



IMPORTANT
LEGAL NOTICE

Your Medical Leave Rights & Retaliation Protection Toolkit

This comprehensive guide empowers New Jersey and Pennsylvania workers with essential information about their medical leave rights and protection against workplace retaliation. Created by Swartz Swidler LLC, this toolkit provides practical templates, checklists, and legal guidance to help you navigate medical leave while safeguarding your career and rights under federal and state employment laws.

Purpose of This Toolkit

Knowledge

Understand the various medical leave laws that protect you in New Jersey and Pennsylvania, including eligibility requirements and coverage details.

Documentation

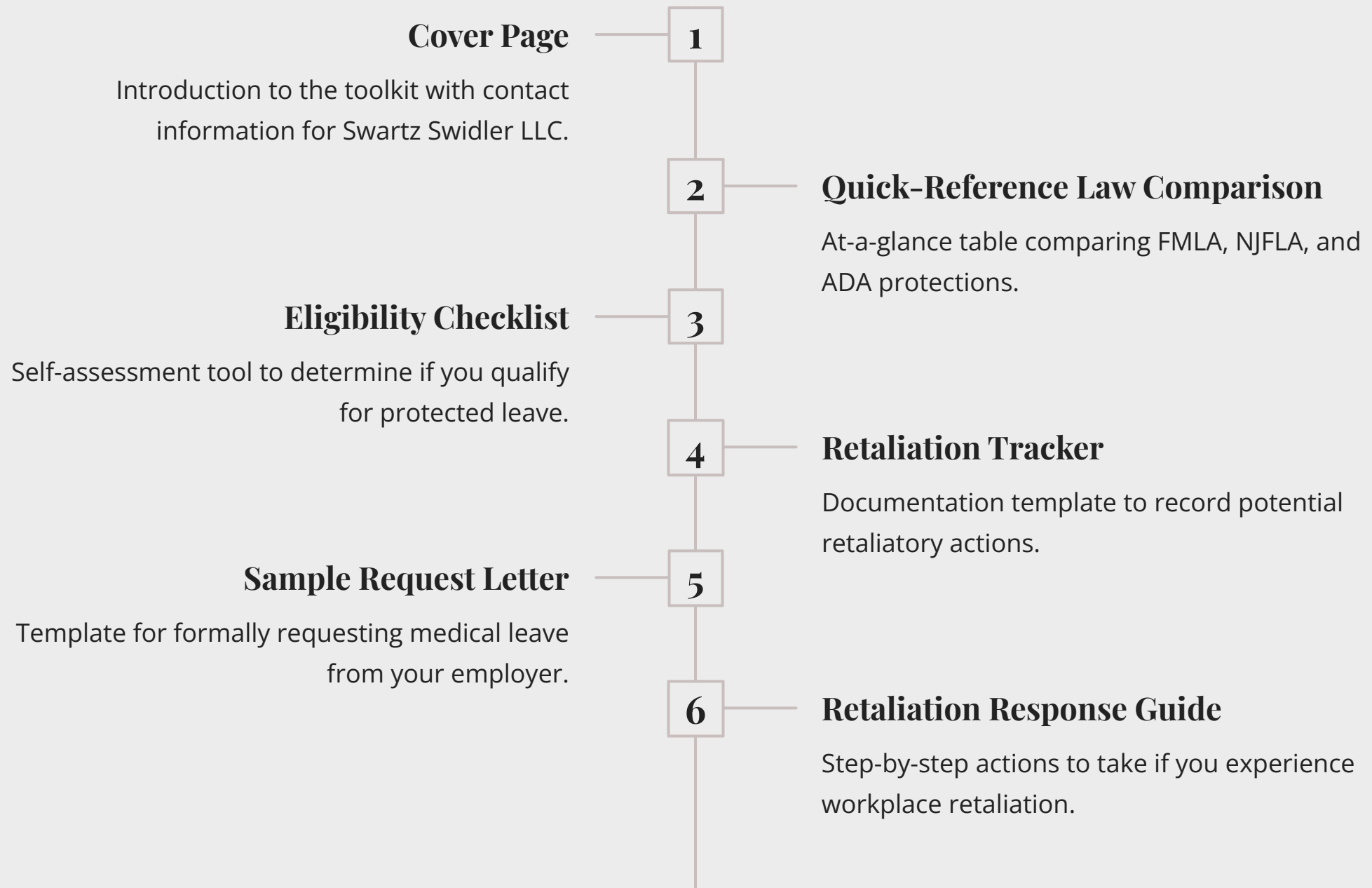
Access practical templates and tracking tools to properly document your leave requests and any potential retaliation you may experience.

