Family Medical Leave Packet

FMLA/NJFLI/NJFLA

In Woodbridge Township, we strive to keep our employees as informed and aware as possible.

On behalf of our Human Resources team, please accept this packet and read in its entirety. It has all of the important information you will need during this time!

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Terms You Should Know...

FAMILY AND MEDICAL LEAVE (FMLA):

The Family and Medical Leave Act (FMLA) is a federal law that provides eligible employees with unpaid job-protected leave. Eligible employees are entitled to take up to 12 weeks of leave in a 12-month period. An eligible employee who is the spouse,son, daughter, parent, or next of kin of a coveredservicemember shall be entitled to a total of 26 workweeksof leave during a 12-month period to care for the service member

NEW JERSEY FAMILY LEAVE ACT (NJFLA):

The New Jersey Family Leave Act (NJFLA) is a state law that allows eligible employees up to 12 weeks of unpaid leave in a 24-month period.

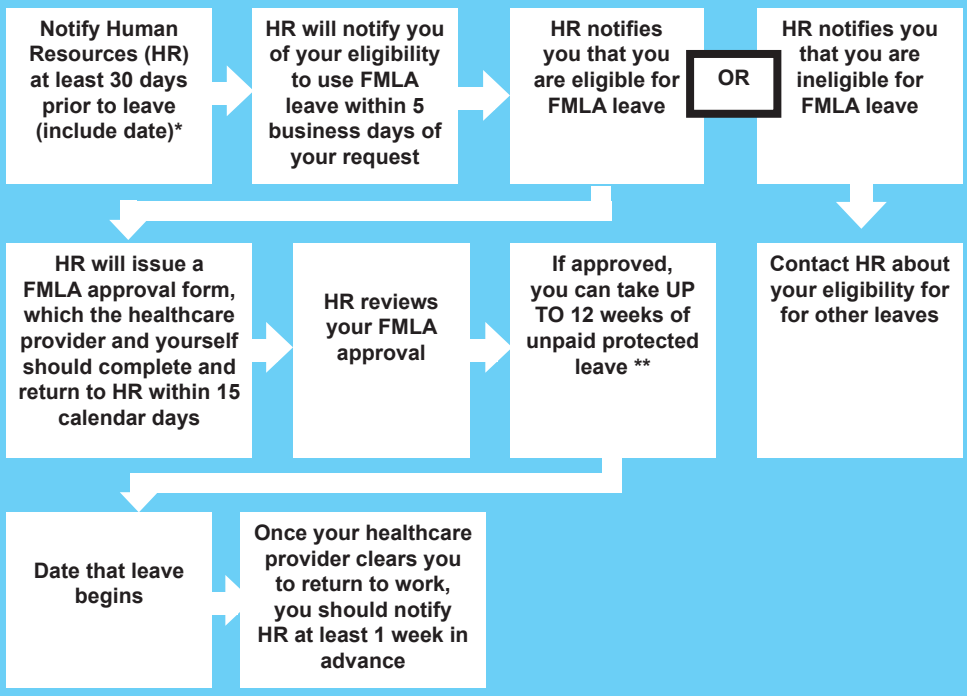
NEW JERSEY FAMILY LEAVE INSURANCE (NJFLI):

The New Jersey Family Leave Insurance is a state law that allows eligible employees to receive up to 12 weeks of paid family leave at two-thirds of their weekly salary up to $903.00 from the State of NJ in 2021.* *The weekly pay rate from the State of NJ is subject to change peryear.

AMERICANS WITH DISABILITIES ACT (ADA):

The Americans with Disabilities Act (ADA) is a federal law that allows employers to provide unpaid leave in response to an employee's request for a reasonable accommodation.

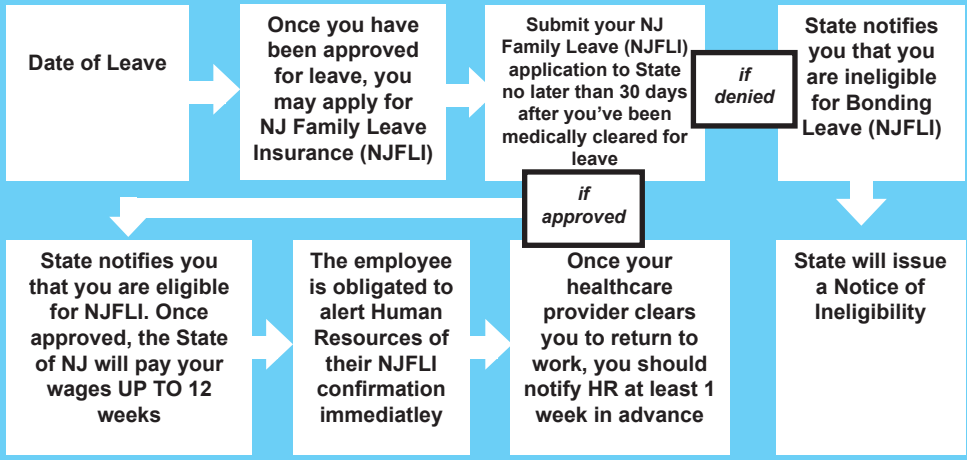
My Road Map for Family Medical Leave (FMLA)



