

## Ten More Interesting Things You Probably Didn't Know About South Jersey

There are a lot of interesting "facts" about South Jersey that many people who live and work in our region don't know. Some are marginal. Some are remarkable. But most are really pretty interesting.

1. The now defunct Garden Pier in Atlantic City was once the site of an "attraction" built around premature babies...the babies were kept in tiny incubators (at the time considered a medicam breakthrough) and onlookers paid 10 cents to gawk...the money went to pay for the care of the babies?
2. Founded in 1701 by Elizabeth Haddon, Haddonfield is the only Colonial New Jersey town to be founded by a woman?
3. When it opened in 1933 the White Horse Pike/Route 30 was the longest concrete highway in the country?
4. The ten largest hotels in the state, ranked by the number of guest rooms are all in Atlantic City... with 2590 rooms, Harrah's is the largest?
5. President Abraham Lincoln and General Ulysses S. Grant purportedly arm-wrestled at a bar in the Blue Anchor Inn in Burlington City?
6. Voorhees Township was named in honor of Foster McGowan Voorhees, the governor of New Jersey who granted the petition for Voorhees to become a separate township on March 3, 1899.

"Voor" is a Dutch prefix for "in front of." "Hees" was a village near Ruimden, Drenthe, Holland.

7. New Jersey has 15 artificial reefs?
8. Bancroft is the state's second largest non-profit organization, with 2010 expenses of \$93.4 million?
9. After she moved to Mullica Hill in 1950, Alberta Gonzalez became the first Puerto Rican woman to supervise a labor camp for migrants in New Jersey...in addition to being an advocate for migrant workers and their families, she also served as a cook for migrants for more than three decades?
10. Revolutionary War hero Timothy Matlack, Jr., built a house and a sawmill on Coopers Creek between Kirkwood and Gibbsboro. It was part of a 1,000-acre parcel purchased by his family in 1701 in the Glendale section of Voorhees. Wood from the surrounding forest became went to Matlack's Borton Sawmill (which stood on what is now Route 73) and became lumber to build homes in neighboring towns.

*SJ Facts are compiled from hither and thither by Haddonfield marketing executive Michael Willmann. You can reach Mike at WMSH Marketing Communications at 856-616-2886 or by emailing michaelwillmann@wmsh.com.*



## Ask an Expert

### Managing Staff Family Medical Leave?

Is it possible for an employee to have six months of continuous family medical leave? Poorly-worded family medical leave policies could result in an employee taking nine months of continuous family medical leave without losing his or her job in New Jersey.

The Federal Medical Leave Act ("FMLA") provides that eligible employees can receive a total of 12 weeks of unpaid leave for the birth of a child of the employee, for placement of a child for adoption or foster care, to care for an immediate family member with a serious health condition, or because the employee is unable to work due to his or her own serious health condition that is not related to the employee's employment. The maximum of twelve weeks of unpaid leave can be used during a "twelve month period".

Employers have the option of defining the "twelve month period" as: (1) a calendar year ("calendar year" method); (2) any set amount of time that is twelve consecutive months ("fixed year" method); (3) a twelve month period measured forward from the date of the employee's first FMLA leave; or (4) a rolling twelve month period measured backward from the date an employee uses any FMLA leave. If your company uses the calendar year method and an employee decides to use all twelve weeks of leave in the last three months of 2011 (the current twelve month period), followed by twelve weeks of leave in the first three months of 2012 (the next twelve month period), the employee will have six consecutive months of unpaid leave during which his or her job will be protected (assuming that she qualifies for both leaves). The same possibility exists under the fixed year method.

In New Jersey, employees can also utilize New Jersey's Family Leave Act ("NJFLA") which provides that an employee can receive a total of twelve weeks of unpaid leave during a 24 month period. Unlike FMLA leave, NJFLA cannot be used for an employee's own serious health condition. Where family medical leave is used for a family member's serious health condition or for the birth or adoption of a child, FMLA and NJFLA must be used concurrently. Thus, an employee using all twelve weeks to care for a family member with a serious medical condition would have no additional family medical leave time under both the FMLA and NJFLA. However, when the leave is used for an employee's own medical condition, NJFLA leave cannot be used and an employee has an additional twelve weeks of NJFLA leave to care for a family member with a serious health condition.

If you have not considered how to manage this issue in your policies, nine consecutive months of family leave is within the realm of possibility. Under the calendar year or fixed year method, after using six consecutive months of FMLA leave for an employee's own medical condition, the employee can take an additional 12 weeks of NJFLA leave to care for an immediate family member

with a serious health condition or for the birth or adoption of a child, totaling a combined nine months of consecutive protected leave. Remember that the FMLA and NJFLA have minimum requirements. If your company offers additional medical leave, the leave time of employees could exceed nine months under this scenario.

One might think that a perfect storm of an employee's own medical condition and an immediate family member's serious medical condition is required for an employee to receive all nine months of unpaid leave. But the truth is, without forethought and clear policies in place, you may unwittingly be allowing for that possibility. Most employers do not use the calendar year or fixed year methods for this very reason.

Another situation where employers may be caught off-guard regarding the amount of leave an employee is eligible to take in New Jersey is when an employee takes family medical leave due to pregnancy. Most pregnant employees will choose to utilize some FMLA time for their own serious health conditions immediately before and after birth, followed by NJFLA leave time after birth to bond with their child. Given the current state of temporary disability and family leave insurance benefits currently in New Jersey, most employees will seek to maximize the time where they receive temporary disability and family leave insurance benefits during unpaid family medical leave. Qualifying pregnant employees can receive, assuming a normal birth, 10 weeks of temporary disability benefits

(4 weeks prior to birth and 6 weeks after birth) and 6 weeks of family leave benefits to bond with their child. While the pregnant employee receives 16 weeks of benefits, her job will also be protected during this entire time by utilizing all of her FMLA time while retaining 6 weeks of her NJFLA leave time (the first ten weeks would be protected under FMLA leave only, the next 2 weeks would count as FMLA and NJFLA leave, and the final 4 weeks would be NJFLA time only, leaving 6 weeks of NJFLA time remaining). However, a qualifying employee could choose to take the 12 weeks under FMLA for disabilities related to the pregnancy and then another 12 weeks to bond with the child.

The simplest solution to avoid potential nine months of medical leave is to NOT USE either the calendar year or a fixed year methods. However, if you lack a written family medical leave policy, or your policy is unclear or vague, courts will apply the twelve month period that would allow the employee's leave to meet the requirements of the FMLA and NJFLA. For a small company, losing one or two employees for nine months while assuring that their positions are maintained could place your company in a difficult situation. For this reason, we recommend that you review your family medical leave policy to make sure that your twelve month period is clearly defined.



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