



## **Paid Leave in New Jersey**

### *NJ Family Leave Insurance & Temporary Disability Insurance Programs Expansion*

#### **What is New Jersey Family Leave and Temporary Disability Insurance?**

New Jersey Family Leave Insurance (FLI) is paid family leave, available to employees in New Jersey when they need to take leave from work to bond with a new child (birth, foster or adopted), or care for a seriously ill family member (see definition below). New Jersey Temporary Disability Insurance (TDI) is paid leave for one's own non-work-related injury, illness, or other disability, including pregnancy

The FLI program provides workers with six weeks of partial paid leave over a 12-month period and TDI is available for up to 26 weeks in a 12-month period. The wage replacement of both programs is currently  $\frac{2}{3}$  of workers' average weekly wage, up to a maximum weekly benefit of \$650 for 2019 (adjusted annually). New Jersey workers contribute a small fraction of their earnings to the FLI program (maximum contribution for 2019 is \$27.52) and the TDI program (maximum contribution for 2019 is \$58.48). Employers contribute a variable amount to just to the TDI program.

A new law to expand FLI & TDI will help make the programs more accessible and affordable for working families. Here are some of the things the bill does to improve the programs;

- **Increases the number of consecutive weeks for FLI from 6 to 12** and allows for intermittent use (less than one week increments) for bonding leaves. Available intermittent leave (for caregiving and bonding) will increase from 42 to 56 days. *(effective July 1, 2020)*
- **Increases the wage replacement rate** for both FLI and TDI when related to pregnancy and childbirth, from 66.7% to 85% of a worker's average weekly wage. *(effective July 1, 2020)*
- **Raises the maximum benefit** for both FLI and TDI to approximately **\$860 starting July 1, 2020**. This is an increase from 53% of the statewide average weekly wage to 70%.
- You may have the explicit **right to return to work** when taking leave under the Federal Family and Medical Leave Act (FMLA) and the NJ Family Leave Act (FLA). The FLA currently covers workers at businesses with 50 or more employees, this changes to include business **with 30 or more employees on June 30, 2019**.
- Expands the **definition of family for caregiving** and provides benefits for survivors, and caretakers of individuals dealing with issues of domestic violence or sexual assault. Additional family members covered for caregiving leave are adult children, grandparents, grandchildren, siblings, parents-in-laws, other blood relatives, and individuals whose close association with the employee is the equivalent of a family relationship. *(effective Feb. 19, 2019)*
- Gives employees the **choice to use their own paid time** off before accessing FLI. Under the current program, employers can require employees take up to two weeks of their paid time off before accessing the program *(effective February 19, 2019)*
- Workers with more than one job can take leave from one job and receive FLI benefits while continuing to work their other. *(effective July 1, 2020)*
- Removes the one week waiting period for family leave. And individuals returning to work on a reduced schedule can receive partial TDI benefits. *(effective Feb. 19, 2019)*
- Includes additional **protections so that employers may not retaliate** against employees who request or take TDI or FLI benefits. Additionally, employers who fail to provide the DOLWD with information to process a claim causing a delay in benefits, may be required to pay additional penalties. *(effective February 19, 2019)*
- Increases public awareness by requiring **additional funding for outreach and education** (\$1.2 million annually), improves program efficiency by requiring shorter processing times, and requires the DOLWD provide relevant additional reporting of program data. *(effective July 1, 2019 and December 31, 2019)*

**For more information and to apply for benefits visit**

**[www.myleavebenefits.nj.gov](http://www.myleavebenefits.nj.gov)**