** Employees may provide notice as soon as practicable only when the need for leave if not foreseeable*

*** Or 26 work weeks to care for a relative who is a servicemember*

My Road Map for Family Leave Insurance



Family and Medical Leave Act

The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

- **Twelve workweeks of leave in a 12-month period for:**
  - **the birth of a child and to care for the newborn child within one year of birth**
  - **the placement with the employee of a child for adoption or foster care and to carefor the newly placed child within one year of placement**
  - **to care for the employee's spouse, child, or parent who has a serious health condition**
  - **a serious health condition that makes the employee unable to perform the essential functions of his or her job;**
  - **any qualifying exigency arising out of the fact that the employee's spouse, son,daughter, or parent is a covered military member on "covered active duty•**
- **If BOTH parents are Township employees and choose to take FMLA to care for a seriously ill parent or bond with a newborn child or newly placed child, they must share the allottedleave.**
- **Twenty-six work weeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).**

How Do I Qualify for the Family and Medical Leave Act?

Employed with the Township for at least 12 months*

Have worked at least 1,250 hours in the past year**

Must have FMLA time available

***Service can be consecutive or intermittent**

****Prior to the start of your leave**

New Jersey Family Leave Act

The New Jersey Family Leave Act (NJFLA) is a state law that allows eligible employees up to 12 weeks of leave in a 24-month period, but not per child.

You may take NJFLA up to 12 weeks after the date that the healthcare provider certifies that you have a qualifying condition. Any parent may take leave to bond or care for a newborn or a child that was just for adoption or foster care.

When you return to work, you are generally entitled to return to the same position that you held before your leave and your employer may not retaliate against you because you took leave under NJFLA.

NJFLA only allows leave for the care of a family member or who is equivalent for family, not the care for the employee. Generally, leave is taken to: care for or bond with a child, as long as the leave begins within 1 year of the child's birth or placement for adoption or foster care. Leave is also provided to care for a family member or a person who is equivalent to a family member, with a serious condition or to provide care or treatment for a child during a state of emergency if their school or place of care is closed by order of a public official.

How Do I Qualify for the New Jersey Family Leave Act?

Employed with the Township for at least 12 months*

Have worked at least 1,000 hours**

Must have FMLA time available

***Service can be consecutive or intermittent**

****Prior to the start of your leave**

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) is, employee may request an unpaid leave that is treated as a request for a reasonable accommodation. If you do not meet the eligibility requirements for FMLA, you may be eligible for a leave under the ADA.

ADA leave may be taken for pregnancy and a pregnancy-related medical condition.

Requesting Leave

You should contact Human Resources Town Hall, 1 Main Street, Woodbridge, NJ 07095 at (732)-634-4500 ext. 6400. They will provide you with the forms to be completed by you and your healthcare provider. Please inform your supervisor about your potential upcoming leave.

APPLYING FOR FMLA LEAVE

Employees who are planning to take leave should notify HR at least 30 days prior to date of leave when qualifying condition is reasonably foreseeable.

Ex. Family that is expecting a newborn can apply for FMLA. FMLA is available for prenatal visits, when you cannot work due to pregnancy, and court proceedings related to placement (adoption). The earlier you provide notice, the sooner FMLA will be available for those events.

REQUESTING NJFLA LEAVE

Employees who are planning to take leave should notify HR at least 30 days in advance unless, you choose to take NJFLA leave immediately after FMLA leave.

REQUESTING NJFLI BENEFITS

You can apply for NJFLI while on qualifying leave. You may be eligible to receive up to 12 weeks of paid family leave at 85% of your weekly salary up to the maximum weekly benefit rate from the State of NJ ($903.00 in 2021*). NJFLI payments are issued through the State of NJ. To qualify for Family Lease Insurance in 2021, you must have worked 20 weeks earning at $220 weekly, or have a combined total of $11,000 in those four quarters (the base year).

Employees requesting to receive pay from the State should submit the NJFLI confirmation to the HR team at least 14 days before but no more than 30 days after the start of their qualifying leave.

*** The weekly pay rate from the State of NJ is subject to change per year.**

APPLYING FOR ADA LEAVE

Employees who are experiencing a qualified disabling condition should notify HR as soon as possible. For example, ADA is also available for prenatal visits and when you cannot work due to pregnancy. The earlier you provide notice; the sooner ADA will be available for those events.

REQUESTING ADA LEAVE

You should contact Human Resources at (732)-634-4500 ext. 6400 and they will provide you with the ADA medical certification form to be completed by you and your doctor.

