

# New Jersey Leave Laws

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*This material is for general informational purposes only and does not constitute legal advice. For current and accurate guidance, please consult legal counsel in your jurisdiction.*

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# Paid Time Off (PTO) in New Jersey

## Vacation Leave Quota

There is no obligation for employers to provide paid or unpaid vacation.

In New Jersey, there are no laws requiring employers to provide their employees with either paid or unpaid vacation time. This allows companies to create their own vacation policies, including paid time off, or paid holidays.

The decision to offer these benefits is at the discretion of the employer, but if they do offer leave, they must comply with relevant state laws, company policies, or employment contract agreements.

## Accrual

The PTO accrual system is not mandatory in New Jersey, but it is widely used by companies.

The accrual system is based on the pay period. The most common pay periods in New Jersey is semi-monthly and monthly.

An employer may have a policy that caps (limits) an employee's ability to earn vacation time to a certain number of hours.

## Roll Over (Carry Over, Brought Forward)

A Use-It-or-Lose-It policy is allowed.

A “use-it-or-lose-it” employee vacation policy requires an employee to lose any unused vacation time after a specific date, such as the end of the year.

Using the use-it-or-lose-it policy is not addressed by state statute, which means that employers may implement it.

## Statutory Provisions Addressing Vacation Pay

Accrued but unused vacation time is not considered wages.

In New Jersey, the laws regarding wages do not consider accrued and unused vacation as wages and do not have any regulations regarding the accrual or carrying over of vacation from one year to the next.

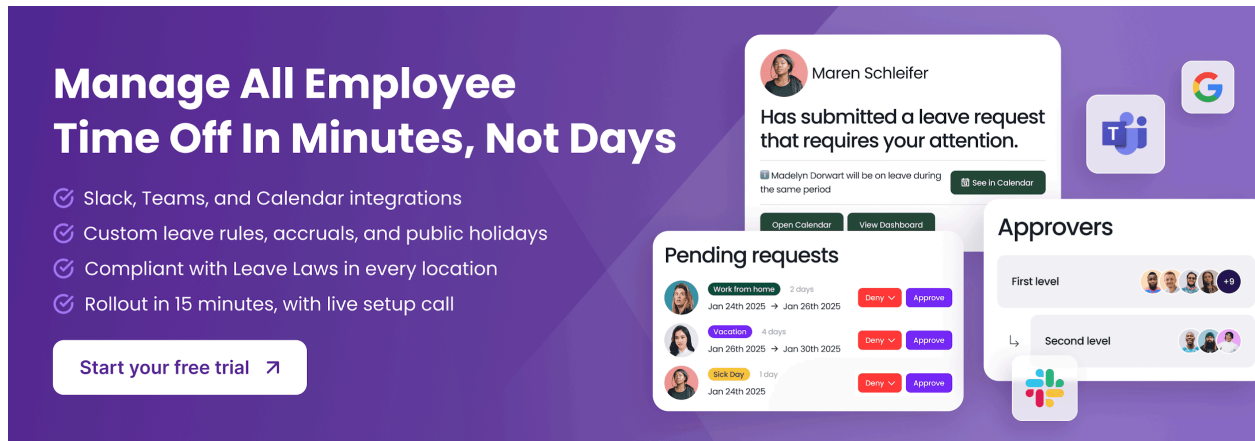
## Payment of Accrued, Unused Vacation on Termination

The law does not require employers to provide PTO payout at termination.

Vacation time that is not used will not be considered part of an employee’s wages, unless there is a provision in an employment agreement, union contract, or company policy stating that vacation time will be paid out upon termination of employment. If this is the case, the employee may have a claim for vacation pay if the terms outlined in the agreement, contract, or policy are not honored.

### Payout

An employer pays only if there is an employment agreement, union contract, or company policy that states so.



