

NJ Earned Sick Leave Law – Hourly Students

The State of NJ recently passed the NJ Earned Sick Leave Law; one segment of the law allows part-time hourly student employees to earn paid sick leave. A summary of the law is below:

- Students earn 1 hour of paid sick leave for every 30 hours worked, up to a maximum of 40 hours of earned sick leave per benefit year (NJIT has defined the benefit year as July 1 through June 30);
- Students begin accruing paid sick leave upon date of hire; however, there is a 120 day wait before a student can begin to use the time;
- Students can carry over up to 40 hours of earned paid sick leave into the next benefit year but are still limited to the use of only 40 of earned sick leave in any given benefit year.

Determining Availability of Hours:

Students (and supervisors) are able to view the earned number of hours available (and the date available) via the student’s online timesheet by clicking on “Leave Balances” next to the student’s name:

Completed									
ID	Name, Position and Title	Required Action	Total Hours	Total Units	Queue Status	Approve or FYI	Return for Correction	Cancel	Other Information
	313099 - 00 UG Student IWS/S		30.00	.00	Overridden				Leave Balances

Student – No Available Hours:

In the example below, the student has 8.3 hours “banked”; however, the student cannot use these hours until May 17, 2020 as the student has not passed the 120-day waiting period:

Title:		313099-00 UG Student IWS/S				Transaction Status:		Completed										
Previous Menu																		
Leave Balances Routing Queue																		
Time Sheet																		
Earnings	Shift	Special Rate	Total Hours	Total Units	Sunday Dec 15, 2019	Monday Dec 16, 2019	Tuesday Dec 17, 2019	Wednesday Dec 18, 2019	Thursday Dec 19, 2019	Friday Dec 20, 2019	Saturday Dec 21, 2019	Sunday Dec 22, 2019	Monday Dec 23, 2019	Tuesday Dec 24, 2019	Wednesday Dec 25, 2019	Thursday Dec 26, 2019	Friday Dec 27, 2019	Saturday Dec 28, 2019
Student Hourly	1		14.5			3							7.5	4				
Total Hours:			14.5			3							7.5	4				
Total Units:				0														
Leave Balances as of Feb 21, 2020																		
Type of Leave	Hours or Days	Banked	Date Available	Available Beginning Balance	Earned	Taken	Available Balance											
Sick Leave	Hours	8.3	May 17, 2020		0	0	0	0										

Student – Available Hours:

Below is an example of a student who has passed the 120-day waiting period and has 19.34 hours of earned sick leave available:

Title:		313099-01 UG Student IWS/\$					Transaction Status:		Completed									
Previous Menu																		
Leave Balances Routing Queue																		
Time Sheet																		
Earnings	Shift	Special Rate	Total Hours	Total Units	Sunday Dec 15, 2019	Monday Dec 16, 2019	Tuesday Dec 17, 2019	Wednesday, Dec 18, 2019	Thursday Dec 19, 2019	Friday Dec 20, 2019	Saturday Dec 21, 2019	Sunday Dec 22, 2019	Monday Dec 23, 2019	Tuesday Dec 24, 2019	Wednesday, Dec 25, 2019	Thursday Dec 26, 2019	Friday Dec 27, 2019	Saturday Dec 28, 2019
Back Hours	1		36		0	7	7	7	7	8								
Total Hours:			36		0	7	7	7	7	8								
Total Units:				0														
Leave Balances as of Feb 21, 2020																		
Type of Leave	Hours or Days	Banked	Date Available	Available Beginning Balance	Earned	Take	Available Balance											
Sick Leave	Hours	0	Jul 15, 2019		11	8.34	19.34											

Student – Utilized Hours:

The example below shows a student who has utilized 3.4 hours of earned sick leave, with updated availability:

Title:		202411-02 FCWS/NJIT Match/\$					Transaction Status:		Completed									
Previous Menu																		
Leave Balances Routing Queue																		
Time Sheet																		
Earnings	Shift	Special Rate	Total Hours	Total Units	Sunday Dec 15, 2019	Monday Dec 16, 2019	Tuesday Dec 17, 2019	Wednesday, Dec 18, 2019	Thursday Dec 19, 2019	Friday Dec 20, 2019	Saturday Dec 21, 2019	Sunday Dec 22, 2019	Monday Dec 23, 2019	Tuesday Dec 24, 2019	Wednesday, Dec 25, 2019	Thursday Dec 26, 2019	Friday Dec 27, 2019	Saturday Dec 28, 2019
Student Hourly	1		10			4	2			4								
Total Hours:			10			4	2			4								
Total Units:				0														
Leave Balances as of Feb 21, 2020																		
Type of Leave	Hours or Days	Banked	Date Available	Available Beginning Balance	Earned	Taken	Available Balance											
Sick Leave	Hours	0	Jul 15, 2019		5.38	3.4	1.98											

Acceptable Reasons to Use NJ Earned Sick Leave:

Pursuant to the New Jersey Earned Sick Leave Law, students may use NJ earned sick leave for the reasons below:

1. Student or a family member needs diagnosis, care, treatment or recovery from an illness, or preventative medical care;
2. Student or a family member have been the victim of domestic or sexual violence and needs time for treatment, counseling or to prepare for a court proceeding;
3. Student needs to attend school-related conferences, meetings or events regarding their child's education or to attend a school-related meeting regarding their child's health;
4. Student needs to care for their child if their school or child-care provider is closed due to a public health emergency;
5. The university closes due to a public health emergency.

Please note that sick leave accrued under the New Jersey Earned Sick Leave Law may not be used for bereavement or to bond with a newborn, newly adopted or foster child.

Requests for Time Off and Approval:

Where at all possible, students should submit requests to use earned sick leave to their supervisor 7 days in advance. If their need for earned sick leave is unforeseeable, students should provide as much notice as possible. Please note that sick time can only be utilized during a scheduled shift; for example, if you are scheduled to work from 10:00-2:00 and you request 1 hour of sick time, the timesheet for that day should reflect 3 hours worked and 1 hour of sick time.

Documentation:

Reasonable documentation may be required if a student uses earned sick leave on three or more consecutive work days. Please note that documentation from the health care provider should NOT specify the medical reason for the student's leave to their supervisor; students should submit all documentation to their supervisor.