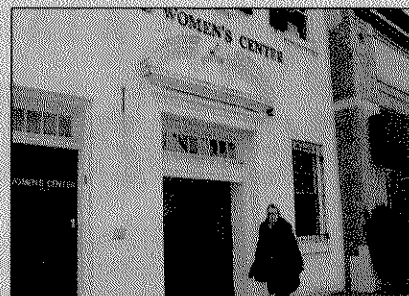
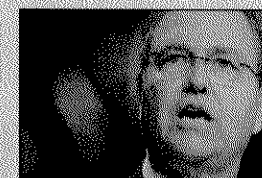


Business

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Non-profit group gives low-income sites a new lease on life. **10**



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ASK A LAWYER

How to use the paid family leave law

Q. What do I need to know about the New Jersey Paid Family Leave Law?

New Jersey's newly enacted Paid Family Leave Law will be subsidized solely by employee contributions that began on Jan. 1. Eligible employees may collect benefits starting July 1. Eligible employees will be entitled to receive paid family leave benefits for up to six continuous weeks in a 12-month period, or up to 42 days of intermittent leave in a 12-month period, under certain limited circumstances. Paid leave benefits, which will be administered under New Jersey's Temporary Disability Benefits Law, are payable when an employee needs to take family

leave to care for a newborn or newly adopted child or for a family member with a serious health condition. For purposes of the Paid Family Leave Law, a family member is defined as a "child, spouse, domestic partner, civil union partner or parent of a covered individual." Nearly all employers are subject to this law, since it covers all employers who are subject to New Jersey's Unemployment Compensation Law. To be eligible, an employee must have worked at least 20 calendar weeks for a covered New Jersey employer or have earned at least 1,000 times the New Jersey minimum wage in the past year (currently, \$7,150).

The New Jersey Paid Family Leave Law is a benefits replacement law and not a leave law. Accordingly, this law will not provide employees with any additional leave benefits. Rather, as with the state's unemployment compensation and temporary disability benefits programs, the focus is on replacing compensation under circumstances in which an employee must care for a child or sick family member.

Both employers and employees have notice requirements under this law. Employers must provide a printed posting of New Jersey's Paid Family Leave Law rights and distribute the printed notification poster to all employees. Employees

must provide notice of their leave to the New Jersey Division of Temporary Disability Insurance within 30 days after the period of family leave begins. Employers should also note that they may seek approval from the Department of Labor and Workforce Development and the New Jersey Department of Banking and Insurance to use a private plan rather than the state plan. Employees and employers should also be aware of the tax rules related to New Jersey's Paid Family Leave Law, as the benefits are generally nontaxable. However, paid time off and salary continuation paid by the employer are taxable. Finally, it should be noted that an

employee may not simultaneously receive paid family leave benefits and disability benefits.

Randi Kochman is a member of the employment law department of Cole, Schotz, Meisel, Forman & Leonard P.A., the largest law firm in Bergen County. She can be reached at rkochman@coleschotz.com. This is not intended to be legal advice, which can only be given after the attorney understands the facts of a particular matter and the goals of a client.

Do you have a business question for a lawyer? Send it to BusinessNews@northjersey.com.