

Mandatory Job-Protected Leave Rights Expanded for New Jersey Employees

January 30, 2026

Pursuant to an Act recently signed into law, which goes into effect on July 17, 2026, most employees in New Jersey will be afforded job protection when they are unable to work due to their temporary disability or the need to take family leave. In particular, amendments have been made to New Jersey's Family Leave Act and New Jersey's law governing Temporary Disability and Family Leave Insurance benefits, entitling employees to reinstatement when they take qualifying leaves of absence.

New Jersey's Family Leave Act will now apply to employers with at least 15 employees, a significant decrease from the current threshold of 30 employees.[1] In addition, the pool of employees who will be eligible for leave under the New Jersey Family Leave Act has been expanded to those who have worked for at least 3 months and 250 hours during the preceding 12-month period. Previously, employees had to have worked a minimum of 12 months and 1000 hours in the preceding 12-month period in order to be eligible for job-protected leave.

In addition to broadening the New Jersey Family Leave Act, New Jersey's law governing Temporary Disability (TDI) and Family Leave Insurance (FLI) benefits was also amended. Under the revised law, any employee who takes TDI or FLI benefits shall be entitled to reinstatement after the expiration of their leave. Finally, the law was revised to make clear that employees can elect to use their earned sick time or claim benefits under the TDI or FLI law, but they cannot receive more than one kind of paid leave simultaneously during any period of time.

Employers are urged to contact counsel to develop employment policies and practices that comply with the new requirements under these laws. Saiber LLC's Employment and Labor Law team is experienced in helping employers develop practices and strategies for addressing its workforce challenges. For guidance in complying with these changes or other employment law matters, contact Jennifer O'Connor or Paola Hemsley.

[1] Prior versions of the law, before it was enacted, proposed that the employee count threshold for job protected leave under the New Jersey Family Leave Act be expanded in phases with protections potentially impacting employers with at least 5 or more employees (see December 23, 2025 Alert). However, as enacted the law will only apply to employers with 15 or more employees.