

COVID-19 Situations and Employee Leave

COVID-19 Scenarios	NJ Earned Sick Leave	NJ Unemployment Insurance	Temporary Disability/ NJ FLI	Workers' Comp.	Employer Provided Federal Sick Leave	Employer Provided Paid Federal Emergency FMLA
1) Worker has COVID-19 or symptoms.	✓	✗	✓	?	Up to 80 hours at full pay at regular rate; up to \$511 per day (\$5,110 total).	✗
2) Worker is unable to work because school/daycare closed for public health.	✓	✗	✗	✗	Up to 80 hours at 2/3rds employee's regular rate; up to \$200 per day (\$2,000 total). Can be applied to first two unpaid weeks of Emergency FMLA.	Up to 12 weeks of job-protected paid leave. First two weeks are unpaid unless worker elects to use up to 80 hours (at 2/3rd pay up to \$200 per day) from Emergency Paid Sick Leave or other accrued PTO. Remaining 10 weeks (up to 40 hours/week) paid at 2/3rds employee's regular rate, up to \$200 per day (\$10,000 total).
3) Worker was exposed and is quarantined. Business remains open.	✓	✗	✓	?	Up to 80 hours at full pay at regular rate; up to \$511 per day (\$5,110 total).	✗
4) Worker is out of work because employer voluntarily closed.	✗	✓	✗	✗	✗	✗
5) Worker is out of work because employer was ordered closed.	✓	✓	✗	✗	✗	✗
6) Worker has less hours available due to business slow down/lack of demand.	✗	✓	✗	✗	✗	✗
7) Employer stays open in defiance of public health urging it to close, and worker refuses to work.	✓	?	✗	✗	✗	✗
8) Worker is afraid to gather in a group and refuses to go to work.	✓	✗	?	✗	✗	✗
9) Worker is immune-compromised and advised by a healthcare professional to self-quarantine.	✓	✗	✓	✗	Up to 80 hours at full pay at regular rate; up to \$511 per day (\$5,110 total).	✗
10) Healthcare worker is exposed at work and then self-quarantined.	✓	✗	✓	✓	Up to 80 hours at full pay; up to \$511 per day (\$5,110 total). (Health-care employers may elect to exclude employees from eligibility.)	✗
11) Worker is caring for a sick family member.	✓	✗	✓	✗	Up to 80 hours at 2/3rds employee's regular rate; up to \$200 per day (\$2,000 total).	✗

? = Maybe, case by case basis

Federal Sick Leave and Emergency FMLA are for employers with fewer than 500 employees and are effective 4/1/2020-12/31/2020. New employer payroll tax credits are available to help offset these costs.

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Source: Employers Association of New Jersey