

FACT SHEET

New Jersey Family Temporary Disability Leave (NJFTDL)

1. NJ State FMLA provides up to; (1) six (6) consecutive or intermittent weeks or for 42 intermittent days of partial wage replacement leave in a 12 month period, providing the employee has worked for a covered employer for at least 20 calendar weeks and has earned (a) at least 20 times the minimum wage (currently \$143/week), or (b) not less than 1,000 times the minimum wage (currently \$7,200/year), or (2) intermittent leave for up to 42 days during any 12 month period.
2. Leave may be taken; (1) to provide care for a family member, as defined by NJFLA, with a serious health condition, or (2) to bond with a child during first 12 months after birth or placement for adoption.
3. Leave may not be taken for the employee's own health condition.
4. Employee must provide the employer with 30 days notice if leave is sought to be with child after birth or adoption.
5. Employee must provide the employer notice of the expected leave in a reasonable and practical manner if leave is to care for family member.
6. Employee is required to have the physician complete the Medical Certificate section of the State form. This form must set forth: (1) date the serious health condition commenced; (2) probable duration of the condition; (3) medical facts regarding the condition; (4) statement that condition warrants the individual providing care; and (5) an estimate of the amount of time the individual may need to care for the family member.
7. Paid leave is the same as that for which the employee would be eligible under NJ State Temporary Disability Insurance (TDI) – currently two-thirds of week compensation up to \$546/week for 2009, adjusted annually, and up to one-seventh of weekly benefit for intermittent leave.
8. Employee may be required to use up to two weeks of available paid sick, vacation or other paid time off prior to being eligible to receive benefits. The period of family leave benefits is reduced by the amount of time in which fully paid leave is provided. (Example: If an employee uses one week of sick time, he or she will only be eligible for a maximum of five weeks of family leave benefits.)
9. Employees are subject to a one-week waiting period before being eligible to receive benefits. Benefits for the first week are payable after three consecutive weeks of leave.
10. Benefit runs concurrent with leave under FML and NJFLA.
11. Beginning on January 1, 2009, employees will begin paying an additional tax of 0.09% on a portion of wages, for 2009 approximately \$28,900 subject to TDI, or \$26 per year,
12. In 2010 the tax rate will increase to 0.12% of wages subject to TDI.
13. Benefits are available July 1, 2009