FAMILY LEAVE INSURANCE AND TEMPORARY DISABILITY INSURANCE

COMBINED ANNUAL ACTIVITY REPORT 2023

New Jersey Department of Labor and Workforce Development Office of Research and Information December 2024

HIGHLIGHTS

Temporary Disability Insurance and Family Leave Insurance are wage replacement programs that work together to provide increased economic security to working families in New Jersey. Enacted in 1948, the Temporary Disability Insurance program provides cash benefits to New Jersey workers suffering a non-work-related physical or mental illness, injury, or other disability that prevents them from working. The Family Leave Insurance program was enacted in 2009 and provides cash benefits for New Jersey workers who need to take short-term leave, to bond with a newborn, newly adopted, or newly placed foster child, provide care for an ill or injured family member, or cope with domestic or sexual violence. Both programs are operated by the Division of Temporary Disability and Family Leave Insurance at the New Jersey Department of Labor and Workforce Development.

The report provides a summary of workload activity and other data during 2023 for the Family Leave Insurance (FLI) and State Plan for the Temporary Disability Insurance (TDI) programs, with comparative information from prior years. While this analysis is primarily concerned with data movements during the past five years, any significant longer-term trends are also noted. The data are derived from New Jersey's Disability Automated Benefits System (DABS), which was developed in 1989.

Key Findings:

For the Family Leave Insurance (FLI) program, new claims received and initial dispositions both increased in 2023, continuing the trend experienced in the past five years. About 85 percent of eligible FLI claims were filed to bond with a newborn, newly adopted child, or newly placed foster child, with the remainder of claims to care for an ill family member.

FLI gross benefit payments for 2023 claims totaled \$476.5 million, with an average weekly benefit amount for all claims of \$878. Gross benefits paid rose by slightly more than 14 percent compared with 2022.

FLI Claims processing times were reduced in 2023, when compared with 2022. The 14-day and 28-day time lapse performance measures were 60.2 and 92.6 percent respectively. About 70 percent of total eligible family leave claims were initiated by women. Data by type of claim for education level and race/ethnicity showed that the highest number of claims in 2023 were for individuals with an associate or bachelor's degree, followed by high school graduates. Over half of all claimants were Caucasian (55.6%), with Hispanic/Latino (18.6%), African American (12.5%) and Asian (9.9%) individuals comprising the next largest reported groups.

Temporary Disability Insurance (TDI) program data show that during 2023, new TDI claims received and initial dispositions both decreased in 2023. Gross benefit payments rose by 8.4 percent in 2023.

TDI claims processing times increased in 2023. The 14-day and the 28-day time lapse performance measures were 46.8 and 78.5 percent, respectively. Medical evidence not submitted was again the most frequently cited reason for denial, comprising 33.4 percent of all denials. More than 71 percent of total eligible disability claims were by females. Data by type of claim for educational level and race/ethnicity showed that the highest number of TDI claims in 2023 were for high school graduates (46.5%) and for Caucasian claimants (50.2%). Claims for benefits due to pregnancy and complications of pregnancy and childbirth continued to be the largest single category for both new eligible claims (30.5%) and completed cases (30.2%). These percentages have been consistent since 2001 when morbidity data (type of injury or illness) for eligible claims and completed cases became available.

FAMILY LEAVE INSURANCE PROGRAM – 2023

Overview

The enactment of P.L. 2008, chapter 17 on May 2, 2008 created the New Jersey Family Leave Insurance Program. This report provides a summary of workload activity for the State Plan for Family Leave Insurance (FLI) during calendar year 2023, with comparative information from calendar years 2019 - 2022. The data are derived from New Jersey's Disability Automated Benefits System (DABS), which was developed in 1989.

The report tables for 2023 incorporate the data elements required by the enactment of P.L. 2019, chapter 37 on February 19, 2019. Table 1 provides data on claims received, initial dispositions and benefits paid for family leave claims. Tables 2 and 3 contain information on the time it takes to process claims and reasons for denial, respectively. Claim statistics by type of claim including sex, education and race/ethnicity can be found in Table 4. A list of definitions for key workload items is included on page 13 of this report.

Background

With the enactment of P.L. 2008, chapter 17, on May 2, 2008, New Jersey extended the Temporary Disability Insurance program to provide family leave insurance benefits, a monetary benefit (not a leave entitlement), for covered individuals bonding with newborn or newly adopted children, or caring for ill family members.

Beginning July 1, 2009, claimants became eligible for up to six weeks of family leave benefits per 12-month period. Workers could receive weekly family leave benefits equal to two-thirds of their average weekly wage, up to a maximum weekly benefit determined annually. Leave could be taken either for six consecutive weeks, for intermittent weeks or for up to 42 intermittent days per 12-month period.

With the enactment of P.L. 2019, chapter 37 on February 19, 2019, New Jersey expanded the family leave program in a number of ways. In the beginning of the program, a family member was defined as the claimant's child, spouse, domestic partner, civil union partner or parent. For claims after February 19, 2019, the definition of child was expanded to include the claimant's biological or adopted child, foster child, stepchild, legal ward, the child of the claimant's domestic or civil union partner or the child of a gestational carrier, with a writer agreement in place. Family leave was also expanded to cover coping with domestic or sexual violence situation. Claimants could provide care for themselves, a victim/survivor or a family member of a victim/survivor.

The definition of family member was expanded for claims after February 19, 2019 to also include parent-in-law, sibling, grandparent, grandchild, domestic partner and any other individual related by blood to the employee or any other individual who has a close association with the employee which is equivalent of a family relationship.

P.L.2019, c.37 also established and required annual reporting on new goals to make timely determinations and prompt payments of benefits to claimants who meet eligibility criteria. These new goals were based on the premise the Division would be modernizing their claims processing system.

Those goals for the Family Leave Insurance program are as follows:

Timely determination and prompt payment of:

- 80% within 7 days
- 85% within 14 days
- 90% within 21 days
- 95% within 28 days

Funding Structure

The family leave program is funded entirely through worker contributions, which were equal to 0.06 percent of taxable wages in 2023, compared with the rate of 0.14 percent in 2022. Worker contributions were based on a taxable wage base equal to 107 times the statewide average weekly wage (SAWW). The worker contribution rate is adjusted annually to a rate sufficient to maintain an account balance needed to pay benefits.

