

New Jersey Department of Labor Publishes Comprehensive Earned Sick Leave FAQs

In late October 2018, the New Jersey Department of Labor and Workforce Development (“NJDOLE”) published Frequently Asked Questions and responses (collectively the “FAQs”) concerning New Jersey’s Paid Sick Leave Act (the “Act”). The FAQs can be found [here](#). And an overview of the Act and its impact on New Jersey employers can be found [here](#).

NJDOLE’s FAQs concerning the Act provide additional guidance for employers on many confusing and unclear aspects of the Act. For example, the FAQs confirm that the State envisions employers utilizing one benefit year for all employees in order to comply with the Act. In other words, the State appears opposed to allowing employers to utilize a separate benefit year for each employee (e.g. utilizing an employee’s anniversary date to determine his or her benefit year).

The FAQs also confirm that an employer with an existing paid time off (“PTO”) policy may not need to provide additional sick leave, or create a new sick leave policy, so long as the employer’s existing PTO policy permits employees to take leave for the same reasons defined under the Act and if the existing PTO policy meets all requirements of the law (e.g. notice requirements and accrual requirements).

For more information on the Act and its impact on New Jersey employers, as well as other major state and federal laws affecting labor and employment issues, please join us for a complimentary Labor & Employment Breakfast Seminar on Friday November 16, 2018 from 8:30AM to 12:00PM at Tavistock Country Club, Haddonfield, New Jersey 08033. Registration and more information on the seminar can be found by [clicking this registration link](#).

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