

New Jersey Earned Sick Leave Law Questions & Answers

Q: What is the NJ Earned Sick Leave Law?

A: On May 2, 2018, New Jersey Governor Phil Murphy signed the New Jersey Earned Sick Leave Law. The Law, which applies to nearly all employers and employees in New Jersey, guarantees that almost every person employed in New Jersey will accrue paid sick leave. You can access the law here:

https://nj.gov/labor/wagehour/lawregs/nj_state_wage_and_hour_laws_and_regulations.html#11D1

Q: What is the effective date of the Law?

A: The law went into effect October 29, 2018.

Q: How many days of sick leave can an employee earn?

A: An employee will earn sick time at a rate of one hour for every 30 hours worked. The maximum sick time an employee can earn in a benefit year is 40 hours.

Q: How is sick time accrued?

A: An employee will accrue sick time at a rate of one hour for every 30 hours worked per employer-employee-participant.

Q: How much time can an employee accrue:

A: An employee can accrue up to 40 hours of sick per employer, per benefit year.

Q: What is a benefit year?

A: A benefit year is the calendar year from January 1 to December 31 of any given year.

Q: Can an employee earn sick time if they only work 15 hours per week?

A: Sick time is only earned once an employee has worked 30 hours. For example, an employee who works 15 hours per week will earn one hour of sick time after working two weeks at 15 hours per week.

Q: I've been working all year, can I use sick time now?

A: No. Employees who were cleared to work and began providing authorized, reimbursable services before October 29 will begin to accrue sick time as of October 29, the effective date of the law. Employees are not eligible to begin to use earned sick time until 120 days after the date they begin accruing it (February 26, 2019).

Employees who are cleared to work and begin providing authorized, reimbursable services on or after October 29 will begin to accrue sick time on the first day services are provided. Employees are not eligible to begin to use earned sick time until 120 days after the date they begin accruing sick time.

Q: How does an employee know how much sick time they have earned?

A: Public Partnerships maintains a record of hours worked, sick time accrued, and sick time used by each employee. Authorized users have access to that record through the Better Online portal.

Q: Will sick time earned in 2018 be able to be used in 2019?

A: Yes, employees can carry over up to 40 hours of sick time earned in a benefit year into the next benefit year.

Q: Does an employee need to sign up for sick time?

A: No, there is nothing that an employer or employee need to sign or do at this time.

Q: Can an employee submit sick time for dates of service that the participant is listed as inactive for?

A: No, if the participant is listed as inactive, then the employee cannot submit sick time for those dates. If the participant becomes active again, the employee will have access to accrued sick time.

Q: Can an employee submit sick time for more than one participant in a single day?

A: Yes, as long as the times submitted do not overlap. If the employee provides PCA Group services, then the employee may submit for overlapping sick hours.

Q: Can an employee submit for sick hours on a date that the participant is hospitalized, to prevent loss of work hours?

A: No, sick time can only be submitted if the employee was unable to work due to personal illness or personal needs, such as a doctor's visit. Sick time cannot be used by an employee when their participant employer is sick or hospitalized.

Q: What happens to my accrued sick time if my participant employer passes away? Can accrued sick time be paid out?

A: No, unpaid, but accrued sick time is not eligible to be paid out in a lump sum after the participant employer passes away.

Q: Who can I contact to get more information about this?

A: It will depend on which New Jersey program you are enrolled in. Please see the PPL Customer Service contact information for each New Jersey program below:

Division of Medical Assistance and Health Services (DMAHS) – Personal Preference Program (PPP)

- All stakeholders may call Customer Service: 1-844-880-8702 (English) 1-844-880-8703 (Spanish)
- All stakeholders may email Customer Service: CS-NJPPP@pcgus.com

Division of Developmental Disabilities (DDD)

- All stakeholders may email Customer Service: NJDDD-CS@pcgus.com
- All stakeholders may email Customer Service: NJDDD-CS@pcgus.com

Division of Aging Services (DOAS) – Jersey Assistance for Community Caregiving (JACC)

- All stakeholders may call: 1-866-239-2778 (English: Press #1; Spanish: Press #2)
- All stakeholders may email: CS-NJJACC@pcgus.com

Division of Aging Services (DOAS) – Veteran-Directed Home and Community Based Services (VD-HCBS)

- All stakeholders may call: 1-844-880-8711 (English) or 1-844-880-8712 (Spanish)
- All stakeholders may email: CS-NJVDHCBS@pcgus.com

Q: If I am enrolled in the DDD and PPP programs, how will sick time be applied in each program?

Both the NJ Division of Developmental Disabilities (DDD) and the NJ Division of Medical Assistance and Health (DMAS) have implemented the Sick Time Law for self-directed employees in each program. It should be noted that although the law allows for an employee to rollover up to 40 hours of earned sick time from one year to the next, the law also states that only 40 hours can be used in one benefit year.

PPP allows for employees to roll over 40 hours from the previous year and also use 40 newly accrued hours from the current year. This means, in PPP, the employee is able to use up to 80 hours in total for one calendar year. While, DDD has allowed a maximum of only 40 hours to be used within a year, even if additional hours were rolled over.