No. 103 of 2020 and any subsequent executive orders extending the public health emergency; or, in the absence of a rescission by the Governor, upon the termination in any other manner of the declared public health emergency.

STATEMENT

This bill requires a State employee to work in person if the duties and responsibilities of the State employee require face-to-face interaction with the public. Under this bill, in-person work for those State employees required to work in person would commence on the 30th business day following the enactment of the bill.

The head of the State agency, in consultation with the head of human resources or the head of personnel at the State agency, is also required to publish on the website of that State agency a reopening plan not later than the 15th business day following the enactment of the bill that details the procedures and policies related to having those impacted State employees return to in-person work for the duration of the public health emergency and state of emergency declared on March 9, 2020 by the Governor, pursuant to Executive Order No. 103 of 2020, and as extended. The reopening plans must include, but need not be limited to, the following:

(1) the personal protective equipment that will be provided by the State agency, the additional cleaning protocols to be
implemented, and the efforts to ensure social distancing at the State agency;

(2) the actions the State agency will take to protect State employees who are required to work in locations outside of the State agency office building for activities such as audits and inspections;

(3) the requirements that members of the public must meet in order to enter the State agency office building; and

(4) a description of the proper contingencies for State employees who have a high risk of contracting the coronavirus disease 2019 (COVID-19).

The bill provides that if the head of the State agency determines that a temporary closure of a State agency office building is necessary, the head of the State agency must provide the public with reasonable alternatives consistent with any federal and State laws. Reasonable alternatives may include electronic or technological platforms, including platforms that offer interactive, real-time, two-way audio or video capabilities, or the use of a mobile unit at or nearby the State agency office building.

Under this bill, the head of the State agency is also required to report to the Governor and the Legislature not later than 60 business days on the measures taken to implement the provisions in the bill.