

# ASSEMBLY, No. 4183

## STATE OF NEW JERSEY 217th LEGISLATURE

INTRODUCED SEPTEMBER 19, 2016

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Burlington and Camden)**

**Assemblywoman JOANN DOWNEY**

**District 11 (Monmouth)**

**SYNOPSIS**

Requires additional data in annual temporary disability and family leave insurance reports.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/23/2017)

1 AN ACT concerning temporary disability and family leave insurance  
2 data reports and amending P.L.2008, c.17.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 13 of P.L.2008, c.17 (C.43:21-39.4) is amended to  
8 read as follows:

9 13. a. The Commissioner of Labor and Workforce Development  
10 shall issue and make available to the public, not later than  
11 December 31, 2010, and each subsequent year, annual reports  
12 providing data on temporary disability benefits, including separate  
13 data for claims involving pregnancy and childbirth, and family  
14 temporary disability benefits, including separate data for each of the  
15 following categories of claims: care of newborn children; care of  
16 newly adopted children; care of sick children; care of sick spouses,  
17 and care of other sick family members. The reports shall include,  
18 for each category of claims, the occupations of the workers  
19 receiving the benefits, the regular weekly wages earned by the  
20 workers receiving the benefits, the number of workers receiving the  
21 benefits, the number of workers receiving the benefits that work  
22 full-time, the number of workers receiving the benefits that work  
23 part-time, the number of workers receiving the benefits that belong  
24 to a labor union or employee organization, the number of employers  
25 employing each worker in the worker's base year, the amount of  
26 benefits paid, the average duration of benefits, the average weekly  
27 benefit, the county in which the employer is located, whether the  
28 employer is private or a governmental entity, the employer size  
29 based on whether the employer employs less than 50 workers or  
30 employs 50 or more workers, and, in the case of family temporary  
31 disability benefits, any reported amount of sick leave, vacation or  
32 other fully paid time which resulted in reduced benefit duration, and  
33 the number of workers claiming intermittent benefits. The report  
34 shall provide data by: gender; race, ethnicity or national origin;  
35 level of educational attainment; citizenship status; and by any other  
36 demographic factors determined to be relevant by the  
37 commissioner. The reports shall also provide, for all temporary  
38 disability benefits and for all family temporary disability benefits,  
39 the number of workers claiming both temporary disability benefits  
40 and family temporary disability benefits in the same calendar year,  
41 the total costs of benefits and the total cost of administration, the  
42 portion of benefits for claims during unemployment, and the total  
43 revenues from: employer assessments, where applicable; employee  
44 assessments; and other sources.

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1       b. The commissioner may, in his discretion, conduct surveys  
2 and other research regarding, and include in the annual reports  
3 descriptions and evaluations of, the impact and potential future  
4 impact of the provisions of P.L.2008, c.17 (C.43:21-39.1 et al.) on  
5 the State disability benefits fund, and other effects of those  
6 provisions, including the costs and benefits resulting from the  
7 provisions of P.L.2008, c.17 (C.43:21-39.1 et al.) for:

8       (1) Employees and their families, including surveys and  
9 evaluations of: what portion of the total number of employees  
10 taking leave would not have taken leave, or would have taken less  
11 leave, without the availability of benefits; what portion of  
12 employees return to work after receiving benefits and what portion  
13 are not permitted to return to work; and what portion of employees  
14 who are eligible for benefits do not claim or receive them and why  
15 they do not;

16       (2) Employers, including benefits such as reduced training and  
17 other costs related to reduced turnover of personnel, and increased  
18 affordability of family temporary disability leave insurance through  
19 the State plan, with special attention given to small businesses; and

20       (3) The public, including savings caused by any reduction in the  
21 number of people receiving public assistance.

22       c. The total amount of any expenses which the commissioner  
23 determines are necessary to carry out his duties pursuant to this  
24 section shall be charged to the Family Temporary Disability Leave  
25 Account of the State disability benefits fund, except that the amount  
26 shall in no case exceed \$150,000 during any fiscal year.

27 (cf: P.L.2008, c.17, s.13)

28

29       2. This act shall take effect immediately.

30

31

#### STATEMENT

32

33       This bill requires the Commissioner of Labor and Workforce  
34 Development to provide additional data in the annual reports of the  
35 temporary disability and family leave insurance programs. Current  
36 law requires the commissioner to issue and make available to the  
37 public an annual report of these programs that provides data  
38 regarding program usage, claimant demographics, program costs  
39 and revenues.

40       This bill expands the list of data that must be provided in the  
41 annual reports, to include the gross wages of workers receiving  
42 benefits, labor union membership of workers receiving benefits,  
43 intermittent usage of family leave benefits, the race, ethnicity or  
44 national origin of workers receiving benefits, the citizenship status  
45 of workers receiving benefits, the educational attainment level of  
46 workers receiving benefits, the location of employers employing  
47 workers that receive benefits, and whether the employer is private  
48 or a governmental entity.