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New Job Protection for Paid Leave

What New Jersey's P.L. 2025, chapter 279 changed on July 17, 2026

Agard Research Associates Inc.

A nonpartisan, nonprofit research institute | Information current as of July 19, 2026

The bottom line

Since July 17, 2026, a worker returning from TDI or FLI leave is entitled to the same job back, or an equivalent one. Before this law, the programs paid cash and nothing more.

Signed January 17, 2026
By Governor Murphy, in his final days in office, as A3451/S2950.

Effective July 17, 2026
Implemented on schedule under Governor Sherrill, through agency guidance issued July 13 to 15.

Benefits themselves did not change
Amounts, durations, and payroll rates are exactly as they were.

The right to return

What the law says

A worker who took TDI or FLI benefits must be restored to the position held when leave began, or to an equivalent position with the same seniority, status, benefits, pay, and terms. Refusing to reinstate is itself unlawful retaliation.

Any size employer

State guidance applies the right at employers of any size, with no minimum time on the job.

A gap filler

It protects leave that is not already covered by the NJFLA or the federal FMLA.

Guidance, not yet regulation

The agencies' reading is operative but revisable. Formal rulemaking has not begun and could refine it.

The NJFLA reaches more people

	Before July 17, 2026	Since July 17, 2026
Private employer threshold	30 or more employees	**15 or more employees**
Time on the job to qualify	12 months and 1,000 hours	**3 months and 250 hours**
Public employers	Covered at any size	**Covered at any size (unchanged)**

400,000+

additional workers with job protected leave, per the Governor's office; the Legislature's nonpartisan fiscal office independently estimated about 410,000, a 14 percent increase.

Accuracy check: no phase-down

The threshold is 15. Full stop.

The bill as introduced would have phased the threshold down in three steps, to 20, then 10, then five employees. The Senate Budget and Appropriations Committee struck the phase-down in December 2025, before passage.

Statements that New Jersey enacted an automatic phase-down to five employees are incorrect. Only a future law could lower the threshold further.

What did not change

Benefit amounts and durations
Still 85 percent of your wage up to $1,119; 26 weeks for TDI, 12 for FLI.

Payroll contribution rates
The 2026 worker rates actually fell from 2025.

The federal FMLA
Its 50 employee threshold and eligibility tests are federal law.

The private plan framework
Employer plans must still match or beat the State Plan.

The NJFLA entitlement itself
Still 12 weeks of leave in a 24 month period.

Who is below the line
The NJFLA still does not reach private employers under 15.

If your rights are violated

The court route

Sue in Superior Court: reinstatement, lost wages and benefits, tort damages, fines of $1,000 to $2,000 for a first violation and up to $5,000 for each later one, plus attorney's fees.

The agency route (NJFLA)

File a free complaint with the Division on Civil Rights within 180 days of the incident. No lawyer is needed.

Sequencing rule: if you have earned sick leave and TDI or FLI, you choose the order, but you cannot collect two kinds of paid leave for the same days.

Two views, one effective date

Worker advocates

Workers fund FLI entirely, yet research found 67 percent of those earning under $100,000 feared that taking leave would cost them their job. Job protection, they argue, is what makes a paid benefit usable.

Employer groups

Formally asked the state to delay: the law has no hardship exception for the smallest employers, does not require the new leave to run concurrently with FMLA or NJFLA leave, and claim notices arrive by mail weeks later, while lawsuits are possible from day one.

The state did not delay; the law took effect on schedule. Formal rulemaking is still ahead. ARA takes no position on either view.

In force since July 17, 2026.

Check your coverage: Job Protection Checker, in English and Spanish | Apply: nj.gov/labor (MyLeaveBenefits)

Agard Research Associates Inc. is a nonpartisan, nonprofit research institute in New Jersey.
This presentation summarizes ARA's July 2026 policy analysis. It does not support or oppose any party, candidate, or legislation, and it is general information, not legal advice. Version 1.0, July 2026.