The image displays a user interface for 'Vacation Tracker'. On the left, a purple banner contains the heading 'Manage All Employee Time Off In Minutes, Not Days' and a list of features: Slack, Teams, and Calendar integrations; Custom leave rules, accruals, and public holidays; Compliance with Leave Laws in every location; and Rollout in 15 minutes, with live setup call. A 'Start your free trial' button is at the bottom. On the right, a dashboard for 'Maren Schleifer' shows a notification: 'Has submitted a leave request that requires your attention.' Below this, a 'Pending requests' table lists three requests: 'Work from home' (2 days, Jan 24th-26th, 2025), 'Vacation' (4 days, Jan 26th-30th, 2025), and 'Sick Day' (1 day, Jan 24th, 2025). Each request has 'Deny' and 'Approve' buttons. To the right of the table is an 'Approvers' section with 'First level' and 'Second level' approvers, each with a list of user avatars and a '+9' indicator. Integration icons for Microsoft Teams, Google, and Slack are also visible.

**Manage All Employee Time Off In Minutes, Not Days**

- ✓ Slack, Teams, and Calendar integrations
- ✓ Custom leave rules, accruals, and public holidays
- ✓ Compliant with Leave Laws in every location
- ✓ Rollout in 15 minutes, with live setup call

[Start your free trial](#)

**Maren Schleifer**  
Has submitted a leave request that requires your attention.

Madelyn Dorwart will be on leave during the same period. [See in Calendar](#)

[Open Calendar](#) [View Dashboard](#)

**Pending requests**

Request Type	Duration	Start Date	End Date	Actions
Work from home	2 days	Jan 24th 2025	Jan 26th 2025	<a href="#">Deny</a> <a href="#">Approve</a>
Vacation	4 days	Jan 26th 2025	Jan 30th 2025	<a href="#">Deny</a> <a href="#">Approve</a>
Sick Day	1 day	Jan 24th 2025		<a href="#">Deny</a> <a href="#">Approve</a>

**Approvers**

First level: [Avatars] +9

Second level: [Avatars]

## Sick Leave in New Jersey

The FMLA requires 12 weeks of unpaid sick leave.

The NJFLA provides up to 12 weeks of leave.

Paid sick leave provides 1 paid hour for every 30 hours worked.

## Federal Laws – Leave Quota

Federal law requires 12 weeks of unpaid sick leave.

The standard federal Family and Medical Leave Act (FMLA) applies to New Jersey (as it is in all the states in the U.S.A). The leave is job-protected.

Employees qualify for FMLA benefits only if:

- they have been employed for at least 12 months (at least 25 hours per week) or 1,250 hours in the previous year
- they work in a location where at least 50 people are employed by the company (in a 75-mile radius)

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

The FMLA entitles qualified employees to take up to 12 weeks off for:

- personal medical reasons – illness or injury
- to care for a close family member (child, spouse, or parent) suffering from a severe illness
- maternity or paternity leave.

Check out our article on [federal laws in the United States](#) to learn more.

## Payout

The FMLA is unpaid.

## New Jersey Family Leave Act (NJFLA)

Up to 12 weeks of leave (within 24 months).

Besides the federal Family and Medical Leave Act (FMLA), eligible employees are entitled to take time off for family and medical reasons under the New Jersey Family Leave Act (NJFLA).

All employers with 30+ employees must comply with the NJFLA for their workers in New Jersey.

This law requires employers to provide up to 12 weeks of leave (within a 24-month span) for eligible employees to bond with a new child, or care for a family member who has a serious health condition. NJFLA doesn't provide leave for the worker's own medical issues.

Employees who meet eligibility criteria may receive additional leave under the Federal Family and Medical Leave Act. If both the FMLA and NJFLA apply to an employee's leave, the two leaves will run at the same time.

Workers in New Jersey may also be eligible for benefits through the Family Leave Insurance program, which is funded through deductions from their paychecks.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

## Payout

NJFLA may be unpaid, paid, or a combination of both.

## New Jersey Paid Sick Leave

Employees earn 1 hour for every 30 hours worked.

In New Jersey, the state's paid sick leave law applies to all employers, regardless of their size.

