You can claim Family Leave Insurance to:

Bond with a newborn child during the first 12 months after the child's birth, or after the placement of an adopted child's in your home. For leave for the birth of a child, you, your domestic partner, or your civil union partner must be the biological parent of the child.

Bonding leave may be taken:

- For 7 or more consecutive days, unless the employer permits the leave to be taken intermittently. In this case, each leave period must be at least 7 days

Care for a family member with a serious health condition. A health care provider must certify the condition.

Care leave may be taken:

- For six consecutive weeks,
- For intermittent weeks,
- Or 42 intermittent days

If taking intermittent leave you must give your employer 15 days notice.

Pregnancy Related Claims:

Pregnant workers are also eligible for Temporary Disability Insurance (TDI) benefits.

For a normal pregnancy, benefits are usually payable for 4 weeks before the expected delivery date and 6 weeks after the actual delivery date (8 weeks if you delivered by Cesarean section). A doctor may certify that you are disabled for a longer period.

NJ time to care

The **New Jersey Time to Care Coalition** supports initiatives that ensure working families have paid time to care.

www.njtimetocare.org

Your Guide to Family Leave Insurance in New Jersey

Family Leave Insurance Facts

- The NJ Family Leave Insurance (FLI) program is a provision of the NJ Temporary Disability Benefits law and is administered by the state Department of Labor and Workforce Development.
- FLI provides cash benefits and does not protect workers' right to return to their job after a period of family leave. Your job should be protected if your employer is subject to the federal Family and Medical Leave Act (FMLA) or the New Jersey Family Leave Act (NJFLA).

Required Notice:

- If you claim family leave benefits to care for a family member with a serious health condition, you must give your employer *reasonable advance notice* unless you need to take leave time unexpectedly or the time of leave changes for reasons you could not foresee.
- If you claim benefits to bond with a newborn or newly adopted child, you must give your employer 30 days notice or your benefit could be reduced by 14 days.

Coverage

All employees covered under the New Jersey Unemployment Compensation Law, including private and government employees (state and local), have coverage under New Jersey Family Leave Insurance.

Employees are automatically covered under the New Jersey state-operated FLI plan unless their employer has elected to cover its workers under an approved FLI private plan which must provide the same benefit levels as the state FLI plan. Employers must post information about the type of coverage at the workplace.

Cost

The program is financed by worker payroll deductions. Starting January 1, 2017, each worker contributes 0.1% of their taxable wage base. For 2017, the taxable wage base is $33,500* and the maximum yearly deduction is $33.50.

Employers do not contribute to the program.

Applying for Benefits

You can download applications and apply online:
http://lwd.dol.state.nj.us/labor/fli/fliindex.html

Or call to have an application mailed to you:
609-292-7060

Important: ***Do NOT submit applications until your family leave claim begins. If applying online do NOT submit an additional application by mail. Doing so will delay the processing of your claim.***

**adjusted annually*

Eligibility

To establish a valid claim you must have earned either earned $168 or more per week during 20 calendar weeks in the base year or earned $8,400 or more during the base year.

The base year is 52 weeks immediately before the week in which the family leave begins.

Benefit Duration

You may receive up to 6 weeks of FLI benefits in a 12-month period. The 12-month period starts when you file your first claim.

You cannot receive more than 6 weeks of benefits during the 12-month period for any reason.

Benefit Amount

The weekly rate for a FLI claim is based on your average weekly wage. The average weekly wage is generally based on how much you earn in the eight weeks immediately before your claim begins. For claims beginning January 1, 2016, the payable benefit rate is two-thirds your average weekly wage, up to $633* weekly.

You can receive benefits for up to 6 weeks (42 days) during a 12-month period or until you receive benefits equal to one-third of your earnings during your base year, whichever is less.

Benefit Limitations

The first 7 days after you file a claim is a "waiting week." You will not receive benefits for this week *until* benefits have been paid for the 3rd week. However, if your family leave immediately follows temporary disability insurance for pregnancy related disability there is no waiting period for FLI benefits.

Family Leave Insurance benefits are not payable for any period of time when you:

- Are working
- Receive temporary disability benefits, workers' compensation benefits, unemployment insurance, or any benefits from a disability or cash sickness program or similar law of New Jersey or any other state or the federal government
- Receive full salary or paid time off (however, your employer may not require you to use more than two weeks of paid sick leave, vacation time, or other leave at full pay)
- Are out of work due to a labor dispute at your place of work

Your employer may require you to use up to two weeks of sick leave, vacation time or other paid time off before taking FLI. Employers who do this must provide full pay for this leave time. The most your FLI allowance can be reduced is 14 days.

Employees of educational institutions are not eligible for FLI benefits for any period of time when between academic years or terms or during a school-wide recess, when they have a reasonable assurance of returning to work in the same or similar capacity when school resumes.

Important Definitions

"Family member" means your child, spouse, domestic partner, civil union partner, or parent.

"Child" means your:

- Biological, adopted, or foster child stepchild or legal ward, or
- Domestic partner's or civil union's child

The child must be:

- Less than 19 years old, or
- 19 years of age or older but incapable of self-care because of mental or physical impairment.

Tax Information

Family Leave Insurance benefits are subject to federal income tax and to federal rules on reporting income and paying taxes. FLI benefits are not subject to New Jersey state income tax. You may choose to have 10% of your benefits withheld for federal income tax. After the end of each calendar year, form 1099G will be sent to you. This form lists the total benefits received that year. The NJ Department of Labor will also give this information to the Internal Revenue Service (IRS).

Appeals

The NJ Department of Labor's Division of Temporary Disability Insurance will make a determination of eligibility on your FLI claim. If you or your employer disagrees with the determination, you or the employer may file a formal appeal. You must file the appeal in writing within seven calendar days after delivery of the determination, or within 10 calendar days after the decision is mailed. The appeal costs nothing and you do not need a lawyer.