

# Sick Leave Trend Continues in New Jersey, Constitutional Challenge Begins

Article By:

Joseph C O'Keefe

Daniel L. Saperstein

---

This week **Bloomfield** became the ninth locality in the State of **New Jersey** to require employers to provide **sick leave** to their employees, joining Jersey City, Newark, Passaic, East Orange, Paterson, Irvington, Trenton, and Montclair.

Bloomfield's new law is quite similar to the other sick leave laws in New Jersey. Employers in the city with 10 or more employees must provide up to 40 hours of paid sick leave per calendar year. Employers with fewer than 10 employees must provide up to 24 hours of paid sick leave per calendar year, subject to certain exceptions. Employees accrue a minimum of one hour of paid sick time for every 30 hours actually worked.

The New Jersey state legislature is considering a sick leave bill that, if passed into law in its current form, would *not* preempt the growing patchwork of local laws passed in the state. Yet, in a lawsuit filed earlier this week in Mercer County Superior Court, several New Jersey business associations claim that existing state laws (e.g., New Jersey's Family Leave Act, Family Leave Insurance Law, and Temporary Disability Benefits Act) already preempt local sick leave laws (Trenton's, specifically). The Complaint also alleges that such local laws violate various clauses of the United States and New Jersey Constitutions.

We will continue to monitor this lawsuit and any future legislative activity as 2015 progresses.

© 2025 Proskauer Rose LLP.

---

National Law Review, Volume V, Number 65

Source URL: <https://natlawreview.com/article/sick-leave-trend-continues-new-jersey-constitutional-challenge-begins>