

BENEFITS & PROTECTIONS FOR NEW & EXPECTING PARENTS WHO WORK IN NJ

CASH BENEFITS: NJ TEMPORARY DISABILITY AND FAMILY LEAVE INSURANCE
JOB PROTECTION: FEDERAL AND STATE LAWS



DURING MY PREGNANCY & RECOVERY



How to Receive Benefits

Temporary Disability Insurance

Apply at: myleavebenefits.nj.gov/maternity

Typically provides 10-12 weeks of cash benefits so you can stop working to care for yourself before and after childbirth

Eligibility details in next section



WHILE BONDING WITH MY BABY



How to Receive Benefits

Family Leave Insurance

Apply at: myleavebenefits.nj.gov/maternity

Provides up to 12 weeks of cash benefits so you can stop working to bond with your new child

Eligibility details in next section

Parents who gave birth can transition directly to bonding benefits



How to Protect My Job

Federal Family & Medical Leave Act (FMLA)

Enforced by US Department of Labor:
dol.gov/agencies/whd/fmla

Up to 12 weeks of unpaid job-protected leave to care for yourself before and after childbirth and to bond with your new child



How to Protect My Job

NJ Family Leave Act (NJFLA)

Enforced by NJ Division on Civil Rights:
njcivilrights.gov

Up to 12 weeks of job-protected leave to bond with your new child

Take up to 12 weeks of FMLA for pregnancy/recovery and/or a related serious health condition + up to 12 weeks of NJFLA for bonding = up to 24 weeks of job protection



HOW TO RECEIVE BENEFITS



DURING MY PREGNANCY & RECOVERY

Typically 4 weeks BEFORE DUE DATE



DELIVERY

and 6-8 weeks AFTER DELIVERY



Temporary Disability Insurance

Birthing parents apply at: myleavebenefits.nj.gov/maternity

Medical provider determines length

- Typically 4 weeks before due date, plus 6 weeks after for vaginal birth or 8 weeks for C-section
- Leave could be longer if you have serious complications or you're quarantined due to a public health emergency



WHILE BONDING WITH MY BABY

OPTION #1 take all 12 weeks at once



OPTION #2 take max 56 days (8 weeks) in parts:



Family Leave Insurance

- Benefits to be used in baby's first year; for non-birth parents too
- Adoptive and foster parents eligible within a year of placement
- Non-birth parents apply for bonding benefits online at: myleavebenefits.nj.gov/worker/fli

Parents who gave birth can transition directly to bonding benefits

MOST NJ EMPLOYEES QUALIFY

- For 2021, you must have earned at least \$11,000 total or \$220 weekly for 20 weeks total in employment in the 18 months prior to the start of your benefit claim.
- Apply online at myleavebenefits.nj.gov and start your application up to 60 days before your leave.

Receive 85% of your average wages, up to \$903/week

- You'll receive a debit card in the mail when your application review begins; funds will be put on the card once you're approved.
- It can take 2-6 weeks to approve a claim and pay benefits once we have a complete application – including medical forms. Follow up with your medical provider to ensure timely processing.

Employers must participate in these public insurance programs and deduct payroll taxes for employees working in NJ, or provide a private insurance plan. The federal government is not required to participate in either program. For local governments (for ex., counties, municipalities and school districts), Family Leave Insurance is required but Temporary Disability is optional. Generally, employees that work a significant amount of time outside of NJ are not covered, but are encouraged to apply to find out. For important information on notifying your employer, application tips, and more, see myleavebenefits.nj.gov. For private insurance plans, contact your employer to learn more about your coverage and get a leave application.



HOW TO PROTECT MY JOB



DURING MY PREGNANCY & RECOVERY

Federal Family & Medical Leave Act (FMLA)

Enforced by US Department of Labor:
[dol.gov/agencies/whd/fmla](https://www.dol.gov/agencies/whd/fmla)

Up to 12 weeks of job-protected leave to care for yourself before and after childbirth if

- Your employer has at least 50 employees within 75 miles of your worksite or is a government entity
- You've worked there for at least 12 months
- You've worked at least 1,250 hours in past 12 months
- You must give your employer 30 days' notice if need for leave is foreseeable

✓ all these requirements must be met or your employer is not required to hold your job for you

* **FMLA leave can also be taken to bond with a new child but it then runs concurrently with NJFLA leave**

Contact employer or USDOL with FMLA questions:

US Department of Labor (USDOL)
866-487-9243
[dol.gov/whd/fmla](https://www.dol.gov/whd/fmla)



WHILE BONDING WITH MY BABY

NJ Family Leave Act (NJFLA)

Enforced by NJ Division on Civil Rights:
[njcivilrights.gov](https://www.njcivilrights.gov)

Up to 12 weeks of job-protected leave to bond with your new child within a year of birth or placement if

- Your employer has at least 30 employees worldwide, or is a government entity, regardless of size
- You've worked there for at least 1 year
- You've worked at least 1,000 hours in past 12 months
- You generally must give your employer 30 days' notice if need for leave is foreseeable

✓ all these requirements must be met or your employer is not required to hold your job for you

Contact employer or NJ Division on Civil Rights with NJFLA questions:

NJ Division on Civil Rights
973-648-2700
[njcivilrights.gov](https://www.njcivilrights.gov)

Take up to 12 weeks of FMLA for pregnancy/recovery and/or a related serious health condition + up to 12 weeks of NJFLA for bonding = up to 24 weeks of job protection



TRANSITION BETWEEN CASH BENEFITS: UNEMPLOYMENT, PREGNANCY/CHILDBIRTH RECOVERY & BONDING

Unemployed? You can transition from unemployment benefits to pregnancy/recovery benefits or bonding benefits. Learn more: myleavebenefits.nj.gov/unemployed.

Laid off while receiving pregnancy/recovery or bonding benefits? You can apply for unemployment or reopen your claim. See myunemployment.nj.gov.



PREGNANCY & BREASTFEEDING RIGHTS

- NJ workers are entitled to certain pregnancy and breastfeeding protections, including reasonable accommodations to continue working while pregnant or breastfeeding, and breaktime in a private location other than a bathroom to express breast milk at work.
- Employers cannot retaliate against you for requesting or using an accommodation for pregnancy or breastfeeding.
- These laws are enforced by the NJ Division on Civil Rights. Learn more: njcivilrights.gov.

ANSWERS TO YOUR QUESTIONS CAN BE FOUND AT:

myLeaveBenefits.nj.gov

For further assistance



T: 609-292-7060

F: 609-984-4138

**MONDAY-FRIDAY
8:30 am – 4:30 pm**



**Temporary Disability and Family Leave Insurance
PO Box 387 | Trenton | NJ | 08625**

Please note: This handout is intended to give general information about benefits and rights available to New Jersey workers. Eligibility determinations for each benefit or protection are made in accordance with the law.



NJ.GOV/LABOR

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