THE AMENDED LAW TOOK EFFECT ON DECEMBER 28, 2015

The Jersey City Municipal Council recently amended the Jersey City Earned Sick Leave Law. The law requires all full-time, part-time and temporary employees, who work in Jersey City for at least eighty (80) hours in a calendar year and who are not specifically exempted, to be eligible for up to a maximum of forty (40) hours of paid sick leave per year. Below are the answers to some frequently answered questions.

FOR EMPLOYEES

Who is eligible?
Full-time, part-time and temporary employees, who work in Jersey City for at least eighty (80) hours in a calendar year and have worked a minimum of (90) days.

Who is not eligible?
Employees of any governmental entity, members of a trade or construction union, employees subject to a collective bargaining agreement, registered apprentices, freelancers and independent contractors.

How much earned sick time am I eligible for?
It depends. If you are an employee of a company which employs ten (10) or more employees, you are eligible for up to a maximum of forty (40) hours per year pursuant to the to the following formula: one (1) hour of sick leave for every thirty (30) hours worked.

If you are an employee of a company which employs less than ten (10) employees, you are eligible for up to a maximum of twenty-four (24) hours of paid sick leave per year pursuant to the to the following formula: one (1) hour of sick leave for every thirty (30) hours worked. Once you have exhausted your 24 hours of paid sick leave, you are entitled to an additional sixteen (16) hours of unpaid sick leave. However, if you are a child care worker, home health care worker or a food service worker, you are entitled to forty (40) hours of paid sick leave per year regardless of the size of the company you work for.

Does it matter whether I am a full-time or part-time employee?
No. Full-time/part-time status is determined by the employer. The earned sick leave law makes no distinction between part-time and full-time employees. Anyone who works 80 hours in a calendar year in Jersey City is an employee for the purposes of the law.

Am I eligible to take sick time as soon as I start working?
No. Although you begin to accrue paid sick time beginning on your very first day of work, you are not entitled to use any paid sick time until your 90th calendar day of employment.

Can I carry over my unused sick leave?
Yes, but your employer isn't required to give you more than 40 hours annually. City officials included this requirement so that you don't go back to zero accrued sick time every January 1st.

Can I receive payment for any unused sick leave if I quit?
No. The law doesn't require employers to reimburse employees for unused time.

I lost my job and was the rehired by the same company. Do I lose my accrued sick time?
Not if you were rehired within six months. If longer than six months, you lose your accrued sick time.

My company was just bought out by another firm. Do I lose my accrued sick time?
No. If one company purchases another, employees of the original company retain their accrued sick time.

Can I only use my sick time if I am sick?
No. You can also use your sick time if you need to go to the doctor for preventive care or if you need to care for a family member (a child, parent, spouse, civil union partner, domestic partner, grandparent, grandchild or sibling) who is ill or needs to go to the doctor. Sick time can also be used if your place of employment or your childs school is closed due to a public health emergency.

If I use all the sick leave I am entitled to, can I get in trouble with my boss?
No. The law forbids employers from retaliating against employees who use the sick time they are entitled to.

What do I do if I believe my employer isn't granting me sick time I am entitled to?
You have two options: You can call the Jersey City Department of Health and Human Services, (201) 547-6800,