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>> New Jersey Earned Sick Leave

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## New Jersey Earned Sick Leave

### NOTICE OF EMPLOYEE RIGHTS

Under New Jersey's Earned Sick Leave Law, most employees have a right to accrue up to 40 hours of earned sick leave per year. Go to <https://nj.gov/labor/> (<https://nj.gov/labor/>) to learn which employees are covered by the law.

### YOU HAVE A RIGHT TO EARNED SICK LEAVE

#### AMOUNT OF EARNED SICK LEAVE:

Your employer must provide up to a total of 40 hours of earned sick leave every benefit year. Your employer's benefit year is:

Start of Benefit Year: January 1 End of Benefit Year: December 31

#### RATE OF ACCRUAL:

You accrue earned sick leave at the rate of 1 hour for every 30 hours worked, up to a maximum of 40 hours of leave per benefit year. Alternatively, your employer can provide you with 40 hours of earned sick leave up front.

#### DATE ACCRUAL BEGINS:

You begin to accrue earned sick leave on October 29, 2018, or on your first day of employment, whichever is later.

*Exception:* If you are covered by a collective bargaining agreement that was in effect on October 29, 2018, you begin to accrue earned sick leave under this law beginning on the date that the agreement expires.

#### DATE EARNED SICK LEAVE IS AVAILABLE FOR USE:

You can begin using earned sick leave accrued under this law on February 26, 2019, or the 120th calendar day after you begin employment, whichever is later. However, your employer can provide benefits that are more generous than those required under the law, and can permit you to use sick leave at an earlier date.

#### ACCEPTABLE REASONS TO USE EARNED SICK LEAVE:

You can use earned sick leave to take time off from work when:

- **You** need diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or you need preventive medical care.

- You need to care for a **family member** during diagnosis, care, treatment, or recovery for a mental or physical illness, injury, or health condition; or your family member needs preventive medical care
- You or a family member **have been the victim of domestic violence or sexual violence** and need time for treatment, counseling, or to prepare for legal proceedings.
- You need to attend **school-related conferences, meetings, or events** regarding your child's education; or to attend a school-related meeting regarding your child's health.
- Your employer's business **closes due to a public health emergency** or you need to care for a child whose school or child care provider closed due to a public health emergency

## **FAMILY MEMBERS:**

The law recognizes the following individuals as "family members:"

- Child (biological, adopted, or foster child; stepchild; legal ward; child of a domestic partner or civil union partner)
- Grandchild
- Sibling
- Spouse
- Domestic partner or civil union partner
- Parent
- Grandparent
- Spouse, domestic partner, or civil union partner of an employee's parent or grandparent
- Sibling of an employee's spouse, domestic partner, or civil union partner
- Any other individual related by blood to the employee
- Any individual whose close association with the employee is the equivalent of family

## **ADVANCE NOTICE:**

If your need for earned sick leave is foreseeable (can be planned in advance), your employer can require up to 7 days' advance notice of your intention to use earned sick leave. If your need for earned sick leave is unforeseeable (cannot be planned in advance), your employer may require you to give notice as soon as it is practical.

## **DOCUMENTATION:**

Your employer can require reasonable documentation if you use earned sick leave on 3 or more consecutive work days, or on certain dates specified by the employer. The law prohibits employers from requiring your health care provider to specify the medical reason for your leave.

## **UNUSED EARNED SICK LEAVE:**

Up to 40 hours of unused earned sick leave can be carried over into the next benefit year. However, your employer is only required to let you use up to 40 hours of leave per benefit year. Alternatively, your employer can offer to purchase your unused earned sick leave at the end of the benefit year.

## **YOU HAVE A RIGHT TO BE FREE FROM RETALIATION FOR USING EARNED SICK LEAVE**

Your employer cannot retaliate against you for:

- Requesting and using safe and sick leave.
- Filing a complaint for alleged violations of the law with DCA.
- Communicating with any person, including coworkers, about any violation of the law.
- Participating in a court proceeding regarding an alleged violation of the law.
- Informing another person of that person's potential rights under the law

Retaliation includes any threat, discipline, discharge, demotion, suspension, or reduction in hours, or any other adverse employment action against you for exercising or attempting to exercise any right guaranteed under the law.

## **YOU HAVE A RIGHT TO FILE A COMPLAINT**

You can file a complaint with the New Jersey Department of Labor and Workforce Development online at [https://nj.gov/labor/wagehour/complnt/filing\\_wage\\_claim.html](https://nj.gov/labor/wagehour/complnt/filing_wage_claim.html) ([https://nj.gov/labor/wagehour/complnt/filing\\_wage\\_claim.html](https://nj.gov/labor/wagehour/complnt/filing_wage_claim.html)); or by calling 609-292-2305 between the hours of 8:30 a.m. and 4:30 p.m., Monday through Friday.

**Keep a copy of this notice and all documents that show your amount of sick leave accrual and usage.**

You have a right to be given this notice in English and, if available, your primary language.

For more information visit the website of the Department of Labor and Workforce Development: <https://nj.gov/labor/> (<https://nj.gov/labor/>).

**Checking the box below acknowledges that you have read this form and have received notification of your New Jersey Earned Sick Leave.**

✓ I agree that my electronic signature is the legally binding equivalent to my handwritten signature. By my electronic signature, I acknowledge that I have carefully reviewed this Agreement and understand its contents.

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 Continue

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