Under New Jersey's paid sick leave law, employees earn 1 hour for every 30 hours worked, and employers can limit yearly accumulation to a maximum of 40 hours.

Employees may utilize paid sick leave for either themselves or a relative in regard to:

- An employee's illness, injury, or other adverse health condition
- Diagnosis, attention, management, or recovery relating to either mental or physical illness.
- Public health emergencies
- The period required to participate in a school-related meeting, event, etc. for child.
- Domestic violence, sexual assault, or stalking

Paid sick leave begins with the first day of employment. However, employers may mandate a waiting period of 120 days after the hire date before the employee can use any accrued paid sick leave.

Employees are allowed to carry over up to 40 unused paid sick leave hours from one year to the next.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

Employers may request 7 days' advance notice for planned appointments. For leaves lasting 3 or more consecutive days, employers may ask for reasonable documentation.

New Jersey Paid Sick Leave took effect on Oct. 29, 2018.

## Payout

Employers are not obligated to pay employees for unused paid sick leave upon termination of employment.

# Maternity, Paternity, FMLA in New Jersey

## Federal Law

12 weeks of unpaid maternity/paternity leave is provided by FMLA.

The Family and Medical Leave Act (FMLA) is a federal law that allows eligible workers to take up to 12 weeks of unpaid, job-protected leave per year for family or medical reasons, including maternity or paternity leave. Unless otherwise authorized by the employer, an employee must take this leave continuously. More information about FMLA eligibility can be found above, under the section *Sick Leave in New Jersey > Federal Laws – Leave Quota*.

The Pregnancy Discrimination Act (PDA) is one more federal law that protects pregnant women. According to the PDA, discrimination against pregnant people is prohibited in all areas of employment: hiring, firing, pay, job assignments, promotions, fringe benefits, training, leave, and health insurance.

## Additional State Laws in New Jersey

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

The New Jersey Family Leave Act (NJFLA) provides up to 12 weeks of leave (within 24 months).

In addition to the FMLA, the NJFLA is a state law that allows eligible employees to take up to 12 weeks of leave (within a 24-month span) for family reasons, including maternity or paternity leave.

For more information about the NJFLA, please check the section above *Sick Leave in New Jersey > New Jersey Family Leave Act (NJFLA)*.

In New Jersey, workers may also have access to benefits through the Family Leave Insurance program, which is financed by deductions from their payroll.

Temporary Disability Insurance (TDI) Program provides employees with up to two-thirds of their regular wages. It provides employees who are temporarily unable to work due to disabilities related to pregnancy or childbirth with up to 4 weeks before childbirth and up to six weeks after childbirth. Employees may be eligible for more benefits if they have additional complications related to childbirth or pregnancy.

Family Leave provides benefits after the recovery period of up to 6 weeks, so the employees are able to bond with their newborns. Paid family leave runs at the same time as either the Federal Medical Leave Act (FMLA) or New Jersey Family Leave Act (NJFLA). Other types of available leave must be utilized prior to taking paid family leave.

## Bereavement Leave in New Jersey (Funeral Leave)

An employer is not required to provide bereavement leave.



An employer is not legally required to provide any paid or unpaid [bereavement leave](#), or any time off to attend an immediate family member's funeral. However, most employers do provide at least 2 days, so if an employer decides to provide bereavement leave, they must follow the bereavement policy or practice they have in place.

#### Payout

Bereavement leave in New Jersey is unpaid.

## Jury Duty Leave in New Jersey

[Employers must provide employees unpaid time off for jury duty.](#)

Employers are required to provide employees with unpaid, job-protected leave to report to jury selection or jury duty. Notice requirements do apply, so employees may have to show their employer their jury summons (within a reasonable period of time after receiving it) to be given the necessary leave.

An employer is not allowed to force its employees to use any other type of leave (vacation time, sick leave, etc.) to cover leave taken for jury duty. An employer may not fire, threaten to fire, penalize, or punish the employee in any way due to their jury service.

In our [PTO Glossary](#) you can read more about jury duty leave.