For 2023, claimants were eligible for family leave benefits equal to 85 percent of their average weekly wage, up to a maximum weekly benefit rate in 2023 of \$1,025. The maximum FLI benefit period was 12 consecutive weeks and the maximum intermittent FLI leave was 56 intermittent days per 12-month period.

All New Jersey employers covered by the Unemployment Compensation Law are also subject to the Family Leave Insurance provisions of the Temporary Disability Benefits Law, including certain government entities (for example, school districts and municipalities) which are not automatically covered by temporary disability insurance. Federal government employers, as well as faith-based organizations, are exempt from the provisions of this law. A subject employer is automatically covered under the State Plan for family leave insurance unless it has covered its workers under an approved FLI private plan. Estimated State Plan covered employment for family leave insurance averaged 4,127,500 workers in 2023 and 4,071,900 in 2022. Private plan covered employment averaged 33,213 workers in 2023 and 15,955 in 2022.

Claims and Benefits

During calendar year 2023, new claims received and initial dispositions both increased, continuing the upward trend of recent years (see Table 1). The number of claims initiated online increased for the eighth consecutive year, exceeding the number of paper claims received. The number of paper claims received annually increased slightly from 2022.

Eligible dispositions comprised about 77 percent of total dispositions in 2023, compared with 79 percent in 2022, 88 percent in 2021, 83 percent in 2020 and 82 percent in 2019.

P.L. 2019 requires a reporting of the number and percentage of ineligible claims received with insufficient information; the portion of those claims that were deemed ineligible because of failure of claimants to provide sufficient information; and the portion of those claims that were deemed ineligible because of failures of medical providers of claimants to provide sufficient information. This information can be found in Table 1. The law also requires reporting of those claims deemed ineligible because of failures of employers to provide sufficient information. These data are not available or collected in the DABS system, as claims for this program are not deemed ineligible due to lack of employer information.

Gross benefit payments made in 2023 rose to \$476.5 million, an increase of 14.2 percent from 2022 when benefit payments totaled \$417.1 million. The average weekly benefit amount also increased, rising from \$841 in 2022 to \$878 in 2023.

Time Lapse Data

The percentage of initial determinations made within two weeks of receipt of the claim increased to 60.2 percent in 2023 from 43 percent in 2022 (see Table 2). The annual number of cases increased from 66,942 in 2022 to 69,367 in 2023 (+3.6%).

The percentage of initial determinations that occurred within four weeks was 92.6 percent, an increase from the level attained in 2022 of 79.7 percent. The service goal for processing initial determinations within four weeks is 95 percent.

The Division recognizes the percentage goals of Family Leave Insurance (FLI) claims to receive an original determination has fallen short of the specified thresholds. The number of claims received increased in combination with staff attrition in the Family Leave Insurance Unit.

In addition, we would also point to the percentage increases, showing improvement in timeliness of determinations, from CY 2019 to CY 2023. For FLI claims in 2019, the percentages of original determinations for 7-day, 14-day, 21-day and 28-day were 21.2%, 29.9%, 51.9% and 76.8% respectively. In 2023, those percentages are as follows with the percentage increases from 2019 - 2023 in parentheses, 33.7% (+58.8%), 60.2% (+101.5%), 85.7% (+65.3%), and 92.6% (+20.6%).

The Division acknowledges the current percentages fall short of the goals which have been established. Addressing this gap is a top priority, and the Division is actively working to meet and exceed these objectives. This commitment involves a strategic approach that includes analyzing current processes, identifying areas for improvement, and implementing targeted initiatives to enhance performance.

Reasons for Denial

The primary reasons for denial of a family leave claim at the time of initial determination are shown in Table 3. Lack of medical evidence was the most frequently cited reason for denial in 2023, comprising 14.7 percent of all reasons for denial. For caregiving claims, medical certification is required from the patient's medical provider.

"Other" reasons were cited in 80.3 percent of denials in 2023, compared with 80 percent in 2022. "Other" reasons include late filing and employment by an uncovered governmental agency.

Claimant Characteristics

Table 4 includes data on the number of eligible claims by sex, education level and race/ethnicity for all eligible family leave claims, bonding claims, claims for bonding with a newborn, claims for bonding with an adopted child, family care claims, claims for care of a sick child, claims for care of an ill spouse and claims for care of other sick family members. Table 4 also includes claimant characteristics totals for all eligible Family Leave claims. The ineligible claims data were not available for calendar year 2023.

There were 53,274 eligible family leave claims in 2023, of which approximately 85 percent of eligible claims were for bonding (45,053); the remaining 15 percent were for care of ill family members (8,221).

Females comprised 70.2 percent of eligible family leave claims, while males totaled 29.8 percent of all eligible claims. For claimants taking leave to bond with a newborn or newly adopted child, females comprised 70.3 percent of eligible claimants. The majority of FLI claimants taking leave to care for an ill family member also were female (69.5%). Males comprised 30.5 percent of family care claimants, and 29.7 percent of bonding claimants.

Individuals with an associate or bachelor's degree accounted for 38.9 percent of eligible family leave claims, followed by high school graduates (32.2%) and claimants with graduate degrees (24.4%). Individuals taking leave to care for a sick family member were more likely to be high school graduates (44.6%), followed by those with an associate or bachelor's degree (32.2%). The percentages of bonding claimants by educational level were similar to those for all eligible family leave claimants.

The largest group of family leave claimants by race/ethnicity were Caucasian (55.6%), followed by Latino/Hispanic (18.6%), African American (12.5%), Asian (9.9%), Undefined (2.2%), American Indian/Alaskan Native (0.4%), and Native Hawaiian/Pacific Islander (0.3%).

Of the \$382.4 million paid for total family leave claims filed in 2023, \$343.6 million were for bonding claims (89.9%) while \$38.9 million were paid to family care claimants (10.2%). The average weekly benefit amount for all claims in 2023 was \$885 with bonding claims averaging \$892 per week and family care claims averaging \$849 per week. Average days paid per claim were higher for bonding claims (71 days) compared with family care claims (48 days). Claims for all types of family leave averaged 67 days.

