

ASSEMBLY, No. 529

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblywoman ANGELICA M. JIMENEZ

District 32 (Bergen and Hudson)

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SYNOPSIS

Provides employee time off for events regarding education of their children.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 **AN ACT** providing certain employees time off for events regarding
2 the education of their children and supplementing Title 34 of the
3 Revised Statutes.

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

7
8 1. a. Any employee of an employer who employs 25 or more
9 employees at a single location shall permit any employee who is a
10 parent of a child attending kindergarten, grades 1 through 12, or a
11 licensed childcare facility to take off up to 40 hours each year, but
12 not exceeding eight hours in any calendar month, to participate in
13 activities of the school or childcare facility of the child, including,
14 but not limited to, theatrical or sporting events and parent-teacher
15 conferences or other meetings regarding the child's education,
16 including meetings regarding any special education needs of the
17 child, if the employee gives reasonable prior notice to the employer
18 of the planned absence of the employee. Time taken off pursuant to
19 this section may be taken in increments as short as two hours.

20 b. If both parents of the child are employed by the same
21 employer at the same location, the entitlement under subsection a.
22 of this section for a planned absence applies only to the parent who
23 first gives notice to the employer, unless the employer chooses to
24 approve time off for both parents simultaneously.

25 For the purposes of this act, "parent" means a biological parent,
26 adoptive parent, resource family parent, step-parent, parent-in-law,
27 grandparent, or legal guardian having a "parent-child relationship"
28 with a child as defined by law, or having sole or joint legal or
29 physical custody, care, guardianship, or visitation with a child.

30
31 2. The employee shall utilize available paid vacation, personal
32 leave, or compensatory time for purposes of the planned absence
33 authorized by this act, unless otherwise provided by a collective
34 bargaining agreement in effect upon the effective date of this act.
35 An employee may utilize the time off provided by this act whether
36 or not paid time is available. The entitlement of any employee
37 under this act shall not be diminished by any collective bargaining
38 agreement entered into after the effective date of this act. Nothing
39 in this act shall be construed as diminishing any benefits or rights
40 provided under a current or future collective bargaining agreement,
41 employer policy, or local ordinance which are more favorable to the
42 employee than those provided by this act.

43 If all permanent, full-time employees of an employer are
44 accorded paid vacation during the same period of time, the
45 employer shall not be required to permit an employee to utilize that
46 accrued vacation benefit at any other time for purposes of a planned
47 absence authorized by this act.

1 under the bill are not to be diminished by any collective bargaining
2 agreement entered into after the effective date of the bill. The bill
3 does not diminish any benefits or rights provided under any current
4 or future collective bargaining agreement, employer policy, or local
5 ordinance which are more favorable to the employee.

6 The bill prohibits employer retaliation against an employee for
7 requesting or taking time off provided by the bill.

8 The bill permits an employee subjected to any violation of the
9 bill to institute a civil action in the Superior Court. In addition to
10 remedies available in common law tort actions, the court may order
11 any or all of the following relief:

12 1. Compensation for lost wages, benefits and other
13 remuneration caused by the violation, and, if the violation is willful,
14 a civil penalty of three times the amount of the lost remuneration;

15 2. Reinstatement to the same, or an equivalent, position with
16 full fringe benefits and seniority rights;

17 3. An injunction against any continued violation; and

18 4. Reasonable costs and attorney's fees.