



New Jersey Family Leave Bill

New Jersey Family Leave Insurance Program:

Reason for Leave:	Bond with a newborn or newly adopted child*	To care for a seriously ill family member** on a continuous (non-intermittent) basis	To care for a seriously ill family member** on an intermittent basis
Leave Period	Must occur during the first 12 months after the child's birth or the first 12 months after the placement of the child	Six (6) consecutive weeks	Forty-two (42) intermittent days during a 12-month period
Supporting Documentation		Must be supported by a certification provided by a health care provider	Must be supported by a certification provided by a health care provider
Notice Requirement:	Employee must provide employer a minimum of thirty (30) days notice prior to the commencement of the leave. Note: Employee's failure to provide employer with thirty days notice will result in a two (2) week reduction in the claimant's FML benefits UNLESS the need for the leave was unforeseeable or the time of leave changes for unforeseeable reasons.	Employee must provide employer with prior notice in a reasonable and practicable manner, unless an emergency or other unforeseen circumstance prevents prior notice.	Employee must provide employer a minimum of fifteen (15) days notice prior to the commencement of intermittent leave unless an emergency or other unforeseen circumstance prevents prior notice.

* Child means a biological, adopted or foster child, stepchild or legal ward of a covered individual, child of a domestic partner of the covered individual or child of a civil union partner of the covered individual, who is less than 19 years of age or is 19 years of age or older but incapable of self-care because of mental or physical impairment.

** Family member means a child, spouse, domestic partner, civil union partner or parent of a covered individual.

Serious Health Condition Defined

A serious health condition means an illness, injury, impairment or physical or mental condition, which requires inpatient care in a hospital, hospice, or residential medical care facility or continuing medical treatment or continuing supervision by a health care provider for:

- A period of incapacity (inability to work, attend school or perform regular daily activities) for more than three consecutive (3) days and any subsequent treatment or period of incapacity related to the same condition:



- Requires treatment two (2) or more times by a health care provider
- Treatment by a health care provider on one occasion, which results in a regimen of continuing treatment under the supervision of a health care provider
- Any period of incapacity due to pregnancy or prenatal care
- Any period of incapacity or treatment for due to a chronic serious health condition
- A period of incapacity, which is permanent or long-term, due to a condition for which treatment may not be effective (such as Alzheimer's disease, severe stroke or terminal disease) but where the individual is under continuous supervision of a health care provider (need not be receiving active treatment by health care provider)
- Any period of absence for more three (3) consecutive calendar days to receive multiple treatments or recovery from treatments by a health care provider or health care services referred by the health care provider such as chemotherapy/radiation for cancer, physical therapy for severe arthritis or dialysis for kidney disease.

Waiting Period

The first consecutive seven (7) days of a claim is the waiting period. Employees are permitted to take paid time off during the waiting period. Employers are permitted to require employees to take up to two (2) weeks of paid time off (sick or vacation pay) during the waiting period at full pay. However, for leaves of more than two (2) weeks, the employer may "permit" the employee to use more than two weeks of paid leave time if the employee wishes to do so.

Reductions in Benefit

A claimant or care provider is not eligible to receive FLI for any period that they are receiving NJ Temporary Disability Insurance Benefits, Unemployment Compensation Benefits, Workers' Compensation Benefits or benefits from a disability or cash sickness program or similar benefit such as Social Security Disability benefits.