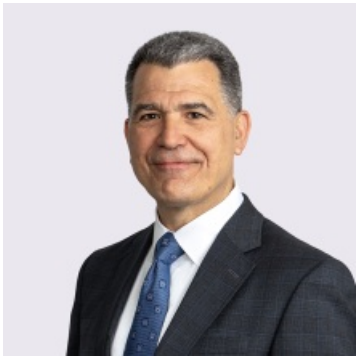


# New Jersey Releases Guidance on Employee Leave Benefits Amid COVID-19 Outbreak

By Gregory T. Alvarez, James M. McDonnell & Luke P. Breslin

March 12, 2020

## Meet the Authors



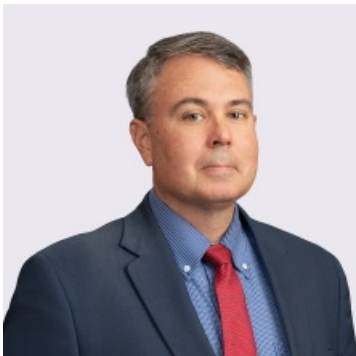
**Gregory T. Alvarez**

(Greg)

Principal

(908) 795-5124

Gregory.Alvarez@jacksonlewis.com



**James M. McDonnell**

Principal

908-795-5208

James.McDonnell@jacksonlewis.com



**Luke P. Breslin**

The New Jersey Department of Labor (DOL) released information about state benefits and protections afforded to New Jersey employees amid the Coronavirus (COVID-19) outbreak. The [DOL guidance](#) provides clarity to New Jersey employers as they work to address the rapidly evolving challenges posed by COVID-19.

In a series of hypothetical scenarios, the DOL noted the following:

- Employees who test positive or have symptoms of COVID-19 and are unable to work (1) may be entitled to use accrued, unused earned sick leave time under the New Jersey Earned Sick Leave Law, (2) may be eligible for temporary disability insurance, and (3) may be eligible for Workers' Compensation benefits.
- To the extent an employee's place of work is closed, either temporarily or otherwise due to COVID-19, or if an employee's hours are reduced by more than 20 percent a week, the employee may be eligible for full or partial unemployment benefits.
- If an employer sends an employee home because there is a possibility the employee was or may have been exposed to COVID-19, the employee may be eligible for unemployment benefits. The DOL noted that such a claim would be considered a temporary layoff, and employees seeking such benefits would be relieved of the obligation to show they are able, available, and actively seeking work in order to receive these benefits.
- Employees may be entitled to use accrued, unused earned sick leave time under the New Jersey Earned Sick Leave Law if they are (1) told to self-quarantine due to COVID-19, (2) unable to work because of a workplace closure or the closure of a child's school by order of a public official because of COVID-19, or (3) caring for a relative who has COVID-19 or symptoms of COVID-19.
- Employees may be eligible for Family Leave Insurance (FLI) if they are caring for a family member who is confirmed to have COVID-19 or has symptoms of the virus.

To better support clients as they respond to this challenging public health issue, Jackson Lewis has established a dedicated [COVID-19 Task Force](#) that is continually assessing risks, preparing employee communications, and providing practical advice on the workplace compliance issues flowing from [coronavirus workplace concerns](#) and the [travel restrictions and new facts](#) we are continuing to learn about COVID-19. Contact a Jackson Lewis attorney for more information about this or other New Jersey workplace issues.

Principal  
908-795-5200  
Luke.Breslin@jacksonlewis.com

## Related Services

COVID-19

Disability, Leave and Health

Management

©2020 Jackson Lewis P.C. This material is provided for informational purposes only. It is not intended to constitute legal advice nor does it create a client-lawyer relationship between Jackson Lewis and any recipient. Recipients should consult with counsel before taking any actions based on the information contained within this material. This material may be considered attorney advertising in some jurisdictions. Prior results do not guarantee a similar outcome.

Focused on labor and employment law since 1958, Jackson Lewis P.C.'s 1000+ attorneys located in major cities nationwide consistently identify and respond to new ways workplace law intersects business. We help employers develop proactive strategies, strong policies and business-oriented solutions to cultivate high-functioning workforces that are engaged, stable and diverse, and share our clients' goals to emphasize inclusivity and respect for the contribution of every employee. For more information, visit <https://www.jacksonlewis.com>.