FLI Revenues, Benefits and Administrative Expenses

Table 5 contains a summary of revenues, benefits and administrative expenses during 2022 and 2023. It should be noted that State Plan benefit totals in Table 5 are reported on a cash basis and do not match the benefit payment data in Table 1, which are compiled by type of claim from monthly disability workload reports.

The State Plan for FLI is financed entirely through worker contributions, which totaled \$431.0 million in 2022 and \$212.1 million in 2023. The worker contribution rate was 0.06 percent of taxable wages in 2023; the rate was 0.14 percent in 2022 and 0.28 percent in 2021. The worker contribution rate is calculated annually and adjusted as necessary based on the balance in the fund and expected benefits and expenses for the upcoming year.

Total FLI State Plan benefits during 2023 were \$497.1 million, which was an increase from 2022 when benefits were \$440.9 million. Benefit payments for family leave during unemployment were \$2.9 million in 2023 and \$1.4 million in 2022. FLI administrative expenses increased from \$10.1 million in 2022 to \$18.8 million during 2023.

The total number of personnel in the division is 176. The total cost of salaries and benefits for those personnel in fiscal year 2023 was approximately \$26,524,182. The number personnel processing temporary disability claims is 20 with an approximate budgeted cost of salaries and benefits of \$8,472,643¹.

The personnel cost of staff who are solely processing FLI claims is 15.3% of the Division's total administrative cost, which in fiscal year 2023 was \$55,271,430.67. The maximum administrative amount permitted is \$10 million over the appropriated budgeted administrative amount per fiscal year, but this amount is subject to the approval of the Director of the Division of Finance and Accounting.

5

¹ This amount accounts for staff assigned to the direct processing of FLI claims. Personnel in other units assist in the claims processing system indirectly and are therefore not included in this total.

TEMPORARY DISABILITY INSURANCE PROGRAM – 2023

The enactment of P.L. 1948, chapter 110 created the New Jersey Temporary Disability Program. Provided in this report is a summary of workload activity and other data during 2023 for the State Plan for Temporary Disability Insurance (TDI), with comparative information from prior years. While this analysis is primarily concerned with data movements during the past five years, any significant longer-term trends are also noted. The data are derived from New Jersey's Disability Automated Benefits System (DABS), which was developed in 1989.

The report tables for 2023 incorporate the data elements required by the enactment of P.L. 2019, chapter 37 on February 19, 2019. Tables 6, 7 and 8 provide data from 2019 through 2023 on workload activity, time lapse statistics and reasons for denial of disability claims. Information on the sex, education level and race/ethnicity of claimants for 2023 can be found in Table 9. Morbidity data for eligible claims and completed cases in 2023 are contained in Tables 10 and 11. A list of definitions for key workload items is included on page 13 of this report.

Background

Since its enactment in 1948, the New Jersey Temporary Disability Benefits Law has provided benefits to workers affected by non-work-related injuries or illnesses.

With the enactment of P.L. 2019, chapter 37 on February 19, 2019, New Jersey expanded the Temporary Disability Insurance program. P.L.2019, c.37 also established and required annual reporting on new goals to make timely determinations and prompt payments of benefits to claimants who meet eligibility criteria. These new goals were based on the premise that the Division would be modernizing its claims processing system. Those goals for the Temporary Disability Insurance program are as follows:

Timely determination and prompt payment of:

- 40% of claims within 7 days
- 75% within 14 days
- 85% within 21 days
- 90% within 28 days

Funding Structure

All employers except local government, for which coverage is optional, are subject to the provisions of this law when their quarterly payrolls are at least \$1,000. Federal government employers, as well as faith-based organizations, are exempt from the provisions of this law. Employers may choose the State's insurance plan or obtain private coverage equal to or better than the State Plan. The temporary disability program is funded by a combination of employer and worker contributions. Employer contribution rates vary from 0.0 percent to 0.75 percent of taxable wages, depending on the employer's disability experience rating.

For 2023, the worker contribution rate was 0.0 percent, down from a rate of 0.14 percent in 2022. Since 2012, the worker contribution rate has been adjusted annually based upon a legislative formula.

In 2023, the number of State Plan employers decreased to 253,917 from the 2022 level of 257,332. In addition, 604 employers were covered by a combination of state and private plans, while private plan employers totaled 6,362. State Plan covered employment decreased by 0.8 percent in 2023, averaging 2,755,802 in 2023 and 2,776,812 in 2022.² Private plan covered employment increased by 0.4 percent in 2023, averaging 891,600 in 2023 and 888,266 in 2022.

Claims and Benefits

The number of new claims received and initial dispositions both decreased in 2023, from 2022 levels (see Table 6). The number of web claims received also fell compared with 2022 but still surpassed the number of paper claims received for the fourth consecutive year. The number of paper claims received annually continued to decline.

Eligible dispositions comprised 52 percent of total dispositions in 2023, compared with 45 percent in 2022 and 63 percent in 2019.

P.L. 2019 requires a reporting of the number and percentage of ineligible claims received with insufficient information, the portion of those claims that were deemed ineligible because of failure of claimants to provide sufficient information and the portion of those claims that were deemed ineligible because of failures of medical providers of claimants to provide sufficient information. This information can be found in Table 1. The law also requires reporting of those claims deemed ineligible because of failures of employers to provide sufficient information. These data are not available or collected in the DABS system, as claims for this program are not deemed ineligible due to lack of employer information.

P.L. 2019 also requires a reporting of the number and percentage of claims for which determinations were delayed because of employer failure to make the notifications or disclosures to employees and the division within the required amount of time; the number of complaints received related to employer noncompliance with those requirements; and the number of employers which have been, because of the failures, required, pursuant to section 31 of P.L.1948, c.110 (C.43:21-55), to pay fines or penalties to the division or added amounts to claimants; the total amount of payments to the Division; and the total amount of payments to claimants. However, due to changes made to the law, which provided the Division the ability to use wage data already available to DOL, this issue has largely ceased to exist. If wage data is not available, the Division will ask for paystubs from the claimant to prove wages earned during a certain timeframe.

Gross benefit payments increased by 8.4 percent in 2023 compared with 2022. The increase was largely due to the increase in the maximum weekly benefit rate which offset a drop in claims volume.

The average weekly benefit amount (AWBA) for all TDI eligible claims during 2023 was \$787, an increase of 4.9 percent compared with 2022 (\$750). The AWBA is not available separately for pregnancy and other claims.