Protection

Learn effective strategies to protect yourself from workplace retaliation when exercising your legal right to take medical leave for yourself or family members.

This toolkit is designed to empower you with practical resources when facing health challenges that require time away from work. By understanding your rights and following these guidelines, you can confidently manage your medical needs while protecting your employment status and taking appropriate action if you face unfair treatment.

Page-by-Page Toolkit Outline



Cover Page

Title and Subtitle

Your Medical Leave Rights & Retaliation Protection

Toolkit: Protecting your health *and* your career.

Subtitle: Free employee guide from Swartz Swidler LLC,
New Jersey & Pennsylvania employment law attorneys.

This cover page establishes the document's purpose and the law firm's authority in employment law matters, immediately signaling to employees that this is a trustworthy resource for navigating medical leave situations.



Visual Elements:

- Courthouse or justice scale background (soft, professional)
- Swartz Swidler logo prominently displayed
- Contact information for immediate assistance
- Call-to-action for free consultation

Quick-Reference Leave Law Comparison

Know Your Rights at a Glance

Law	Covers Own Health?	Covers Family?	Paid?	Job Protected?	Employer Size
FMLA	✓ Yes	✓ Yes	✗ No	✓ Yes	50+
NJFLA	✗ No	✓ Yes	✗ No	✓ Yes	30+
ADA	✓ Yes (Disability)	✗ No	✗ No	✓ Yes	15+

Eligibility Notes:

- FMLA requires 12 months of employment and 1,250 hours worked in the past 12 months
- NJFLA requires 12 months and 1,000 hours in the past 12 months for New Jersey employees
- ADA protections apply to qualified individuals with disabilities as defined by law
- Some local ordinances may provide additional protections

Understanding which laws apply to your situation is the first step in protecting your rights. Multiple laws may apply simultaneously, potentially extending your available leave time or expanding your protections.

Medical Leave Eligibility Checklist

Am I Eligible for Medical Leave?

1

Employment Duration

I have worked at my current company for at least 12 months (need not be consecutive)

2

Hours Worked

I have worked at least 1,250 hours in the past 12 months (approximately 24 hours per week)

3

Company Size

My employer has 50+ employees within 75 miles (for FMLA), 30+ employees (for NJFLA), or 15+ employees (for ADA)

4

Qualifying Reason

My situation qualifies (serious health condition, family caregiving responsibilities, or disability accommodation need)

5

Notice & Documentation

I can provide appropriate notice and medical documentation to support my leave request



Not sure if you qualify? Don't automatically assume you're ineligible. Consult with an employment attorney to understand all available options and protections in your specific situation.

Retaliation Tracker Template

Document Everything: Retaliation Log

Date	Action by Employer	Who Was Involved	What Was Said	Related Documents
MM/DD/YYYY Y	Example: Demotion, reduced hours, negative review	HR Manager, Supervisor name	"We need to move you to a different role while you're dealing with health issues."	Email dated MM/DD/YYYY, performance review

Be Thorough: Document all interactions, even ones that seem minor. Note patterns of behavior change after requesting/taking leave.

Keep Secure: Store this log privately, not on company devices or in company email. Consider a dedicated notebook or password-protected file.

Collect Evidence: Save all related emails, text messages, performance reviews, and written communications in a separate folder.

