

# ASSEMBLY LABOR COMMITTEE

## STATEMENT TO

### ASSEMBLY, No. 5084

# STATE OF NEW JERSEY

DATED: FEBRUARY 16, 2023

The Assembly Labor Committee reports favorably Assembly Bill No. 5084.

This bill provides that an employee may take family leave granted by the “New Jersey Family Leave Act” to grieve the loss of a child due to the death of the child, or miscarriage, stillbirth, or termination of a pregnancy for medical reasons.

The bill also permits leave due to an unsuccessful adoption that had been pending and planned by the employee or due to an unsuccessful fertility treatment, including, but not limited to, intrauterine insemination and assisted reproductive technology.

This bill allows an employee to take family temporary disability leave benefits granted by the “Temporary Disability Benefits Law” to bereave the loss of a child due to the death of the child, or miscarriage, stillbirth, or termination of a pregnancy for medical reasons, if the individual, or the spouse, domestic partner, or civil union partner of the individual, is a biological parent of the child or is a parent of the child pursuant to a valid gestational carrier agreement. The bill allows an employee to take family temporary disability leave benefits granted by the “Temporary Disability Benefits Law” to bereave an unsuccessful adoption that had been pending and planned by the employee or bereave an unsuccessful fertility treatment, including, but not limited to, intrauterine insemination and assisted reproductive technology.

The bill limits leave and benefits for bereavement as follows:

(1) For bereavement related to a circumstance for which the employee would not otherwise be eligible for any other kind of disability and family leave and benefits, the employee may take leave and benefits, depending on the circumstances, for not more than 21 days immediately following the date of the event which is the reason for the bereavement.

(2) For bereavement related to a circumstance for which the employee would be otherwise eligible for disability or family leave or benefits, depending on the circumstances, the employee may take leave and benefits for not more than seven days immediately following the date of the event which is the reason for the bereavement.