Time Lapse Data

The percentage of initial determinations made within two weeks of receipt of the claim fell to 46.8 percent in 2023 from 50.1 percent in 2022. The two-week time lapse measure dropped below the Disability Insurance Service performance goal of 75 percent for processing initial determinations within two weeks (see Table 7).

² Actual data for State Plan and private plan covered employment and employers became available again beginning with the third quarter of 2011 due to the development of a new reporting methodology.

The percentage of initial determinations that occurred within four weeks also decreased over the year to 78.5 percent from 88.8 percent in 2022. This second performance measure was below the Disability Insurance Service goal of 90 percent for processing initial determinations within four weeks of receipt of claim.

The Division recognizes that the achievement of goals for the original determination of Temporary Disability Insurance (TDI) claims has fallen short of the 7-day, 14-day and 21-day performance thresholds.

- For TDI claims in 2019, the percentages of original determinations for 7-day, 14-day, 21-day and 28-days were 17.6%, 56.5%, 76.3% and 85.5% respectively.
- In 2023, those percentages are as follows with the percentage decreases from 2019 2023 in parentheses, 11.0% (-37.3%), 46.8% (-17.1%), 67.3% (-11.8%), and 78.5% (-8.2%).

The Division recognizes these percentages are still short of the goals set forth by the law. The Division's progress towards achieving these goals continues to be a top priority. The primary focus includes a commitment to modernizing the DABS claims processing system, which was developed in 1989. The limitations of the system impact processing time since it requires staff to complete additional manual processes to address processing needs that cannot be handled or updated in the system itself.

Reasons for Denial

The primary reasons for denial of a claim at original disposition from 2019 to 2023 are shown in Table 8. As in past years, lack of medical evidence was the most frequently cited reason for denial in 2023, comprising 33.4 percent of all reasons for denial.

The next most frequently cited reason for denial was eligibility for benefits under the Disability During Unemployment Program (4(f)).³ This reason was cited in 11.9 percent of all denials. Coverage of a disability by the Workers' Compensation program and coverage by a private plan were given as reasons for denial in 1.7 percent and 8.6 percent, respectively, of all reasons for denial. Coverage under these three programs comprised about 22 percent of reasons for denial in 2023, increasing slightly from about 21 percent in 2022.

"Other" reasons were cited in 41.3 percent of denials in 2023, compared with 44.7 percent in 2022. "Other" reasons include late filing, employment by an uncovered political subdivision, disability that is the result of committing a crime, disability with duration of less than seven days and state government employment when the individual has accrued sick time available.

Claimant Characteristics

Table 9 highlights claimant characteristics data, including sex, education level and race/ethnicity, for eligible disability claims, pregnancy-related disabilities and non-pregnancy related disabilities. The ineligible claims data were not available for calendar year 2023.

Females represented 71.7 percent of eligible disability claims and 59.2 percent of non-pregnancy related disabilities.

High school graduates were the largest group of claimants by educational level for eligible claims (46.5%) and for non-pregnancy related disabilities (50.8%). For pregnancy related disabilities, high

_

³ Persons who become disabled while unemployed may be eligible for up to 26 weeks of benefits under the disability during unemployment provisions of the State's Unemployment Compensation Law (R.S.43:21-4(f)). Individuals also eligible for regular unemployment benefits in a benefit year may receive benefits for up to 39 weeks for the two claims combined.

school graduates and individuals with either an associate or bachelor's degree accounted for 36.7 and 36.2 percent of claims, respectively.

The largest group of total eligible claimants for all three categories was Caucasian (50.2%), followed by Latino/Hispanic (20.2%), African American (15.4%), Undefined (7.4%), Asian (6.2%), American Indian/Alaskan Native (0.4%) and Native Hawaiian/Pacific Islander (0.2%).

Eligible Claims by Morbidity

The distribution of eligible claims by morbidity (type of injury or illness) has remained fairly stable since 2001 (the first year these data were produced). Table 10 contains data for 2023, along with revised data for 2022.

Claims for benefits due to pregnancy and complications of childbirth were the largest single category of claims again in 2023 out of the 17 major morbidity groups, comprising 30.5 percent of all eligible claims, compared with 30.1 percent in 2022. As in prior years, disabilities related to bones and organs of movement and disabilities resulting from accidents, poisoning and violence were the next most frequently reported categories, based on the physician's initial diagnosis, constituting 16.7 and 11.2 percent, respectively, of all eligible claims in 2023.

Claims for disabilities due to infectious and parasitic diseases (3.1%) and diseases of the respiratory system (1.8%) comprised slightly lower percentages of total eligible claims in 2023 compared with 2022.

Completed Cases by Morbidity, Duration and Benefits

Table 11 contains a summary of average claim duration and average benefit payment data by major morbidity group for cases which were completed in 2023. Completed cases include those claims formally closed in the TDI database, as well as those with no payment activity for 90 days.

The distribution of completed cases by morbidity has been stable from year to year and there are only minor differences in the percentages of completed cases by morbidity compared with the percentages of eligible claims by morbidity (Table 10). As with eligible claims, pregnancy and complications of childbirth were the largest single category of completed cases in 2023 (30.2%), followed by disabilities related to bones and organs of movement (17.3%) and disabilities resulting from accidents, poisoning and violence (11.5%).

For all morbidities, the average number of days paid per completed case was 71 days in 2023. Average duration has fluctuated between 66 and 71 days since 2001 when the data were first computed. Average gross benefits paid in 2023 increased to \$7,928 from \$6,982 in 2022.

TDI Revenues, Benefits and Administrative Expenses

Table 12 contains a summary of State Plan revenues, benefits and administrative expenses during 2022 and 2023. The State Plan for TDI is financed by a combination of worker and employer contributions, which in 2023 totaled \$44.1 and \$318.4 million, respectively. During 2023, worker contributions decreased by \$283.2 million compared with 2022. The worker contribution rate also decreased from 0.14 percent to 0.0 percent over the same period. The State Disability Fund had \$59.5 million in other income during 2023, including interest income.

Total TDI State Plan benefits paid during 2023 were \$610.6 million, with benefit payments for disability during unemployment of \$22.4 million. TDI administrative expenses were \$36.5 million during 2023.

