

NJ TEMPORARY DISABILITY INSURANCE ACT BRIEF

NEW JERSEY TEMPORARY DISABILITY INSURANCE BENEFITS LAW (N.J.S.A. 43:21-25) is administered by the Executive Director of the Division of Unemployment and Temporary Disability Insurance, Department of Labor, State of New Jersey.

BENEFITS

This law provides cash benefits to workers who cannot work because of sickness or injury not sustained at their job.

THIS LAW COVERS:

1. Any worker employed by a NJ employer for at least 20 weeks who earns at least \$103 a week in the base week or \$5,200 or more in the base year.
2. State employees, Rutgers University employees, UMDNJ employees, and NJ Institute of Technology employees.
3. County and municipal workers are covered if their employers choose to provide this coverage.

THIS LAW EXCLUDES:

1. Any member of the Division of the State Police

CONDITIONS COVERED UNDER THE LAW:

1. Disability or serious health condition that is not job related.
2. Pregnancy disability – period of incapacity due to prenatal care and to recovery from childbirth. Benefits are usually payable for up to 4 weeks before the expected delivery date and up to 6 weeks after the actual delivery, or longer if medically necessary.
3. Must be certified by doctor.

PENALTIES

Penalties for workers or employers that file false claims range from \$20 to \$250.

THE NJTDI PROVIDES TWO TYPES OF BENEFITS PLAN:

1. **State Insurance Benefits Plan**, administered by the State Agency
 - a. Applies to employees when the employer does not have a private insurance plan.
 - b. Eligible employees receive 2/3 of his or her average weekly salary up to a maximum amount of \$459 in 2004, for up to 26 weeks.
2. **Private Insurance Plan**
 - a. Employers can establish their own insurance plan for the payment of temporary disability benefits for their employees.
 - b. If the employees are going to share the cost of the plan, the employer needs the consent of a majority of the workers.
 - c. Benefit paid must be at least equal to the amount that the State Plan would pay in a claim.

For more information, visit the web page of the Division of Temporary Disability Insurance: www.nj.gov/labor/tdi/tdiindex.html or call 609-292-7060.