#### Payout

*The court pays:*

Employees who serve as jurors in New Jersey are paid \$5.00 a day (though juror pay is only a token amount).

*The employer pays:*

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

Private employers in New Jersey are not required to pay employees for jury duty leave.

# Military Leave in New Jersey

## Federal law

The Uniformed Services Employment and Reemployment Rights Act (USERRA) is a federal law that applies to employers of all sizes and types in the U.S. USERRA protects employees called to active duty in the U.S. military, including the U.S. Armed Forces, Reserves, and National Guard. USERRA provides reinstatement rights, protection from discrimination, the right to continue group health care benefits for up to 24 months during their leave, and up to 5 years of unpaid leave for military service (with exceptions to this 5-year limit).

## New Jersey State Law

The New Jersey law affords reemployment rights to military service members of the U.S. or state, in addition to the Uniformed Services Employment and Reemployment Rights Act.

It protects employees who leave their job, except for temporary positions, for any of the following reasons: serving in the U.S. armed forces, participating in military training or assemblies, or attending military service schools for up to three months in a four-year period.

Upon return from active duty, the employee must be reinstated to their previous position or a similar one, if not possible, to any available job they are qualified for. They cannot be fired without a valid reason for one year after reemployment.

### Payout

Military leave is unpaid.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

# Voting Leave in New Jersey

Not required by state law.

According to New Jersey law, employers are not mandated to give their employees time off to vote on Election Day. If an employer allows time for voting, they have the discretion to decide whether or not to pay for that time.

Most states in the U.S. provide time off for voting, but New Jersey is not one of them.

Payout

Voting leave is unpaid.

## New Jersey State Holidays for 2025

13 public holidays

Private employers in New Jersey don't have to provide paid or unpaid leave for holidays, like almost all states in the U.S.A. Private employers can require all employees to work on holidays. However, the majority of employers in New Jersey do provide at least several paid holidays.

**A complete list of holidays celebrated in New Jersey in 2025:**

Holiday	Observed in 2025	General Date
New Year's Day 2025	Wednesday, January 1	January 1

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

Martin Luther King, Jr.	Monday, January 20	3rd Monday in January
Presidents Day	Monday, February 17	3rd Monday in February
Good Friday	Friday, April 18	2 days before Easter
Memorial Day	Monday, May 26	Last Monday in May
<u>Juneteenth</u> (!)	Friday, June 20	3rd Friday in June
Independence Day	Friday, July 4	July 4
Labor Day	Monday, September 1	1st Monday in September
Columbus Day	Monday, October 13	2nd Monday in October
General Election Day	Tuesday, November 4	Varies from November 2 to 8
Veteran's Day	Tuesday, November 11	November 11
Thanksgiving Day	Thursday, November 27	4th Thursday of November
Christmas Day	Thursday, December 25	December 25

(!) Juneteenth is a federal holiday observed on June 19 in all states except New Jersey. In New Jersey it is a State and public holiday observed on the third Friday in June.

When a state-recognized holiday occurs on a Saturday, the holiday will be observed on the preceding Friday. Similarly, if the holiday falls on a Sunday, it will be observed on the following Monday.

## 2026

Holiday	Observed in 2026	General Date
New Year's Day 2026	Thu, Jan 1, 2026	January 1
Martin Luther King, Jr.	Monday, January 19	3rd Monday in January

## Election Day as a Public Holiday

New Jersey has Election Day as an official public holiday.

*Election Day* is always held on the first Tuesday following the first Monday in November, thus it can occur from November 2 to 8. It's organized in even-numbered years (2012, 2016, 2020, etc). The presidential election year in the United States was 2024. Besides New Jersey, it is a public holiday in Delaware, Hawaii, Illinois, Kentucky, Louisiana, Montana, New York, Virginia, and West Virginia. However, in 2025, Election Day is recognized as a state holiday only in states of New Jersey and Virginia, while it is observed in 49 other states.

As Election Day occurs always on a Tuesday, many people are unable to vote due to their work obligations. Being a public holiday, employees have enough time to vote.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)