

EMPLOYER GUIDE TO NEW JERSEY PAID FAMILY & MEDICAL LEAVE



Also known as **NJ Temporary Disability and Family Leave Insurance**—provides cash benefits to NJ employees who need time off to care for themselves or a loved one.

See our **employer toolkit** for our top resources at myleavebenefits.nj.gov/employerkit.



TEMPORARY DISABILITY INSURANCE (TDI)

- A physical or mental health condition unrelated to their work (including pregnancy/childbirth recovery).
Receive up to 26 weeks of benefits. Medical certification required.

FAMILY LEAVE INSURANCE (FLI)

- Care for a loved one
- Bond with a new child
- Cope with domestic or sexual violence

Receive up to 12 weeks of benefits if taken in a row or take it in parts and receive up to 56 intermittent days. Medical certification required for caregiving leave.

MATERNITY COVERAGE: TEMPORARY DISABILITY + FAMILY LEAVE INSURANCE

Receive TDI benefits for pregnancy & childbirth recovery, then FLI benefits for bonding. Typically, 22-24 weeks of benefits.

Learn more at myleavebenefits.nj.gov/timeline.

YOU'RE LIKELY A COVERED EMPLOYER

Most employers must participate in TDI/FLI programs. You can also provide a private insurance plan that meets NJ requirements.

See exemptions at myleavebenefits.nj.gov.

SET UP PAYROLL CONTRIBUTIONS

Covered employers must set up payroll contributions for employees working in NJ. TDI is funded by both employers and employees. FLI is fully funded by employees—there is no employer contribution.

REGISTER WITH EMPLOYER ACCESS

For TDI claims, benefits are charged against the experience rating account of the last employer the applicant worked for before their claim started. For FLI claims, there is no charge against the employer's experience rating.

Register with Employer Access to view your contribution rate: nj.gov/labor/ea

EMPLOYER'S RESPONSIBILITIES

Employers that fail to meet these requirements can face penalties.

Share information with employees

- Display the Temporary Disability Insurance Poster and the Family Leave Insurance Poster in a workplace location where employees can clearly see them.
- Give written notice of these programs when an employee is hired, requests information, or notifies an employer of their need for leave.
- Keep in mind—Employees often ask their direct supervisor about paid leave. Make sure supervisors are aware of the law and their responsibilities.

Report employee's quarterly earnings to the State

We use those reported earnings to determine an employee's eligibility and weekly benefit amount.

Report Temporary Disability benefits on your employee's W-2

- Year-end statements for TDI benefits are available online in January for the preceding calendar year.
- A portion of TDI benefits paid are taxable by the federal government. They are not taxed by the State of New Jersey.
- It is **your responsibility** to report the taxable information on your employee's W-2. We do not issue W-2s.
- FLI benefits are taxable to the federal government. Form 1099-G is available online for claimants to download.

Respond to forms when an employee applies

- There is no employer portion of the application, but we may request additional information by mail. You are required to respond.
- We will send you an approval notice when an employee's TDI or FLI claim is approved, and a DS-7C form each time we issue TDI benefits. Check them for accuracy and call (609) 292-7060 to report incorrect information.

UNDERSTANDING JOB PROTECTION

You may be required to hold your employees' jobs under state and federal law while they're on leave.

See our [Job Protection Coverage Tool](https://myleavebenefits.nj.gov/jobprotection) at myleavebenefits.nj.gov/jobprotection.

PTO WHILE ON LEAVE

There are rules about when you can require employees to use Paid Time Off (PTO) before receiving TDI. You can never require them to use it before receiving FLI.

Find more information on myleavebenefits.nj.gov/employer.



LEARN MORE AT:
myLeaveBenefits.nj.gov