The total number of personnel in the division is 176. The total cost of salaries and benefits for those personnel in fiscal year 2023 was approximately \$26,524,182. The number of personnel who are processing TDI claims is 45, with an approximate budgeted cost of salaries and benefits of \$13,043,863⁴.

The personnel cost of staff who are solely processing TDI claims is 23.6% of the Division's total administrative cost, which in fiscal year 2023 was \$55,271,430.67. The maximum administrative amount permitted is \$10 million over the appropriated budgeted administrative amount per fiscal year, but this amount is subject to the approval of the Director of the Division of Finance and Accounting.

-

⁴ This amount accounts for staff assigned to the direct processing of TDI claims. Personnel in other units assist in the claims processing system indirectly and are therefore not included in this total.

Strategic Plan and Outreach for the Temporary Disability and Family Leave Insurance Program

NJDOL continues our commitment to provide timely and accessible program information to claimants. Building on initiatives launched since 2018, we continue to simplify and clarify the claims process through updated forms, enhanced information on webpages, and incorporating stakeholder feedback.

In early 2023, the Division contracted with a third-party vendor to supply a much-needed call center to improve the availability of live agents to connect with customers. Simultaneously, the Division is improving its current Interactive Voice Response (IVR) to direct callers to a live agent or, if possible, automated services.

Additionally, in 2023, the Division expects to begin the process of modernizing the current, nearly 40-year-old claims processing system. This change is expected to allow the Division to continue to improve the speed at which claims are processed to meet legislative expectations.

<u>MyLeaveBenefits.nj.gov</u> shares information on Temporary Disability and Family Leave Insurance, and the application process. With the New Jersey Office of Innovation, NJDOL has added resources created with a human-centered design approach, to aid users in the application process. In 2022, we launched an interactive <u>Maternity Coverage Timeline Tool</u> and the "What Happens After I <u>Apply?"</u> webpage. In 2023, we continued to make improvements incorporating staff and user feedback.

Between January 1, 2023 and December 31, 2023, there were over 5.6 million views on the website, as indicated in the table below:

Website Metrics

Page Visits/Page Views from January 1st, 2023 – December 31st, 2023									
Page	Audience	Views							
Temporary Disability Insurance Information	Workers	2,548,056							
Family Leave Insurance Information	Workers	1,068,283							
Maternity Coverage Information	Workers	1,068,283							
Maternity Leave Timeline Tool Welcome Page	Workers	92,992							
What Happens After I Apply	Workers	185,491							
Information for Victims/Survivors of Domestic and Sexual Violence	Workers	3,741							
Employer Toolkit	Employers	25,792							
	Total Views	5,676,396							

Early in 2022, the Division established an Outreach Team that provides information to employees and employers through engagement events and speaking requests. The team also presents to medical providers and other stakeholders on ways to support patients applying for benefits.

In 2023, the Outreach Team continued to attend events which were targeted towards healthcare providers and those who provide support through the maternity leave process. The team also proactively engaged with healthcare providers, such as OB/GYNs, to assist them in providing much needed information to those who are pregnant or planning to have a child soon. They also focused on employers/community-based support to provide the same information to help them understand the current TDI/FLI claim process.

As mandated under P.L. 2019, chapter 37, in June 2022 NJDOL awarded \$600,0000 in grant funds to community-based organizations to conduct culturally relevant and language-specific outreach and education on TDI/FLI to workers and service providers, through the Cultivating Access Rights and Equity (CARE) program. The grant aims to increase equitable awareness of and access to TDI/FLI and develop community feedback loops to improve these programs.

NJDOL awarded an additional \$600,000 in TDI/FLI funds to grantees in June 2023 (Fiscal Year 2023), with employers included as targets of outreach and education. For the Fiscal Year 2023 grant, which ended June 30, 2024, grantees made over 29,000 direct contacts with workers and over 2,400 direct contacts with employers through outreach, education and technical assistance.

Organizations establish their deliverables based on their specific outreach and technical assistance (TA) methods, community needs, and capacity. Direct outreach tactics varied widely, including sharing information at community events, hosting workshops, conducting text campaigns, and phone banking. Grantees reached hundreds of thousands more with social media, advertising and mass messaging, including radio and newspaper ads in language-specific local outlets. They provided support to individuals completing TDI/FLI applications, through translation and other troubleshooting support.

Over 200 staff members at CARE grant organizations received training in TDI/FLI. These trainings prepare community-based organizations to sustain paid leave, unemployment and work rights outreach and education. Grantees provided services to NJ residents in Arabic, Bengali, English, French, Gujarati, Khmer, Korean, Polish, Portuguese, Russian, Spanish, Tagalog, Ukrainian, Vietnamese, and Yiddish, as well as American Sign Language.

Definitions of Terms

<u>Completed Cases</u> – Includes those claims formally closed during the year, as well as those with no payment activity for 90 days.

<u>Formally Closed Claims</u> – Those claims that have been paid to benefit exhaustion, to the 180-day maximum claim duration, or until the claimant recovered, returned to work or died. If notification of recovery, return to work or death is not received, then the claim is not formally closed.

<u>Maximum Weekly Benefit Amount</u> – For disability claims prior to July 1, 2020, the maximum weekly benefit amount was set each year at 53 percent of the statewide average weekly wage (SAWW) in the second preceding calendar year. Beginning July 1, 2020, the maximum weekly benefit amount was set at 70 percent of the SAWW. The maximum weekly benefit amount for 2023 was \$1,025.

<u>State Plan Covered Employees</u> – Employee coverage is the average of covered jobs in the last month of each of the four quarters in the year and includes all workers covered by the State Plan as well as the State Plan portion of combination plans.

<u>State Plan Covered Employers</u> – Employer coverage is the annual average and excludes firms with a combination of State and private plans.

