

POLICY

NORTHVALE

**BOARD OF EDUCATION
TEACHING STAFF MEMBERS**

**NEW JERSEY'S FAMILY LEAVE INSURANCE PROGRAM
3431.3/Page 1 of 2**

3431.3 – NEW JERSEY'S FAMILY LEAVE INSURANCE PROGRAM

Board of Education employees are eligible to apply for benefits under New Jersey's Family Leave Insurance Program administered by the State of New Jersey – Department of Labor and Workforce Development pursuant to the requirements set forth in N.J.S.A. 43:21-39.1 et seq. and N.J.A.C. 12:21-1.1 et seq. New Jersey's Family Leave Insurance Program (NJFLI) may provide up to six weeks of family leave insurance benefits during a twelve month period beginning with the first date of the claim payable to covered employees from either the New Jersey State Plan or an approved employer-provided private plan.

A benefit provided through the NJFLI will be for the employee to bond with a child during the first twelve months after the child's birth, if the covered individual or the domestic partner or civil union partner of the covered individual is a biological parent of the child, or the first twelve months after the placement of the child for adoption with the covered individual. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI must provide the Superintendent of Schools written notice thirty calendar days prior to beginning the leave unless the family leave commences while the individual is receiving unemployment benefits, in which case the covered individual shall notify the Division of Temporary Disability Insurance. Failure to provide this thirty-day day notice shall result in a reduction of the employee's maximum family leave insurance benefits entitlement for the twelve month period by an amount of benefits attributable to two weeks of family leave unless the time of the leave is unforeseeable or the time of the leave changes for unforeseeable reasons. Intermittent leave to bond with a newborn or newly adopted child must be agreed to by the Superintendent of Schools and the employee and, if agreed to, must be taken in periods of seven days or more.

A benefit provided through the NJFLI will also be to care for a family member with a serious health condition supported by a certification provided by a health care provider. An employee who intends to apply to the State of New Jersey for benefits under this provision of the NJFLI for consecutive leave must provide the school district reasonable and practical notice unless the time of the leave is unexpected or the time of the leave changes for unforeseen reasons. Failure of the employee to provide the Board with such notice shall not result in a reduction of the employee's maximum family leave insurance benefits entitlement, nor shall it result in the denial of a claim for family leave insurance benefits. An employee who intends to apply for benefits under this provision of the NJFLI for intermittent leave must provide the school district with a written notice at



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**NEW JERSEY'S FAMILY LEAVE INSURANCE PROGRAM
3431.3/Page 2 of 2**

least fifteen calendar days prior to beginning the leave unless an emergency or other unforeseen circumstance precludes prior notice. Failure of the employee to provide the Board with such notice shall not result in a reduction in the employee's maximum family leave insurance benefits entitlement, nor shall it result in the denial of a claim for family leave insurance benefits.

For the purposes of this Policy, "family member" means a child, spouse, domestic partner, civil union partner, or parent of a covered individual. "Child" means a biological, adopted, or foster child, stepchild, or legal ward of a covered individual, child of a domestic partner of the covered individual, or child of a civil union partner of the covered individual, who is less than nineteen years of age or is nineteen years of age or older but incapable of self-care because of mental or physical impairment.

All applications for benefits under the NJFLI must be filed directly with the State of New Jersey – Department of Labor and Workforce Development. The eligibility requirements, wage requirements, benefit duration and amounts, and benefit limitations shall be in accordance with the provisions of the NJFLI as administered by the State of New Jersey – Department of Labor and Workforce Development. A formal appeal may be submitted to the State of New Jersey – Department of Labor and Workforce Development if an employee or the Board disagrees with a determination on a claim.

The NJFLI provides eligible individuals a monetary benefit and not a leave benefit. The school district administrative and related staff will comply with the State of New Jersey - Department of Labor and Workforce Development requests for information in accordance with the provisions of N.J.A.C. 12:21-3.9.

The Board may elect to provide employees with Family Leave Insurance benefits coverage under a private plan which must be approved by the State of New Jersey – Department of Labor and Workforce Development.

A printed notification of covered individuals' rights relative to the receipt of benefits under the NJFLI will be posted in each of the school district worksites and in a place or places accessible to all employees at the worksite. Each employee shall receive a copy of this notification in writing at the time of the employee's hiring, whenever the employee provides written notice to the Superintendent of their intention to apply for benefits under the NJFLI, or at any time upon the first request of the employee. The written notification may be transmitted to the employee in electronic form.

N.J.S.A. 43:21-25 et seq.
N.J.A.C. 12:21-1.1 et seq.
Adopted: July 26, 2010

