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Time to Care Coalition Celebrates Passage of Legislation to Improve and Expand Paid Family Leave in New Jersey

Bill awaits Governor Murphy's Signature

Trenton – Today the Time to Care Coalition applauded the New Jersey Senate and Assembly for passing S2528 / A3975, which will make much needed improvements and expansions to the NJ Family Leave Insurance (FLI) and Temporary Disability Insurance (TDI) programs.

“We are excited to see both houses advance a strong bill that makes many terrific fixes, especially the increase in the amount of money provided to workers and the amount of time available to bond or provide care,” **said Dena Mottola Jaborska, Associate Director of New Jersey Citizen Action.** “We thank our legislative leaders who have shown their willingness to stand firmly behind New Jersey’s working families on this bill and we now look to the Governor to sign this legislation that puts New Jersey firmly among states that lead on leave.”

The Time to Care Coalition and its more than 100 member groups praised bill sponsors, Senate President Steve Sweeney and Assemblywoman Annette Quijano, for their commitment to improving these landmark programs that allow working families in the state to take time to care. The coalition also thanked other Assembly members for their support and leadership, including co-sponsors Senator Diegnan and Senator Ruiz, Assemblyman Giblin, Assemblyman Benson, Assemblywoman Downey, Assemblywoman Murphy, Assemblywoman McKnight, and Assemblyman Johnson.

“It has been 10 years since New Jersey passed only the second state paid family leave program in the country,” **said Yarrow Willman-Cole from the Center for Women and Work at the Rutgers School of Management and Labor Relations.** We have learned a lot about what makes these programs more effective in reaching people who otherwise might be forced to make a decision between paying rent or taking adequate time off to recover from childbirth or surgery, or to care for a family member facing a serious health crisis. We know that the program is being underutilized by workers who need to take leave and this legislation will address many of those barriers. However, a key component preventing workers from accessing their time is fear of job loss. To deal with that, we need to guarantee that all workers have their jobs protected when taking necessary leave from work.”

New Jersey was the second state, following California, to pass a paid family leave program in 2008. Today, there are six states, and the District of Columbia, that have passed paid family leave programs, four of which include universal job protection for FLI. S2528 / A3975 expands job protections for some but not all who might need the protection. An estimated 800,000 workers would remain without job protection, making it difficult for them to access to the program without fear of job loss. Further legislative action is needed to ensure everyone who works in New Jersey and pays into the program can use it when they need it.

Workers who have benefited from New Jersey’s Family Leave Insurance program and who would benefit more under the legislation just passed, shared their stories:

LaShaunda Carter from Lawnside New Jersey shared her family’s story of needing to provide care for her sister, but being unable to afford to do so, “A few years ago my sister started to have severe flare ups from what ended up being lupus and she had to be hospitalized. It was really hard, my sister was really struggling, working two full time jobs to make ends meet and care for her two kids, and her health was declining. We all really wanted to be there for her, but no one in our family could afford to take much leave from work because we also needed to pay the bills. It was a double edged sword. We could have really benefited from the expanded definition of family that this bill provides. We need programs like FLI and TDI so we can keep paying the bills while we take some time to recover or to focus on caring for family.”

Father of two, Jason Butkowski of Parlin, New Jersey applauded the bill’s arrival on the Governor’s desk, “New Jersey’s Paid Family Leave program made the difference in my young family’s life when my twins were born prematurely.

Paid family leave should be available without fear of job loss for all New Jersey workers who pay into the program; this is especially important for primary breadwinners who cannot risk losing their jobs and who may have historically put the needs of their employers ahead of the needs of their young families in order to make ends meet.”

Al-Nisa Smith of East Orange, New Jersey, voiced her support for improving Family Leave Insurance by saying, “I was unaware of Family Leave Insurance after my son was born. To be able to put food on the table, I had to return to work after only eight weeks of leave and my husband took none. It was very stressful and my son suffered. But after my second child was born both my husband and I were able to take NJ Family Leave Insurance to bond with our daughter and it made a world of difference. My son, who is autistic, also benefited from our ability to take time to help acclimate him to a new family of four. Increasing awareness of NJ Family Leave Insurance is incredibly important and I am glad this bill funds a strong outreach program.”

“As a parent and a full-time worker, I fully support expansion of the TDI and FLI programs, which would allow more working caregivers the opportunity to take care of their families responsibly without sacrificing their income or their jobs,” **said Lauren Agoratus of Mercerville, New Jersey**. “Family Leave Insurance has helped my family when I have needed to care for my medically fragile daughter. Just knowing the program is available so you can care for those who might need you is a huge relief. No one should have to risk financial stability just to be there for family.”