Table 1
FAMILY LEAVE INSURANCE SUMMARY REPORT
Calendar Years 2019 - 2023

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>
Total New Claims Received	56,225	61,614	68,475	71,048	77,189
Paper Claims Received (FL1 and FL2)	35,617	29,286	30,460	29,041	30,345
Web Claims Received (WF1 and FL2)	20,608	32,328	38,015	42,007	46,844
Total Initial Dispositions	46,973	50,677	52,577	67,252	69,377
Eligible	38,407	41,833	46,160	52,931	53,338
Ineligible	8,566	8,844	6,417	14,321	16,039
Initial Claims Determined Ineligible Due to Missing Information					
Missing Both Claimant and Medical Information	9,429	8,927	11,965	16,177	17,457
Missing Claimant Information	5,639	6,256	4,150	2,654	2,866
Missing Medical Information	2,059	3,009	1,795	2,349	3,009
Gross Benefit Payments (millions)*	\$119.6	\$187.1	\$334.8	\$417.1	\$476.5
Average Weekly Benefit Amount	\$556	\$659	\$782	\$841	\$878
Maximum Weekly Benefit Amount**	\$650	\$667/\$881	\$903	\$993	\$1,025
Number of Claimants with both TDI & FLI Claims in Same Year	16,944	12,725	16,269	21,533	24,076

^{*} Gross Benefit Payments for 2023 include any payments from 2022 claims that were made in 2023.

^{**} Maximum weekly benefit rate for January 1 - June 30, 2020 calculated as 53% of Statewide Average Weekly Wage.

^{**} Maximum weekly benefit rate for July 1 - December 31, 2020, Calendar Years 2021 - 2023 is calculated as 70% of Statewide Average Weekly Wage.

Table 2 FAMILY LEAVE INSURANCE SUMMARY REPORT TIME LAPSE CLAIM DISTRIBUTION Eligible and Ineligible Decisions Calendar Years 2019 - 2023

	<u>2019</u>		<u>2020</u>		<u>2021</u>		<u>2022</u>		<u>2023</u>	
Number of Days	<u>Number</u>	Cumulative Percent	Number	Cumulative <u>Percent</u>	Number	Cumulative <u>Percent</u>	Number	Cumulative <u>Percent</u>	Number	Cumulative <u>Percent</u>
7 or less	9,959	21.2%	22,069	41.7%	18,088	31.8%	17,492	26.1%	23,371	33.7%
8 - 14	4,071	29.9	15,498	70.9	20,013	67.0	11,321	43.0	18,408	60.2
15 – 21	10,307	51.9	6,685	83.5	9,638	83.9	16,990	68.4	17,683	85.7
22 – 28	11,687	76.8	3,184	89.5	3,794	90.6	7,580	79.7	4,775	92.6
29 – 35	6,003	89.6	3,705	96.5	2,768	95.4	6,179	89.0	2,661	96.4
36 – 43	2,189	94.2	856	98.1	1,719	98.4	3,507	94.2	1,537	98.7
44 – 49	1,506	97.4	510	99.1	558	99.4	2,175	97.5	554	99.5
50 – 56	580	98.7	214	99.5	192	99.8	718	98.5	227	99.8
57 or more	629	100.0	261	100.0	135	100.0	980	100.0	151	100.0
TOTAL CASES	46,931		52,982		56,905		66,942		69,367	

Table 3
FAMILY LEAVE INSURANCE SUMMARY REPORT
REASONS FOR DENIAL
Calendar Years 2019 - 2023

	2019		2020		2021		2022		2023	
Reason for Denial	Number	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
4 (f) Family Leave During Unemployment	799	3.4%	1,085	3.1%	1,093	3.4%	1,540	4.0%	1,698	3.9%
Insufficient Weeks or Wages	110	0.5	303	0.9	362	1.1	506	1.3	363	0.8
Medical Evidence Not Submitted	2,889	12.3	5,822	16.5	4,730	14.8	5,590	14.5	6,330	14.7
Workers' Compensation Coverage	12	0.1	15	0.0	23	0.1	13	0.0	22	0.1
Private Plan Coverage	13	0.1	21	0.1	25	0.1	43	0.1	53	0.1
Receipt of Continuation Pay from Employer	10	0.0	13	0.0	18	0.1	11	0.0	17	0.0
Other Reasons*	19,700	83.7	28,121	79.5	25,628	80.4	30,904	80.0	34,676	80.3
TOTAL CASES	23,533	100.0	35,380	100.0	31,879	100.0	38,607	100.0	43,159	100.0
*Other reasons include late filing and employmen	t by an unco	overed gov	vernmenta	l agency.						

Table 4
FAMILY LEAVE INSURANCE SUMMARY REPORT
ELIGIBLE CLAIM STATISTICS BY TYPE OF CLAIM
Calendar Year 2023

	Bonding Newborn	Bonding Adopted Child	Total Bondir Claim	ng	Care of a Sick Child	Care of a Sick Spouse	Care of Other Sick Family Members	Fa	otal mily Claims	Total Eligik Famil Leave Cl	ly
	Number	Number	Number	Percent	Number	Number	Number	Number	Percent	Number	Percent
Number of Claims*	44,892	161	45,053	100.0%	1,903	2,412	3,906	8,221	100.0%	53,274	100.0%
Number of Intermittent Claims**	14,717	78	14,795		1,041	1,286	2,154	4,481			
Sex											
Male	13,316	57	13,373	29.7	330	1,095	1,079	2,504	30.5	15,877	29.8
Female	31,576	104	31,680	70.3	1,573	1,317	2,827	5,717	69.5	37,397	70.2
Education											
Did Not Graduate High School	613	3	616	1.4	99	131	125	355	4.3	971	1.8
High School Graduate/GED	13,447	64	13,511	30.0	868	1,181	1,614	3,663	44.6	17,174	32.2
Associate/Bachelor Degree	18,028	55	18,083	40.1	603	707	1,341	2,651	32.2	20,734	38.9
Graduate Degree	11,841	39	11,880	26.4	256	263	621	1,140	13.9	13,020	24.4
Undefined	963	0	963	2.1	77	130	205	412	5.0	1,375	2.6
Race/Ethnicity											
Caucasian	25,864	107	25,971	57.6	798	1,252	1,576	3,626	44.1	29,597	55.6
African American	5,432	28	5,460	12.1	317	292	613	1,222	14.9	6,682	12.5
Latino/Hispanic	8,377	18	8,395	18.6	534	446	546	1,526	18.6	9,921	18.6
Asian	4,048	8	4,056	9.0	185	323	697	1,205	14.7	5,261	9.9
Native Hawaiian/Pacific Islander	113	0	113	0.3	3	5	13	21	0.3	134	0.3
American Indian/Alaskan Native	169	0	169	0.4	5	7	9	21	0.3	190	0.4
Undefined	889	0	889	2.0	61	87	152	300	3.6	1,189	2.2
Gross Benefits Paid (millions)***	\$342.4	\$1.2	\$343.6		\$8.7	\$11.8	\$18.4	\$38.9		\$382.4	
Average Days Paid Per Claim	71	65	71		46	49	49	48		67	
Average Weekly Benefit Amount	\$892	\$905	\$892		\$825	\$851	\$860	\$849		\$885	

^{****} Total All Family Leave Claims, including Ineligible Claims data, were not available for Calendar Year 2023.

