

■ **TEMPORARY DISABILITY BENEFITS LAW (*FAMILY LEAVE INSURANCE*)**

TERMS: In addition to replacing earnings lost on account of non-work-related disabilities, the Temporary Disability Benefits Law also authorizes cash benefits for up to 6 weeks to allow workers to provide care to a seriously ill family member, or to bond with a newborn or newly adopted child.

Conditions and Limitations — Family Leave benefits are subject to the following conditions, among many others:

Care Leave — Leave to care for a family member with a serious health condition applies only to a worker's spouse, domestic or civil union partner, parent or child, and the health condition must be verified by a licensed health care provider. Care leave may be taken for 6 consecutive or non-consecutive weeks, or 42 non-consecutive days, during the 12-month period immediately preceding the claim.

Bonding Leave — Paid family leave for up to 6 weeks may also be taken to bond with (1) a newborn child during the 12 months after the child's birth, or (2) an adopted child during the 12 months after the child's placement. This type of leave generally must be for a period of more than 7 consecutive days. At the time the claim is made, the worker must provide certain documentation, such as the child's birth certificate or adoption records.

Earnings Eligibility — To qualify for Family Leave Insurance benefits, a worker generally must have earned a certain amount of qualifying wages working for one or more farm employers who either (1) paid total agricultural wages of \$20,000 or more during any calendar quarter of the current or preceding calendar year, or (2) employed 10 or more agricultural workers for any part of a day in 20 or more different calendar weeks this year or last.

Amount of Benefits — The amount of weekly benefits is generally equal to a certain percentage of the worker's average weekly earnings over the 52 weeks immediately before the leave period.

ENFORCEMENT: *Division of Unemployment and Temporary Disability Insurance, New Jersey Department of Labor and Workforce Development, Trenton, New Jersey 08625 (609-292-2460).* A worker who takes family leave, and whose current or most recent employer does not administer a private disability plan, may download an application for state disability benefits or file a claim online, at lwd.dol.state.nj.us/labor/fli/fliindex.html#FLI2.

Any dispute that arises over a worker's eligibility for or payment of benefits from a private plan may be referred to the Department for investigation and resolution.