

Governor Murphy Signs New Jersey Paid Sick Leave Act Into Law

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On April 12, 2018, the New Jersey Legislature passed the New Jersey Paid Sick Leave Act (the “Act”). On May 2, 2018, Governor Murphy signed the bill into law. In general, the Act provides that private employers must allow employees to accrue and use up to 40 hours of paid sick leave during a 12-month “benefit year” established by the employer. The new law will take effect on October 29, 2018.

When the Act takes effect, it will preempt the paid sick leave ordinances passed in several municipalities, including Jersey City, Montclair, Morristown, Newark, New Brunswick, Paterson, and Trenton. Employers that have employees working in those municipalities should continue to comply with the requirements of those ordinances until October 29, 2018.

The Act includes limited exceptions for “per diem health care workers” and employees who are subject to a collective bargaining agreement and performing services in the construction industry. However, the law expressly includes temporary help service firms within the definition of “employers” and allows employees working for such firms to accrue paid sick leave based on the total amount of time worked at the temporary service firm (rather than the amount of time spent on any single assignment).