TABLE 5

FAMILY LEAVE INSURANCE SUMMARY REPORT – STATE PLAN REVENUES, BENEFITS AND EXPENSES (Millions)

Calendar Years 2022 and 2023

	<u>2022</u>	<u>2023</u>
FLI Income		
FLI Worker Contributions	\$431.0	\$212.1
Other Income (including interest)	\$15.4	\$16.2
Total FLI Income	\$446.4	\$228.3
FLI Benefits and Expenses		
FLI State Plan Benefit Payments	\$440.9	\$497.1
Benefit Payments for Family Leave	\$1.4	\$2.9
During Unemployment		
FLI Administrative Expenses	\$10.1	\$18.8
Total FLI Benefits and Expenses	\$452.4	\$518.8

Table 6 TEMPORARY DISABILITY INSURANCE SUMMARY REPORT Calendar Years 2019 - 2023

	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	2023
Total New Claims Received	142,186	136,401	160,119	138,666	131,109
Paper Claims Received (DS1)	86,646	60,139	56,849	46,026	41,378
Web Claims Received (WD1)	55,540	76,262	103,270	92,640	89,731
Total Initial Dispositions	113,444	102,989	122,907	125,661	109,768
Eligible	71,604	69,038	81,844	56,441	56,632
Ineligible	41,840	33,951	41,063	69,220	53,136
Initial Claims Determined Ineligible Due to Missing Information					
Missing Both Claimant and Medical Information	30,367	25,206	27,637	29,251	28,918
Missing Claimant Information	13,987	6,010	12,612	12,611	12,005
Missing Medical Information	7,017	7,557	9,354	9,802	8,997
Gross Benefit Payments (millions)	\$429.5	\$432.9	\$533.7	\$567.1	\$615.0
Average Weekly Benefit Amount	\$491	\$562	\$701	\$750	\$787
Maximum Weekly Benefit Amount*	\$650	\$667/\$881	\$903	\$993	\$1,025
Number of Claimants with both TDI & FLI Claims in Same Year	16,944	12,725	16,269	21,533	24,076

^{*} Maximum weekly benefit rate for January 1 - June 30, 2020 calculated as 53% of Statewide Average Weekly Wage.

^{*} Maximum weekly benefit rate for July 1 - December 31, 2020 calculated as 70% of Statewide Average Weekly Wage.

^{*} Maximum weekly benefit rate for Calendar Year 2021-2023 calculated as 70% of Statewide Average Weekly Wage.

Table 7 TEMPORARY DISABILITY SUMMARY REPORT TIME LAPSE CLAIM DISTRIBUTION Eligible and Ineligible Decisions Calendar Years 2019 - 2023

	<u>2019</u>		<u>2020</u>		<u>2021</u>		<u>2022</u>		<u>2023</u>	
Number of Days	Number	Cumulative <u>Percent</u>	<u>Number</u>	Cumulative <u>Percent</u>	<u>Number</u>	Cumulative <u>Percent</u>	<u>Number</u>	Cumulative <u>Percent</u>	<u>Number</u>	Cumulative <u>Percent</u>
7 or less	19,906	17.6%	26,850	24.0%	36,783	29.1%	23,488	18.7%	11,905	11.0%
8 - 14	43,958	56.5	47,348	66.4	49,988	68.6	39,505	50.1	38,542	46.8
15 – 21	22,426	76.3	18,857	83.3	17,232	82.3	36,561	79.2	22,083	67.3
22 – 28	10,449	85.5	5,743	88.4	10,437	90.5	12,067	88.8	12,137	78.5
29 – 35	8,391	92.9	5,078	93.0	7,707	96.6	7,961	95.2	8,926	86.8
36 – 43	3,512	96.0	2,910	95.6	1,646	97.9	2,964	97.5	6,738	93.0
44 – 49	2,069	97.9	2,192	97.6	897	98.6	1,391	98.6	4,248	97.0
50 – 56	1,255	99.0	969	98.4	571	99.1	781	99.2	1,821	98.7
57 or more	1,154	100.0	1,767	100.0	1,185	100.0	944	100.0	1,434	100.0
TOTAL CASES	113,120		111,714		126,446		125,662		107,834	

Table 8
TEMPORARY DISABILITY INSURANCE SUMMARY REPORT
REASONS FOR DENIAL
Calendar Years 2019 - 2023

	<u>2019</u>		<u>2020</u>		<u>2021</u>		<u>2022</u>		<u>2023</u>	
Reason for Denial	<u>Number</u>	<u>Percent</u>								
4 (f) Family Leave During Unemployment	9,818	13.0%	12,441	12.6%	16,835	15.0%	11,242	10.4%	10,113	11.9%
Insufficient Weeks or Wages	2,059	2.7	1,914	1.9	2,555	2.3	3,224	3.0	1,940	2.3
Medical Evidence Not Submitted	20,853	27.6	30,784	31.2	35,879	32.0	33,121	30.6	28,257	33.4
Workers' Compensation Coverage	2,942	3.9	3,310	3.4	3,154	2.8	2,176	2.0	1,465	1.7
Private Plan Coverage	5,403	7.1	7,053	7.1	8,249	7.4	9,224	8.5	7,312	8.6
Receipt of Continuation Pay from Employer	783	1.0	987	1.0	991	0.9	747	0.7	602	0.7
Other Reasons*	33,823	44.7	42,252	42.8	44,387	39.6	48,379	44.7	34,989	41.3
TOTAL REASONS FOR DENIAL	75,681	100.0	98,741	100.0	112,050	100.0	108,113	100.0	84,678	100.0

^{*}Other reasons include late filing, state government employment when the individual has accrued sick time available, employment by an uncovered political subdivision, disability resulting from commission of a crime and disability with duration of less than 7 days.

