

New Jersey Paid Family Leave Act

Effective July 1, 2009, New Jersey workers who take time off to bond with a newborn or newly adopted child or to care for a sick family member can apply for payments from the state for six weeks under a new law called the Family Leave Insurance Benefits Law. The new law is similar to the temporary disability law except that the disability law covers people who take time off for their own medical condition. Local 1262 has compiled this Q&A to help our Shop Stewards learn the basics of this new state-sponsored benefit.

Who Qualifies?

Any employee who has worked at least 20 weeks for any covered employer (not necessarily the one they're working for at the time they need the leave) as long as they've earned 20 times the minimum wage (or \$143) in each of those weeks, or any employee who has earned \$7,200 in the previous 52 weeks before they need leave.

Who Pays the Wages/Benefit?

The program is funded entirely through a payroll deduction from your check which employers began deducting January 1, 2009.

Do you get full wages? How is the coverage amount calculated? Is it based on hours paid or worked? Does it include holidays and /or Sundays?

You receive up to two-thirds of your *average* weekly rate up to \$546 per week. That amount will increase slightly in 2010. Employees can receive a maximum of six weeks family leave insurance in a 12-month period, which begins the first day the individual establishes a valid claim for Family Leave Insurance. An individual cannot receive more than six weeks of benefits during a 12 month period even if the request is for a different care recipient.

Do I have to use my vacation, sick and/or personal time first?

Benefit entitlement may be reduced by up to two weeks for any paid sick leave, vacation time or other leave at full-pay which the employer requires to be taken.

When will I start to collect Family Leave Insurance Benefits?

The first seven days following the filing of a claim is a "waiting week." No benefits are paid for this week until benefits have been paid in each of the three weeks immediately following the waiting week.

Does this law mean my employer has to give me time off?

No. It's important to remember that this is not a leave law. It doesn't actually provide the **right** to take time off. What it provides is wage replacement.