Employment Law Update: Expansion of New Jersey's Family Leave Act to Cover COVID-19 Related Situations

Client Alert

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On April 14, 2020, New Jersey Governor Phil Murphy signed legislation (S-2374) expanding New Jersey's Family Leave Act to provide family leave job-protection "during epidemic-related emergencies." The bill takes effect retroactive to March 25, 2020.

The new legislation provides for up to 12 weeks within a 24-month period of unpaid "family leave" for an employee to provide care to a family member necessitated by the COVID-19 pandemic. Included in these leave scenarios are:(a) when the employee is required to provide in-home care or treatment for a child due to school or daycare closure by order of a public official; and (b) when, by issuance of a public health authority or recommendation of public health provider, an employee is caring for a sick or quarantined family member due to COVID-19.

S-2374 also allows an employee to take intermittent leave for the scenarios outlined above with prior notice to their employer and with best efforts to avoid workplace disruption where possible.

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