

Employment

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New Year, New Changes to New Jersey Family Leave Act

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On January 17, 2026, just days before leaving office, Gov. Phil Murphy signed into law a bill amending the New Jersey Family Leave Act (NJFLA). These amendments substantially broaden employee access to job-protected family leave under the NJFLA beginning July 2026.

For years, the NJFLA has allowed eligible employees to take up to 12 weeks of job-protected leave in a 24-month period for the birth or adoption of a child, to care for a family member with a serious health condition, or for certain public health emergencies. Unlike the federal Family and Medical Leave Act, the NJFLA does not provide for a leave of absence for an employee's own serious medical condition.

Previously, NJFLA-protected leave was available if an employee worked for an employer with 30 or more employees, had worked for the company for at least 12 months, and had worked at least 1,000 hours during the past 12 months. Based on the amendments, the updated NJFLA will apply to employers with only 15 employees and will require that an employee work for the company for only three months and have worked at least 250 hours during the past three months.

The net result of these changes to the NJFLA, both to the size of employers to which the law will apply and to employees' minimum tenure and number of hours worked, is that substantially more New Jersey employees will be entitled to take a protected leave of absence.

As a reminder, under the NJFLA, an employee who takes a protected leave of absence is entitled to be restored to the same or an equivalent position upon conclusion of their family leave.

We encourage all employers to review and update their employee handbooks. Lowenstein Sandler would be pleased to assist in revising and updating your employee handbook and leave-management policies to ensure legal compliance under both the NJFLA and other applicable state laws.

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