The legislation makes the following important changes, among others, that help to ensure that more workers in New Jersey can access paid family leave and temporary disability so they can afford to take time off when they most need:

- Increases the weekly wage replacement provided to beneficiaries of both programs to 85% of a worker’s average weekly wage, and capped at 70% of the state’s average weekly wage (making the cap \$859/week for 2019).
- Expands paid time available from 6 to 12 weeks under the FLI program.
- Expands the definition of a family for which a person can use the FLI program to care for a seriously ill loved one. The expansion would cover grandparents and grandkids, siblings, adult children, parents-in-law, and chosen family.
- Provides benefits for survivors of domestic violence or sexual assault and for caring for family members who are dealing with issues of domestic or sexual assault.
- Increases public awareness by requiring additional funding for outreach and education (\$1.2 million annually), improves program efficiency by requiring shorter claims processing times, and requires the Department of Labor and Workforce Development (DOLWD) provide relevant additional reporting of program data.
- Protects workers so that employers may not retaliate against those who request TDI or FLI benefits. Employers who fail to provide the DOLWD with necessary information to process a claim (as required under law), causing a delay in benefits, may be required by the DOLWD to pay an added amount equal to the amount of delayed benefits.
- Expands job protection for an estimated 200,000 workers employed at companies with 30 to 50 workers while taking FLI leave under the state law, the Family Leave Act (FLA). Under the FLA currently, only workers at companies with 50 or more employees (with other additional qualifications) enjoy job protection when using the FLI program.

ADDITIONAL STATEMENTS FROM NJ TIME TO CARE COALITION PARTNERS:

"These improvements to paid family leave are critical not only for parents but for their young children," said **Cecilia Zalkind, president and CEO of Advocates for Children of New Jersey**. "During the crucial first weeks of life, children need time to build strong bonds with their most important caregivers: their parents. Almost 68 percent of children under age 1 had a working mother in 2016. A stronger family leave program will help ensure that more of New Jersey's youngest residents start life with the bonding time they need with their parents."

“S-2528 is legislation New Jersey needs,” said **S. Nadia Hussain, maternal justice campaign director at MomsRising**, the online and on-the-ground organization of more than one million mothers and their families. “By increasing leave times and benefits, strengthening job protections and public awareness programs and expanding the definition of family, this bill would ensure that our paid leave program does what it was intended to do: Give workers, including those with lower incomes, time to care for our loved ones when they need us most. New Jersey moms recognize S-2528 as a boost for working families and a win for the state.”

"Key portions of the Senate Bill S-2528 are an improvement on our current paid family leave program," said **Anjali Mehrotra, President of NOW-NJ**. "It will increase the number of weeks of leave to 12 weeks and expand job

protection to employees at businesses with 30 or more employees. We still need to work on providing coverage for all New Jersey families: the ability to spend time with a baby and have your job protected, should not depend on the number of employees your employer has."

"We believe family leave is a critical support for all New Jersey residents, especially our most at-risk workers -- ALICE individuals who live paycheck to paycheck and can't miss a day of pay and family caregivers who are the backbone of our healthcare system," **said United Way of Northern New Jersey COO Kiran Handa Gaudioso.** "This expansion of benefits recognizes their invaluable contributions and will help to ease their struggles. As both our ALICE and caregiver health research shows, the well-being of our economy and health care system is directly tied to the health and wellness of these workers."

"The League of Women Voters of New Jersey applauds the expansion of the Family Leave Insurance law which will ensure greater and more equitable access to a program that helps many New Jerseyans care for their families," said **Nancy Hedinger, President, League of Women Voters of New Jersey.**

"Reproductive health equity must include the right to become a parent and raise a family free from fear and discrimination," said **Kaitlyn Wojtowicz, Legislative and Political Director with Planned Parenthood Action Fund of New Jersey.** "A stronger family leave insurance bill is essential in order to support pregnant and parenting workers so that they may make the best reproductive decisions for their families."

"A new and improved paid family leave program puts New Jersey on the national stage once again as an incubator of forward-thinking workplace policy," **said Sheila Reynertson, Senior Policy Analyst at New Jersey Policy Perspective.** "Over the years, New Jersey's paid family leave fell short of its potential with far too many workers deciding it was an affordable luxury. With modest tweaks to the existing program, this legislation offers 21st century working families the dignity of meaningful economic security while taking time off to help a sick loved one or care for a newborn child."

"Family caregivers are the backbone of our long term services and supports system, providing over \$13 billion in unpaid care that keeps their loved ones at home where they want to be," said **Crystal McDonald, AARP NJ Associate State Director of Advocacy.** "This law will provide working family caregivers with invaluable workplace flexibility. No one should have to choose between paying the bills and taking care of a loved one."

"Many employees either never start breastfeeding or they wean their babies early because of the stresses of an early return to work after childbirth," **said Ellen Maughan, Trustee, New Jersey Breastfeeding Coalition.** "Expanded paid leave time and better wage replacement will allow more moms to breastfeed and to do so for longer durations, which will lead to healthier babies and moms in New Jersey."

"New Jersey's working poor have been unable to utilize the state Family Leave Insurance program for the most part, due to low wage reimbursement rates, a limited definition of family, and inadequate job protections," **said Renee Koubiadis, Executive Director of the Anti-Poverty Network of New Jersey.** "These workers deserve the ability, like other workers, to care for a new child or loved one facing health issues. We applaud the legislature for expanding access to the program to give workers dignity."

The New Jersey Time to Care Coalition is a diverse group of over 100 organizations dedicated to ensuring working people are able to balance caregiving and work responsibilities with dignity and economic security. Our advocacy was instrumental in adoption of the NJ Family Leave Insurance Program in 2008, the NJ Earned Sick and Safe Days law, and the Diane Allen Equal Pay Act.