

ASSEMBLY, No. 4358

STATE OF NEW JERSEY

222nd LEGISLATURE

INTRODUCED FEBRUARY 19, 2026

Sponsored by:

Assemblywoman SHAMA A. HAIDER

District 37 (Bergen)

SYNOPSIS

Provides eight weeks of pregnancy-related temporary disability leave benefits after delivery date.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning temporary disability leave and amending
2 P.L.2018, c.122.

3

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

6

7 1. Section 1 of P.L.2018, c.122 (C.43:21-39.5) is amended to
8 read as follows:

9 1. a. Notwithstanding any provision of law to the contrary, when
10 a covered individual applies for temporary disability benefits for
11 disability resulting from pregnancy or the birth of a child, the plan
12 administering the covered individual's benefits shall automatically
13 process an application for that individual for the paid family leave
14 benefits program, unless the individual affirmatively opts out of that
15 program, such that the individual shall be required to submit only
16 one application for both programs. The application for benefits
17 shall be processed to allow the paid family leave benefits, if
18 approved, to begin immediately following the end of the temporary
19 disability benefits, unless the individual notifies the plan that the
20 individual wants to postpone or opt out of the paid family leave
21 benefits. A covered individual who is approved for benefits under
22 this section shall notify the plan administering the covered
23 individual's benefits of the date on which the covered individual
24 will return to work, and shall notify the plan administering the
25 benefits if the covered individual returns to work on an earlier date.

26 The provisions of this act shall apply to the State plan and a
27 private plan which holds temporary disability insurance and family
28 leave insurance for the individual. A private plan that offers only
29 temporary disability benefits shall provide to its temporary
30 disability claimants written notice of the application process for
31 family leave benefits concurrently with issuing its written approval
32 of temporary disability benefits. A private plan that offers both
33 temporary disability benefits and paid family leave benefits shall
34 adopt procedures for effectuating the provisions of this act, so
35 individuals are only required to submit one application for both
36 temporary disability benefits and family leave benefits.

37 b. A covered individual who is approved for temporary
38 disability benefits for disability resulting from pregnancy shall be
39 entitled to four weeks of benefits before the expected delivery date
40 and **[six]** eight weeks of benefits after the actual delivery date. The
41 covered individual shall recertify for benefits no later than two
42 weeks following the actual delivery date, and shall not be required
43 to recertify at any other time during the benefit periods. A covered
44 individual shall receive a longer period of disability before the
45 expected delivery date or after the actual delivery date, if the

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 covered individual provides the plan administering the benefits with
2 a certification from a health care provider that the longer period is
3 necessary.

4 (cf: P.L.2018, c.122, s.1)

5

6 2. This act shall take effect immediately and apply to any
7 application for benefits filed on or after the effective date.

8

9

10 STATEMENT

11

12 This bill provides that a covered individual who is approved for
13 temporary disability benefits for disability resulting from pregnancy
14 is entitled to eight weeks of benefits after the actual delivery date.
15 Current law provides that after the actual delivery date, a covered
16 individual is entitled to six weeks of benefits.