Sample Leave Request Letter

Request Leave the Right Way (Template)

Subject: Request for Protected Medical Leave (FMLA/NJFLA/ADA)

Dear [Supervisor or HR Contact],

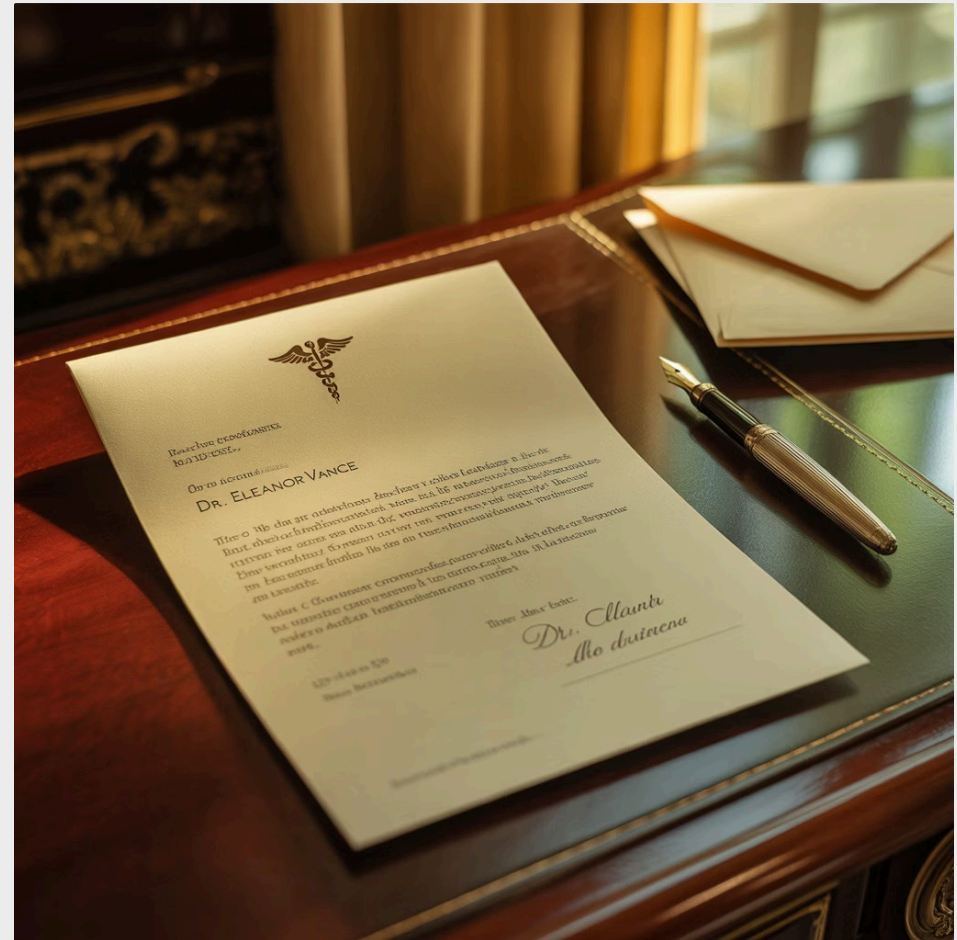
I am writing to formally request medical leave under [FMLA/NJFLA/ADA] beginning [start date] and ending approximately [end date].

This leave is needed due to [brief explanation – e.g., a serious health condition/family member's care].

Please let me know if you need medical certification or additional documentation. I will follow all required procedures.

Thank you for your understanding.

Sincerely,
[Your Full Name]
[Your Job Title]



Important Tips:

- Always submit leave requests in writing, even if you've discussed it verbally
- Keep a copy for your records (send via email or make a copy if submitting on paper)
- Be specific about which law(s) you're requesting leave under
- Don't overshare medical details - only provide what's necessary

What to Do If You're Retaliated Against

5 Immediate Steps If You're Punished for Taking Leave



Document Everything

Use the retaliation tracker to record all negative actions, comments, and changes to your work situation after requesting/taking leave.



Review Performance History

Gather past performance reviews and feedback to identify inconsistencies between pre-leave and post-leave treatment.



Don't Sign Without Review

Avoid signing severance agreements, warnings, or performance improvement plans without legal counsel.



Act Quickly

Time limitations apply to retaliation claims. Some deadlines are as short as 180 days from the retaliatory action.



Consult an Attorney

Speak with an employment lawyer who specializes in leave laws and workplace retaliation.



Get Help From Swartz Swidler LLC

Our experienced employment attorneys offer confidential case reviews for workers facing leave-related retaliation.

Visit [swartz-legal.com](https://www.swartz-legal.com) or call (856) 685-7420 to protect your rights.