



# PAID LEAVE

## Coronavirus (COVID-19)

**1199SEIU**  
United Healthcare Workers East

### NEW JERSEY PAID LEAVE RESOURCES

#### 1. UNION DEMAND

We demand that all 1199SEIU members will be paid during a quarantine period without using sick leave or PTO, regardless of the size of employer.

#### 2. NEW JERSEY'S EARNED SICK LEAVE LAW, TEMPORARY DISABILITY INSURANCE & WORKERS COMPENSATION

New Jersey law requires employers to provide at least one hour of **earned sick leave** for every 30 hours worked, up to 40 hours each year. Part time and no frills employees are still eligible for this sick leave, even if they do not receive other PTO benefits. Per diem employees may also be eligible for this same benefit if they are regularly scheduled to work and not just on an occasional basis. A recent **amendment** to this law allows an employee to use earned sick leave if s/he: has tested positive for COVID-19; is told by a healthcare provider to remain in isolation or quarantine; or needs to care for an isolated or quarantined family member. An employee may also use their earned sick leave to care for a child *whose school is closed* by order of a public official due to an epidemic or public health emergency.

If you are diagnosed with COVID-19, and you have exhausted your accrued sick leave, you may want to file a claim for *temporary disability* insurance. If you contracted COVID-19 on the job, you should file a *workers' compensation* claim.

#### 3. NEW JERSEY FAMILY LEAVE INSURANCE

Under New Jersey's **Family Leave Insurance law**, employees can access up to 6 weeks of partial wage replacement to care for a sick family member (including COVID-19) or to bond with a newborn or adopted child. Starting July 1, 2020, the program will increase the benefit to 12 weeks.

#### 4. FEDERAL PAID SICK LEAVE

Beginning April 1st, a new **Federal law**, *Families First Coronavirus Response Act (FFCRA)*, provides for 80 hours paid leave on top of contractual sick leave at employers with between 50 and 500 employees. Employees are eligible if quarantined pursuant to Federal, State, or local government order or advice of a health care provider, and/or experiencing COVID-19 symptoms and seeking a medical diagnosis. This Federal paid sick leave does not apply for employers with less than 50 or more than 500 employees. **The US Department of Labor recently clarified that health care providers can decide to exclude their employees from these benefits. The Union is working legislatively to have this terrible decision reversed. This benefit is available to employers at no-cost because they will be reimbursed with tax credits. The Union is pushing back organizationally with any employer who wants to deny these benefits to our members.**

#### 5. FEDERAL FAMILY LEAVE

Beginning April 1st, employees at employers between 50 and 500 employees can access up to 12 weeks of job protected leave at 2/3rds pay under the same Federal law mentioned above, when an employee needs to care for an individual subject to quarantine or to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19. **Unfortunately, the same employer option to exempt its healthcare employees from coverage of the law applies to this benefit, as well.**

*Continued on reverse*

# NEW JERSEY PAID LEAVE RESOURCES

FREQUENTLY ASKED QUESTION	RESPONSE	BENEFITS
I have been sent home from my job because of exposure to Coronavirus. Do I have to use my own sick leave/paid time off?	It is the Union's position that you should not be required to use your own paid time. Some Employers may not agree and the Union may be forced to grieve this issue under the contract.	PTO should be paid at your regular rate of pay.  Under the Federal law, paid leave is capped at \$511 per day and \$5,110 total.
I have been sent home from one job because of exposure to Coronavirus, and I also work a second job., Am I entitled to leave from both?	Yes, it is the Union's position that both employers should pay you provided both have been placed on notice of your exposure. (1, 2, 4).	
I have a family member who was exposed to Coronavirus and I am subject to quarantine. What pay am I entitled to?	You qualify for Paid Sick Leave because of your own exposure (1, 2, 4).	
I am sick with Coronavirus. What paid leave am I entitled to?	Yes, you are entitled to Paid Sick Leave as outlined above under NJ law, and hopefully healthcare employers will extend the benefits of the Federal Law (1, 2, 4).  Workers are thereafter entitled to disability pay for up to 26 weeks. If the virus was acquired on the job, you may be entitled to workers' compensation.	New Jersey temporary disability insurance pays up to \$667 per week. The Union can request that employees be allowed to supplement disability benefits by using their accrued sick time up to 100% of salary.  Workers' comp up to \$945/week.
I have a family member who is sick with Coronavirus and I have to stay home to take care of them. What am I entitled to?	NJ entitles you to up to 6 weeks of family leave with partial wage replacement, going up to 12 weeks on July 1, 2020. (3).  Federal law allows for up to 12 weeks of family leave with 2/3rds wage replacement <i>if</i> the Employer does not decide to exempt healthcare workers from coverage from this benefit (5).	New Jersey Family Leave Insurance is up to \$667 per week, increasing to a maximum of \$881 on July 1, 2020.  After 10 days of unpaid leave, the Federal law provides for 2/3 of regular pay, capped \$200 per day and \$10,000 in total.
What if I am furloughed or laid off because of the impact of the virus?	You are eligible for unemployment insurance.	New Jersey provides for unemployment up to a maximum of \$713/week for 26 weeks.  The federal stimulus bill provides an <i>additional</i> amount of unemployment insurance in the amount of \$600/week through the end of July, and adds 13 additional weeks of benefits.