Table 9
TEMPORARY DISABILITY INSURANCE SUMMARY REPORT
ELIGIBLE CLAIM STATISTICS BY TYPE OF CLAIM
Calendar Year 2023

	<u>Total Eligible Disab</u>	ility Claims*	Pregnancy Related	Disabilities	Non-Pregnancy Relate	ed Disabilities
	Number	Percent	Number	Percent	Number	Percent
Total Number of Claims	82,617	100.0%	25,437	100.0%	57,180	100.0%
Sex						
Male	23,353	28.3	36	0.1	23,317	40.8
Female	59,264	71.7	25,401	99.9	33,863	59.2
Education						
Did Not Graduate High School	3,974	4.8	437	1.7	3,537	6.2
High School Graduate/GED	38,404	46.5	9,344	36.7	29,060	50.8
Associate/Bachelor Degree	23,934	29.0	9,215	36.2	14,719	25.7
Graduate Degree	9,650	11.7	5,390	21.2	4,260	7.5
Undefined	6,655	8.1	1,051	4.1	5,604	9.8
Race/Ethnicity						
Caucasian	41,475	50.2	13,686	53.8	27,789	48.6
African American	12,706	15.4	3,169	12.5	9,537	16.7
Latino/Hispanic	16,722	20.2	5,184	20.4	11,538	20.2
Asian	5,091	6.2	1,939	7.6	3,152	5.5
Native Hawaiian/Pacific Islander	181	0.2	57	0.2	124	0.2
American Indian/Alaskan Native	366	0.4	213	0.8	153	0.3
Undefined	6,076	7.4	1,189	4.7	4,887	8.5

Table 10 TEMPORARY DISABILITY INSURANCE SUMMARY REPORT MORBIDITY DATA FOR ELIGIBLE NEW CLAIMS Calendar Years 2022 and 2023

	2022 (REVIS		20	023
Major Morbidity Group (code)	Number of <u>Cases</u>	Percent of <u>Cases</u>	Number of <u>Cases</u>	Percent of <u>Cases</u>
Infectious and parasitic diseases (01)	3,908	4.8%	2,479	3.1%
Neoplasms (02)	5,429	6.7	5,759	7.3
Allergic, endocrine, metabolic and nutritional (03)	1,673	2.1	1,658	2.1
Diseases of blood and blood forming organs (04)	208	0.3	210	0.3
Mental, psychoneurotic and personality disorders (05)	5,355	6.6	5,590	7.1
Nervous system and sense organs (06)	2,675	3.3	2,820	3.6
Circulatory system (07)	3,656	4.5	3,728	4.7
Respiratory system (08)	2,810	3.5	1,437	1.8
Digestive system (09)	4,156	5.1	4,310	5.5
Genitourinary system (10)	1,622	2.0	1,769	2.2
Pregnancy and complications of childbirth (11)	24,326	30.1	24,103	30.5
Skin and cellular tissue (12)	636	0.8	567	0.7
Bones and organs of movement (13)	13,047	16.1	13,230	16.7
Congenital malformations (14)	59	0.1	58	0.1
Hysterectomy (15)	678	0.8	808	1.0
Accidents, poisoning and violence (17)	8,973	11.1	8,890	11.2
Other ill-defined and unknown causes (16 & 18)	1,701	2.1	1,607	2.0
Total	80,912	100.0%	79,023	100.0%
Total non-pregnancy/childbirth	56,586	69.9%	54,920	69.5%

Table 11
TEMPORARY DISABILITY INSURANCE SUMMARY REPORT
MORBIDITY DATA FOR COMPLETED CASES
Calendar Year 2023

Major Morbidity Group (code)	Number of <u>Cases</u> *	Percent of <u>Cases</u>	Average Duration (days)	Average Gross Benefits	Total Gross Benefits (Millions)
Infectious and parasitic diseases (01)	2,672	3.1%	62	\$7,142	\$19.1
Neoplasms (02)	6,390	7.3	80	9,163	58.6
Allergic, endocrine, metabolic and nutritional (03)	1,753	2.0	57	6,422	11.3
Diseases of blood and blood forming organs (04)	223	0.3	72	7,940	1.8
Mental, psychoneurotic and personality disorders (05)	6,183	7.1	76	8,946	55.3
Nervous system and sense organs (06)	3,099	3.6	70	7,936	24.6
Circulatory system (07)	4,158	4.8	87	9,964	41.4
Respiratory system (08)	1,519	1.7	48	5,299	8.0
Digestive system (09)	4,523	5.2	48	5,396	24.4
Genitourinary system (10)	1,881	2.2	52	5,701	10.7
Pregnancy and complications of childbirth (11)	26,324	30.2	60	6,712	176.7
Skin and cellular tissue (12)	625	0.7	57	6,493	4.1
Bones and organs of movement (13)	15,050	17.3	85	9,589	144.3
Congenital malformations (14)	65	0.1	103	11,786	0.8
Hysterectomy (15)	857	1.0	50	5,456	4.7
Accidents, poisoning and violence (17)	10,018	11.5	82	9,077	90.9
Other ill-defined and unknown causes (16 & 18)	1,748	2.0	71	7,916	13.8
Total	87,088	100.0%	71	\$7,928	\$690.5
Total non-pregnancy/childbirth	60,764	69.8%	75	\$8,455	\$513.8

^{*} Completed cases include those claims formally closed in the TDI database in 2023, as well as those with no payment activity for 90 days.

TABLE 12

TEMPORARY DISABILITY INSURANCE SUMMARY REPORT – STATE PLAN REVENUES, BENEFITS AND EXPENSES

(Millions)

Calendar Years 2022 and 2023

TDI Income	<u>2022</u>	<u>2023</u>
TDI Worker Contributions	\$327.3	\$44.1
TDI Employer Contributions	\$324.1	\$318.4
Other Income (including interest)	\$49.6	\$59.5
Total TDI Income	\$701.0	\$422.0
TDI Benefits and Expenses		
TDI State Plan Benefit Payments	\$563.7	\$610.6
Benefit Payments for Disability During Unemployment	\$18.9	\$22.4
TDI Administrative Expenses	\$27.6	\$36.5
Total TDI Benefits and Expenses	\$610.2	\$669.5