

Expecting a Baby? What You Need to Know About New Jersey's Expansion of Family Leave and Temporary Disability Benefits

New Jersey Streamlines and Improves Family Leave and Temporary Disability Benefits for Expectant Residents

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On October 7, 2019, two new laws went into effect that would streamline and hasten the process of collecting temporary disability and family leave benefits for those residents expecting a new child. Here's what you need to know:

Understanding Temporary Disability Insurance and Family Leave Insurance

Expectant residents may be entitled to both temporary disability and family leave benefits. Although both are state-run programs designed to ameliorate the financial strain involved with taking time off from work, they service different needs.

In the context of expectant parents in particular, temporary disability insurance pays a portion of lost wages to New Jersey workers unable to work due to a temporary disability, such as pregnancy. Family leave insurance, on the other hand, pays benefits to new parents taking time off from work to bond with a newborn or newly adopted child.

The New Laws

Although many pregnant workers often seek benefits under both programs, prior to the new laws, the process was not streamlined. Pregnant workers were first required to apply for temporary disability benefits and then separately apply for family leave benefits.

Under the first new law, the State is required to automatically process an application for family leave insurance after receipt of an application for pregnancy-related disability benefits, saving the worker the hassle of completing two applications. Workers who applied for temporary disability for a pregnancy, however, have the option of postponing or opting out of family leave benefits.

The second law addresses one of the main criticisms of these programs: it often takes too long before benefit payments are made. With the new law in effect, claims for temporary disability and family leave may be submitted up to 60 days before the actual claim period, which should help expedite claims and ensure that benefits are paid during the worker's actual leave time.

Family leave insurance currently pays out benefits equal to two-thirds of the worker's weekly wages up to \$650 a week for up to six weeks. Although the newly effective laws did not change the benefit payouts, those will be changing soon. Starting July 1, 2020, eligible workers will be able to receive 85% of the weekly wages up to \$881 for twelve weeks.

New Jersey's paid family leave law will undergo significant changes this summer. Employers should be aware of the job-protection benefits under the law, anti-retaliation provisions, and other key changes to ensure compliance and minimize potential liability.

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If you have any questions concerning New Jersey's new family leave and temporary disability laws, or any other federal or state employment laws, please feel free to contact [Jennine DiSomma](#) or [Vincent C. Cirilli](#) of Saiber LLC's Employment and Labor Law practice.