

Alaska Leave Laws

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 Alaska

Leave Quota

Vacation benefits are not mandatory.

Employers aren't required to provide employees vacation leave, either paid or unpaid. However, if an employer chooses to offer vacation leave to their employees, paid or unpaid, they must adhere to their established company policy or an employment contract. In addition, vacation benefits, both paid and unpaid, must comply with employment law and be specified in the collective bargaining agreements.

Accrual

Employers in Alaska are not obligated to pay out accruals.

No federal or state law in Alaska requires employers to pay out an employee's accrued vacation or other paid time off (PTO) at the termination of employment. An employer can also implement a policy (or include it in a contract) that caps the amount of vacation leave employees can accrue over time.

Roll Over

Use-It-or-Lose-It Policy is not prohibited.

It is not handled by state law. An employer can implement a "use-it-or-lose-it" policy demanding employees to use their leave by a set date or lose it.

Payout

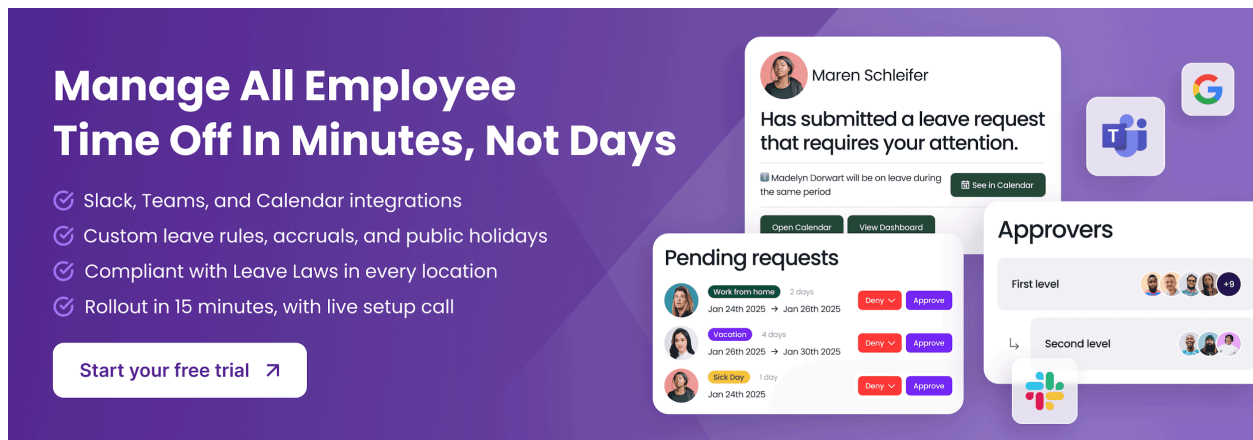
No laws related to vacation pay.

Alaska law doesn't explicitly address the treatment of accrued, unused vacation pay. Instead, the issue is a matter of agreement between the employer and employees.

Payment of accrued, unused vacation on termination

Payment is not specifically provided for by state law.

Employers are likely free to establish the vacation leave policy of their choosing, including policies providing for forfeiture of accrued leave upon separation from employment. If the policy or contract is silent on this matter, Alaska state law is silent on any employer's obligation to pay accrued vacation leave upon separation from employment. However, an employer must pay employees for any accrued and unused vacation days upon employment separation if their contract or policy provides such compensation.



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Notification: Maren Schleifer has submitted a leave request that requires your attention. Madelyn Darwart will be on leave during the same period. [Open Calendar](#) [View Dashboard](#)

Pending requests:

| Request Type | Duration | Period | Actions |
|----------------|----------|-------------------------------|--|
| Work from home | 2 days | Jan 24th 2025 → Jan 26th 2025 | Deny Approve |
| Vacation | 4 days | Jan 26th 2025 → Jan 30th 2025 | Deny Approve |
| Sick Day | 1 day | Jan 24th 2025 | Deny Approve |

Approvers:

- First level: [User 1] [User 2] [User 3] [+8]
- Second level: [User 4] [User 5]

Sick Leave in Alaska

No state law guarantees sick leave; federal law brings 12 weeks of unpaid sick leave.

Alaska State Laws – Leave Quota

Alaska does not have a state law that requires an employer to grant employees sick leave benefits, either paid or unpaid. But, in case an employer chooses to provide sick leave benefits, it must act under its established policy or employment contract.

For more information, please visit vacationtracker.io

Family and Medical Leave—Public Employers. Alaska has an FMLA law that applies to public employers (AK Stat. Sec. 39.20.500, et seq.).

The Alaska Family Leave Act (AFLA) requires covered public employers to provide eligible employees with up to 18 weeks of paid or unpaid job-protected leave in a 12 or 24-month period for qualifying family and medical reasons.

Federal Laws in Alaska – Leave Quota

Federal law may demand an employer in Alaska to provide an employee with 12 weeks of unpaid leave following the Family and Medical Leave Act.

Employees who qualify for FMLA benefits must:

- Have worked for their employer for at least 12 months (a minimum of 25 hours per week) or have worked at least 1,250 hours over the past 12 months
- Work at a location where the company employs at least 50 employees (within a 75-mile radius)

Payout

Sick leave is unpaid.

Maternity, Paternity, FMLA in Alaska

12 weeks of unpaid maternity/paternity leave provided by FMLA. 18 weeks for public employees provided by AFLA.

