

# Client Alert

A report  
for clients  
and friends  
of the firm

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## Newly Amended Law Requires New Jersey Employers To Post Revised Notices Regarding Temporary Disability Insurance

As a result of a recent amendment, New Jersey now requires employers to provide notice to workers about their temporary disability insurance ("TDI") benefit rights. Under the amendment to New Jersey Statute 43:21-49(1)(a)(1), employers are now required to prominently post notices that state "whether the employer is permitted or required to participate in a temporary disability benefits program" and "whether the employer does or does not participate."

The amendment imposes another new notice requirement on employers that participate in a temporary disability benefits program. The new notice to be posted "shall also describe the temporary disability benefits available to the employees and prominently disclose that pregnancy is regarded by law as a disability and that pregnant employees are regarded as disabled and entitled to temporary disability benefits to the same extent as other disabled employees." *Id.* The amendment also requires each employer participating in either the State plan or a private TDI plan to give a printed copy of the benefit instructions to any disabled employee as soon as the employer becomes aware of the disability.

Thus, New Jersey employers must now give more notice than previously required regarding the availability of TDI benefits. Only employers who

participate in a TDI program must include the additional description of the available TDI benefits and the disclosure that pregnancy is a disability covered under the applicable TDI benefits program. As such, employers should take the appropriate steps to ensure that they obtain and prominently post sufficient notices regarding TDI benefits.

Upon request to the New Jersey Department of Labor and Workforce Development, an employer can receive a new copy of each complaint notice without charge. New Jersey employers are urged to post the appropriate TDI notices as soon as possible or contact us for more information.

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### Client Alert

**Proskauer's Newark office has 40 attorneys with significant and diverse experience in labor, employment, employee benefits and immigration law. The following individuals serve as contact persons for this alert and would welcome any questions that you might have. For more information on this matter,**

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