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Client Alert
Updates to New Jersey Family Leave Act

WHAT'S NEW: Amendments to New Jersey Family Leave Act (NJFLA) will go into effect on July 17, 2026, significantly broadening coverage for both employers and employees.

WHY IT MATTERS: Currently, the law requires that employers, who have **30 or more** employees, provide all eligible employees up to 12 weeks of unpaid leave in a 24-month period to care for a seriously ill family member, to bond with a new child or to provide care for a child or family during public emergency. Eligible employees are those who worked at the company for at least **12 months** and for at least **1000 hours** in the preceding year. Employees may take continuous or intermittent leave, depending on the qualifying reason for leave and operation needs. The law requires employers to reinstate employees who take leave to their previous position or an equivalent one upon their return.

Under the new amendment, employers, who have **15 or more** employees, will now be required to provide all eligible employees up to 12 weeks of unpaid leave in a 24-month period for qualifying reasons. Eligible employees are those who have worked at the company for at least **three (3) months** and for at least **250 hours**.

Notably, the employer coverage threshold will continue to decrease as follows:

- On July 17, **2027**, New Jersey employers with 10 or more employees will be required to provide eligible employees with NJFLA leave.
- On July 17, **2028**, New Jersey employers with 5 or more employees will be required to provide eligible employees with NJFLA leave.

Temporary Disability Insurance and Family Leave Insurance

The NJFLA does not include the right for an employee to take job protected leave for their own serious medical condition. But employees may utilize TDI to receive partial wage replacement for their own serious health condition.

And while the language in the amendments is less than clear, it **may** create job protection for employees who receive TDI and take leave for their own serious health condition. Additional guidance from the state is anticipated.

Additionally, the amendments make clear that if employees have sick leave available, employers must allow employees to choose whether to use sick leave, TDI, or FLI.

WHAT EMPLOYERS SHOULD DO: Employers should revise all applicable policies to reflect the change in the law and educate managers and HR professionals about the expanded coverage.

Keep an eye out for an updated NJFLA poster here.

Once an employee notifies the employer of the need to utilize leave under the NJFLA, employers may reach out to the leave team at LOA@engagepeo.com.

If you have any questions, please contact your HR Business Partner/Consultant.