Health Benefits

WHAT HAPPENS TO MY HEALTH BENEFITS?

If you are currently approved for FMLA/NJFLA leave, deductions continue to occur. Once all of your available paid time off has been used, health deductions will no longer occur due to your leave no longer being paid. However, you have the option to “purchase" your health benefits at your existing premium while you are on leave.

While on leave under ADA leave you will only continue to have coverage for 30 days. You will be required to make payments equal to your standard payroll deductions after the 30-day period to continue your health benefits coverage.

REVIEW YOUR HEALTH INSURANCE PLANS:

Are you familiar with your insurance plans? If not, this is a great time to contact our HR Benefits specialist to see what your current plans cover.

In addition, you may add your children to your health insurance plan within 30 days of their birth date and/or update your beneficiaries at any time.

Please note that if you do not enroll your newborn within the 30-day period, you must wait until open enrollment.

> **Open enrollment for medical benefits occurs in the fourth quarter of the calendar year, however, they will not become effective until January 1st of the following year.**
>
> **Open enrollment for dental benefits also ben the fourth quarter of the calendar year.**

Contact the Human Resources office Monday through Friday from 8:30 a.m. to 4:30 p.m. at (732)-634-4500 ext. 6400 with any questions.

Pension

WHAT HAPPENS TO MY PENSION CONTRIBUTION?

If you are currently enrolled in a pension plan, pension deductions continue to occur. Once all of your available paid time off has been used, pension deductions will no longer occur due to your leave no longer being paid. However, you have the option to "purchase back" any missed pension payments when you return.

In addition, you may update your beneficiaries at any time under your pension plan or deferred compensation plan.

Contact Human Resources Monday through Friday from 8:30 a.m. to 4:30 p.m. at (732)-634-4500 ext. 6400.

HR Reminder

You may want to update your federal (W4) and NJ state tax forms due to your new addition.

Please consult with a tax professional should you have any questions or concerns.

Returning To Work!

WORK RELEASE

If you are on leave pursuant to FMLA/ADA, you must submit a doctor's note from your healthcare provider to HR in order to return to work, unless you are told otherwise by HR

If you are returning from NJFLI leave, you are not required to submit a note from your healthcare provider. However, we request immediate communication of intended return date.

We suggest that you contact HR at least one week in advance of your anticipated return to work date.

For More Information

Contact the Human Resources Department at Woodbridge Town Hall at (732)-634-4500 ext. 6400 Monday through Friday 8:30a.m. to 4:30p.m.

Frequently Asked Questions and Answers

Q: WILL I GET PAID WHILE ON A PROTECTED LEAVE?

A: Yes, if you have applicable paid time off such as sick, vacation, and personal business days. If you are approved for New Jersey Family Insurance and/or Bonding Time, you may also receive some form of payment.

Q: HOW LONG AM I ENTITLED TO BE ON PROTECTED LEAVE?

A: You are entitled to take up to 12 weeks or up to 26 weeks to care for a relative who is a servicemember.

Q: HOW LONG IN ADVANCE SHOULD I NOTIFY HUMAN RESOURCES REGARDINGMY LEAVE?

A: Human Resources should be notified at least 30 days before the start of your leave or as soon as practicable when the need is not foreseeable.

Q: CAN I COME BACK SOONER THAN MY ANTICIPATED RETURN TO WORK DATE?

A: Yes, contact Human Resources at least a week prior to your return.

Q: WILL I CONTINUE TO HAVE HEALTH COVERAGE WHILE ON LEAVE?

A: Yes, most employees will be covered while on Township paid leave. NJFLI or payment from other sources may be subject to medical contributions

Frequently Asked Questions and Answers

Q: IS NJFLA IDENTICAL TO FMLA?

A: They are similar, but there are some differences. Some of the differences are:

- **FMLA allows employees to use leave time for theirown medical condition; NJFLA does not and onlyallows employees to use leave time for family orother qualifying members.**
- **While NJFLA provides for 12 weeks of leave in a 24-month period, FMLA provides 12 weeks of leavein a 12-month period.**

Where leave is permissible under NJFLA and FMLA (e.g. to care for an ill family member), the employee only receives up to 12 weeks of leave in total under NJFLA and FMLA. However, there may be situations where an employee would receive up to 24 weeks of leave under NJFLA and FMLA. For example, you may need 12 weeks to care for yourself under FMLA; then you may need 12 weeks to care for an ill family member under NJFLA.

Q: CAN MY SPOUSE APPLY FOR NJFLA AND NJFLI, IF THEY LIVE IN THE STATE OF NEW JERSEY AND WORK IN A DIFFERENT STATE?

A: No, NJFLA and NJFLI are for those whose job is based in the State of New Jersey.

In the event that you believe this FMLA guide conflicts with any new or updated FMLA/NJFLA/NJFLI regulations or laws, any collective negotiations agreement covering Township employees, or any other independent employment contracts, please contact Human Resources immediately.