

New Jersey

<https://myleavebenefits.nj.gov/>



Date law enacted	Temporary Disability Insurance (TDI) Plan Start Date: 1948 (revised 2019) Family Leave Insurance (FLI) Start Date: 2009 (revised 2019)
Annual updates due	November
Benefits can be used for	TDI can be used for a worker's own serious off-the-job illness or injury. FLI can be used to (1) bond with a child within one year of the child's birth or placement for foster care or adoption; (2) care for a family member with a serious health condition; or (3) address certain nonmedical needs arising from domestic or sexual violence, also known as "safe time."
Type of law	Competitive between state fund and private plans
Funding source	Tax-supported state fund provides benefits — like Unemployment Compensation, but private plans may be substituted.
Types of private plans	Insured and self-insured plans equaling or exceeding state fund standards, and continuation of certain other existing plans.
Limitations upon right to establish private plans	Private plan cannot exclude any class of employees, determined by age, sex, race, or wages.
Employee contributions	TDI: 0.14% of maximum subject wages (\$151,900). Maximum of \$212.66. FLI: 0.14% of maximum subject wages (\$151,900). Maximum of \$212.66.
Employer contributions required	State Plan: 0.10% - 0.75% of maximum subject wages (2022: employer taxable wage base is \$39,800), determined annually. Also subject to experience rating. Private Plan: Balance of cost
Employers covered	Employers of one or more who pay \$1,000 or more in total wages — same as Unemployment Compensation.
Employees excluded	Federal government employees, out-of-state employees, and workers that are not technically employees (such as contractors).
Religious exemptions	Members of any sect, etc., which depends upon prayer for healing or other spiritual means upon filing waiver of benefits.
Employee eligibility requirements	Either 20 base weeks of work in covered employment during base year with earnings of at least \$200 in each week (equivalent to 20 times the minimum wage); or \$11,000 of annual earnings.
How benefits are computed	85% of average weekly wage, subject to a maximum of 70% of the statewide average weekly wage.

New Jersey (continued)

Minimum weekly benefits	None
Maximum weekly benefits	\$993 in 2022
Maximum duration	TDI: 26 weeks with respect to any one period of disability FLI: 12 weeks
Waiting period	Disability: 7 days for each disability, but if benefits are payable for 3 consecutive weeks, then benefits become payable with respect to the first 7 days. Family: None
Maternity benefits	Pregnancy-related disabilities treated as any other illness.
Effect of continued pay from employer during disability	Reduces benefits if benefits plus continued employer pay exceeds regular weekly wages.
State sick leave mandate	Yes. Employees accrue one hour of paid sick time for every 30 hours worked and can accrue up to 40 hours in a year. Covers sick time for employee or family members' care and for absences associated with employee or family member's care; absences associated with employee or family member's domestic violence, sexual assault or stalking; closures for public health emergencies or attending child's school-related conference or meeting.
State program benefits financed by	State Plan: Provides for employer assessment not to exceed 1/10 of 1% of taxable wages paid in preceding year if account has deficit over \$200,000. Private Plan: Can be a combination of employee and employer contributions.
Post-employment	2 weeks
Job protection	2019 amendment included anti-retaliation provisions.
Family leave covered relatives	Child, parent, parent-in-law, sibling, grandparent, grandchild, spouse, registered domestic partner, civil union partner, any other person related to the worker by blood, and any other person that the worker shows to have a close association with the worker which is the equivalent of a family relationship.
Definition of wages used for contributions and benefits	Wages include salaries, tips, fees, commissions, bonuses, and any other payments received for services performed as an employee.
Benefit taxation	TDI State tax: No. If the employee pays all or a portion of premium with before-tax dollars, the benefit is subject to federal income tax and FICA. PFL State tax: No. Federal: yes. State-paid benefits are recorded in a 1099-G. Private Plan taxation may be different and issue a W2 for benefits paid.