

Covid-19

State and Federal Paid Leave Programs: Information for 32BJ Members in New Jersey

*****Information is changing rapidly. Visit state agency websites for the latest updates*****

This leaflet provides information on New Jersey and Federal programs to provide paid leave when you are out of work due to COVID-19 for any reason. *Each program has its own eligibility requirements. In addition, you may have paid leave benefits under your contract. Check your contract for more details.*

This sheet shows what programs you may be eligible for. More details on the programs follow.

YOU MAY BE ELIGIBLE FOR THE PROGRAMS LISTED BELOW, IF YOU ARE MISSING WORK BECAUSE:

1. Your Health

- a. You Have COVID-19 or Its Symptoms (Cough, Fever and Shortness of Breath):
 - i. Earned Sick Leave
 - ii. Temporary Disability
 - iii. U.S. Government Emergency Paid Leave
- b. You are under quarantine because you have been exposed to someone who tested positive or a doctor order self-quarantine because heightened risk factors
 - i. Earned Sick Leave
 - ii. Temporary Disability
 - iii. U.S. Government Emergency Paid Leave
- c. Refuse to work because of danger of exposure (no doctor's order)
 - i. Earned Sick

2. Work Not Available:

- a. Because business closed under government order:
 - i. Earned Sick
 - ii. Unemployment Insurance
- b. Employer has lack of work
 - i. Unemployment Insurance

3. Have to Care for a Loved One

- a. Who is sick or is in isolation or quarantine
 - i. Earned Sick
 - ii. Family Leave Insurance
 - iii. Emergency U.S. Government FMLA and Paid Sick
- b. Child who is home from closed school or day care center
 - i. Earned Sick
 - ii. U.S. Government Emergency Family Leave

PROGRAM DETAILS

Earned Sick Leave:

1. Who pays: Employer
2. Benefit: regular rate of pay for up to 40 hours of work
3. Use: worker's illness, immediate family¹ member's illness --(includes having COVID-19 or its symptoms, under quarantine, or advised by health care professional to not work) or care of a child due to COVID-19 school or childcare closing (or dealing with domestic violence)
4. Eligibility: worker accrues 1 hour of earned sick leave for every 30 hours worked, up to a maximum of 40 hours. May begin using after 120 days of employment
5. Requirements: must provide notice to employer and documentation if you are out 3 or more days.
6. More information: <https://www.nj.gov/labor/worker-protections/earnedsick/law.shtml>

Temporary Disability Insurance:

1. Who pays: Employer's disability insurance carrier
2. Benefit: 2/3 of average weekly salary up to a maximum of \$667 per week; after July 1, 2020—85% of average weekly salary up to \$881 per week
3. Use: Unable to work due to your own illness or disability (have COVID-19 or its symptoms, under quarantine, advised by health care professional to not work to avoid exposure). TDI begins when your Earned Sick has been exhausted.
4. Eligibility: worked 20 weeks earning at least \$200 weekly or earned a total of \$10,000 in previous year.
5. The one week waiting period has been waived for matters related to Covid-19
6. More Information: MyLeaveBenefits.nj.gov

Family Leave Insurance:

1. Who pays: State of New Jersey or employer's insurance carrier
2. Benefit: Six weeks paying 2/3 of average weekly salary up to a maximum of \$667 per week; after July 1, 2020—85% of average weekly salary up to \$881 per week
3. Use: Care of sick family member or newborn or newly adopted or foster child, or to care for family member undergoing isolation or quarantine;
4. Eligibility: Must have worked 20 weeks earning at least \$200 weekly or earned a total of \$10,000 over previous year
5. Requirements: Give employer notice as soon as you can (30 days for bonding with child)
6. More Information: <https://myleavebenefits.nj.gov/worker/fli/>

Workers Compensation:

Note: Workers Compensation provides payments for workplace injuries or illnesses. It will be very difficult for Local 32BJ members to prove that they contracted COVID-19 at work.

¹ Includes child, grandchild, brother/sister; spouse, domestic partner, parent, grandparent, spouse/domestic partner of parent, grandparent and other related by blood or close association is the equivalent of family

U.S. Government Emergency Paid Sick Leave

Note: This program applies only to companies who have 500 or fewer employees.

1. Who pays: Employer with less than 500 employees²
2. Use:
 - a. If under quarantine order
 - b. A health care professional orders self-quarantine
 - c. Having symptoms of COVID-19 and seeking diagnosis
 - d. Caring for an individual under quarantine or health care professional advises to quarantine
 - e. Caring for a child because school has been closed due to COVID-19
 - f. The employee is experiencing any other substantially similar condition specified by the Secretary of Health and Human Services.
3. Benefit:
 - a. Amount:
 - 2 weeks paid sick leave at regular rate of pay for worker's own illness (uses a-c);
 - 2 weeks at 2/3 pay for caring for a sick individual or child at home (uses d-f)
 - b. Cap:
 - For own illness—pay is capped at \$511 a day or a total of \$5,110
 - For caring for sick or child—pay is capped at \$200 a day or a total of \$2,000
4. Eligibility: Full time employees eligible for 80 hours; part-time employees eligible for number of hours they average in a 2 week period.
5. Requirements: Employers may seek hardship exemption
6. More information: This program is administered by the U.S. Department of Labor. No more information available at this time.

U.S. Government Public Health Emergency Leave

Note: This program applies only to companies who have 500 or fewer employees.

1. Who pays: Employer³
2. Benefit: 10 weeks of paid leave at 2/3 employee's regular rate:
 - a. First 2 weeks without work are unpaid leave (employer may require use of any paid time off for these 2 weeks)
 - b. Then up to 10 weeks of benefits
3. Use: If unable to work to take care of child whose school or day care center has closed by government order
4. Eligibility: Full-time and part-time employees employed for at least 30 days
5. Requirements: Employers may seek exemptions
6. More information:

² The Employer gets a tax credit so your taxes help pay for this program

³ The Employer gets a tax credit so your taxes help pay for this program

a. This program is administered by the Wage and Hour Division of the U.S. Department of Labor. www.dol/agencies/whd or call 1-866-4US-WAGE (1-866-487-9243).

b. Emergency Paid Sick Leave is **in addition to your** sick leave under your contract and state law

