

CHAPTER 123

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

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

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

C.43:21-39.4 Availability of annual reports, contents.

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

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

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

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

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

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

2. This act shall take effect one year after the date of enactment.

Approved October 4, 2018.