

[First Reprint]

**ASSEMBLY, No. 2762**

**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

INTRODUCED FEBRUARY 1, 2018

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

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**District 7 (Burlington)**

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**District 29 (Essex)**

**Senator TROY SINGLETON**

**District 7 (Burlington)**

**Co-Sponsored by:**

**Assemblywomen Murphy, Lampitt, McKnight, Mosquera, Assemblyman  
Schaer, Senators Cruz-Perez and Pou**

**SYNOPSIS**

Revises law concerning temporary disability leave.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Labor Committee on June 14, 2018, with  
amendments.



**(Sponsorship Updated As Of: 6/22/2018)**

1 AN ACT concerning temporary disability leave and supplementing  
2 P.L.1948, c.110 (C.43:21-25 et al.).

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. a. Notwithstanding any provision of law to the contrary,  
8 when a covered individual applies for temporary disability benefits  
9 for disability resulting from pregnancy or the birth of a child, the  
10 plan administering the covered individual's benefits shall  
11 automatically process an application for that individual for the paid  
12 family leave benefits program, unless the individual affirmatively  
13 opts out of that program, such that the individual shall be required  
14 to submit only one application for both programs. The application  
15 for benefits shall be processed to allow the paid family leave  
16 benefits, if approved, to begin immediately following the end of the  
17 temporary disability benefits, unless the individual notifies the plan  
18 that the individual wants to postpone or opt out of the paid family  
19 leave benefits. A covered individual who is approved for benefits  
20 under this section shall notify the plan administering the covered  
21 individual's benefits <sup>1</sup>of<sup>1</sup> the date on which the covered individual  
22 will return to work, and shall notify the plan administering the  
23 benefits if the covered individual returns to work on an earlier date.

24 The provisions of this act shall apply to <sup>1</sup>**[private plans and]**<sup>1</sup> the  
25 State plan <sup>1</sup>and a private plan which holds temporary disability  
26 insurance and family leave insurance for the individual<sup>1</sup>. <sup>1</sup>A private  
27 plan that offers only temporary disability benefits shall provide to  
28 its temporary disability claimants written notice of the application  
29 process for family leave benefits concurrently with issuing its  
30 written approval of temporary disability benefits.<sup>1</sup> A private plan  
31 that offers <sup>1</sup>**[only]** both<sup>1</sup> temporary disability benefits <sup>1</sup>**[or]** and<sup>1</sup>  
32 paid family leave benefits shall adopt procedures for effectuating  
33 the provisions of this act, so individuals are only required to submit  
34 one application for both temporary disability benefits and family  
35 leave benefits <sup>1</sup>**[even if those benefits are not administered by the**  
36 **same plan]**<sup>1</sup>.

37 b. A covered individual who is approved for temporary  
38 disability benefits for disability resulting from pregnancy shall  
39 <sup>1</sup>**[receive up]** be entitled<sup>1</sup> to four weeks of benefits before the  
40 expected delivery date and <sup>1</sup>**[up to]**<sup>1</sup> six weeks of benefits after the  
41 actual delivery date. The covered individual shall recertify for  
42 benefits no later than two weeks following the actual delivery date,  
43 and shall not be required to recertify at any other time during the

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly ALA committee amendments adopted June 14, 2018.

1 benefit periods. A covered individual shall receive a longer period  
2 of disability before the expected delivery date or after the actual  
3 delivery date, if the covered individual provides the plan  
4 administering the benefits with a certification from a health care  
5 provider that the longer period is necessary.

6

7 2. This act shall take effect on the <sup>1</sup>【first day of the third  
8 month next following】 180th day after the date of <sup>1</sup> enactment.