

# Senate OKs family leave bill

## Employers resist, but gov sure to sign it

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TRENTON — New Jersey will soon be the third state where some workers can continue drawing pay while taking leave to care for an ill, newly born or newly adopted family member, after a close vote in the Senate Monday. The decision drew applause from workers who sometimes have to choose between working and caring for family members. And it drew the wrath of employers, who say it is another burden in what they see as an unfriendly business climate.

"I just think it's difficult when the government starts dictating what you can do with employee (benefits)," said Sue Fitzpatrick, owner of Fitzpatrick Printing Solutions Inc. in Colts Neck. "As an employer, you try to work out a plan. If they go on vacation or need time off, you just do that."

The Senate narrowly approved the measure, 21-15. It heads to Gov. Corzine, who supports it. Once Corzine signs the bill, New Jersey will start deducting taxes from people's paychecks in January and start paying out benefits in July 2009.

The program would enhance the current family leave law, under which workers at companies

with 50 or more employees are guaranteed by the state and federal government 12 weeks of unpaid leave each year.

Among the key details of the New Jersey program:

- Workers at a company of any size would receive two-thirds of their wages, up to \$524 a week, for six weeks for family leave.
- Workers would pay for the program through an average payroll deduction of 64 cents a week, or \$33 a year.
- Business owners wouldn't need to hold open the employee's job.

New Jersey would join California as the only state with an operating paid family leave program. Washington state also passed a leave law last year but hasn't approved a way to pay for it.

In New Jersey, many working parents supported the bill. They said most families need two incomes to survive in a high-cost state such as New Jersey, which makes juggling their career and family obligations difficult.

Kevin and Colleen Shanley, both 35, of Tinton Falls had their first child, Olivia, four weeks ago. They said they saved money for two years so they could pay the bills while

Colleen took family leave.

The time off has allowed them to stay up at all hours of the night and not worry about being refreshed for work the next morning.

But with her disability pay from childbirth scheduled to expire eight weeks after her daughter's birth, Colleen Shanley faces the prospect of finding day care and returning to work. She supported any financial help she can receive that would allow her to spend more time with her newborn.

"There's a lot to think about when you have a family," she said. "It's a huge adjustment period."

The Senate passage came after a bitter fight that pitted business lobbies against family advocacy groups and unions. The Senate first approved the bill March 3, but it had to vote on the issue again after the Assembly amended it to ensure that small businesses couldn't be sued for firing an employee who takes family leave.

"The arguments (of opponents) were empty arguments that had no backing," said Senate Majority Leader Stephen Sweeney, D-Gloucester, the most prominent sponsor. "Their argument wasn't true, and the truth won out today."

The bill continued to generate opposition, although for different reasons.

Sen. Nia Gill, D-Essex, voted

for the bill the first time but not on Monday. She said the amendment protecting small businesses stripped people's rights to equal protection.

Other than Sen. Bill Baroni Jr., R-Mercer, all Republicans opposed it, citing the worsening economy, the state's reputation of being unfriendly to business and rising costs to taxpayers.

Some Shore area business owners reiterated their opposition.

Denise Clayton owns the Ronan Agency, an insurance agency in Brick with 14 employees. She said she has invested time and money into employee training. And many of her employees are licensed, so replacing them from, say, an employment agency isn't easy.

She opposed the bill and said a benefit package is best left to the employer.

"We want to offer the best possible benefits we can," Clayton said. "I just think for small businesses, this is a burden right now that appears to be overwhelming."

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**"The concept may be good, but the execution in this amendment ... is repugnant to our common law and constitutional rights."**

— Sen. Nia Gill, D-Essex