Private Sector Employees

New parents are entitled to leave under the federal Family and Medical Leave Act (FMLA).

FMLA requires employers to provide private or public sector employees with at least 12 weeks

of unpaid, job-protected leave time to look after a baby during the first year after birth or adoption. To take advantage of this act, employees must have worked for 12 months and have completed at least 1250 hours of work in the company. In addition, the company must have at least 50 employees (within a 75-mile radius). It is up to each employer to offer maternity leave benefits outside of the minimum federal requirements.

The Pregnancy Discrimination Act (PDA) is another federal law protecting new mothers. This law prohibits discrimination based on pregnancy in any aspect of employment, including firing, hiring, promotions, and fringe benefits. This applies to all companies that have 15 or more employees.

Additional State Laws

The Alaska Human Rights Law prohibits employment practices based on sex, including pregnancy, childbirth, related medical conditions, marital status, or parenthood (AK Stat. Sec. 18.80.010 et seq.). Employers are required to treat pregnancy-related conditions the same as they treat other types of temporary disabilities for all employment-related purposes, including leave and other benefits. The Act applies to all employers regardless of the number of employees, both private and public sector employers, as well as labor organizations and employment agencies.

State law forbids a municipality from enacting an ordinance that prohibits or restricts a woman from breastfeeding a child in a public or private location where the woman and child are otherwise authorized to be (AK Stat. Sec. 29.25.080).

Public Sector Employees

Alaska has additional laws regarding Maternity leave. Alaska Family Leave Act of 1992 (AFLA) provides female employees a job-protected absence for up to 18 weeks in one year period for eligible employees in case of pregnancy, childbirth, or adoption. AFLA applies only to public-sector employees (state employees) for employers with more than 25 employees.

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Employees are qualified if they have been employed by a covered employer for at least 35 hours a week for at least six successive months or at least 17.5 hours a week for at least 12 successive months preceding the leave, and if there have been at least 21 workers within 50 road miles during any period of 20 successive workweeks in the preceding two calendar years. Employers are also required to provide up to 4 months for employees with disabilities related to pregnancy.

The entitlements run concurrently when employees are eligible under both FMLA and AFLA.

Payout

Maternity and paternity leaves are unpaid in the private sector.

Bereavement Leave in Alaska

Employers aren't required to give bereavement leave.

No federal or state law requires an employer to provide the employee with paid or unpaid bereavement leave or time off to organize or attend a close family member's funeral. Employers may decide to provide bereavement leave and may be required to follow any bereavement policy or practice they have in place.

Jury Duty in Alaska

Employers have to provide employees unpaid leave to perform their jury duties.

Employers aren't required to pay employees for jury duty leave, but they may require an employee to show jury summons to be given the necessary leave. An employee has employment protection rights as a juror. An employer can't fire an employee for not being at work due to jury duty. An employer can't terminate, threaten, coerce, or penalize an employee for answering jury summons or serving on a jury. (Alaska.Stat.9.20.037)

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Court appearance. Employees who have been victims of a crime can't be disciplined by their employers for taking time off from work to testify in court. In addition, employers are not obligated to pay employees for their absences.

Public employers are required to grant paid leave to full-time employees called to jury service or summoned as a witness. Payment from the court for jury duty is deducted from the individual's pay (AK Stat. Sec. 39.20.270).

Payout

Court pay: Employees who serve as jurors in Alaska are paid \$25.00 – \$50.00 a day and a mileage reimbursement of 0.54 per mile.

Employer pay: Alaska law doesn't require private employers to pay employees for jury duty.

Best practices. An employer doesn't have to pay the regular wages if an employee is serving on a jury, but many choose to do so. Most employers have policies that specify whether they are willing or not to pay employees who are serving on jury duty. Although, an employer may require an employee to sign over their jury duty paycheck.

Military Leave in Alaska

Employees called to military service are entitled to unlimited unpaid leave.

Alaska Stat. § 26.05.075

The federal law Uniformed Services Employment and Reemployment Rights Act (USERRA) applies to all employers in the United States. USERRA protects Army and Air National Guard members who are called away from their civilian jobs for federal service.

In addition to USERRA, Alaska state law provides the following employment protection to a member of the organized state militia (which is the Alaska National Guard, Alaska Naval Militia, and Alaska State Defense Force):

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- Unlimited unpaid leave of absence when called to active state service
- Reinstatement to their previous position or similar position regarding pay, seniority, and benefit level upon the termination of active service.
- An employee who sustains disability due to active service and is no longer qualified for their previous position is entitled to a comparable position. However, the employee must request reemployment within 30 days of being released to full-time work by physicians (AK Stat. Sec. 26.05.075).
- Prohibits employers from discriminating against members of the state National Guard or naval militia (AK Stat. Sec. 26.05.340).

Public employees. If an employee is summoned to active duty by the governor, an employee is entitled to 5 days' leave without loss of pay, time, or efficiency rating. (Alaska Statutes, section 39.20.340.) The leave may not surpass 16 1/2 working days in 12 months.

Payout

Military leave is unpaid.

Voting Leave in Alaska

Employer must give paid time off for voting; it is not specified in statute for how many hours.

Employers must grant employees paid leave to vote in municipal, county, state, or federal primary or general elections. Employees who are entitled to vote and do not have enough time outside of working hours may take off as much time as will enable them to vote in an election. The statute doesn't specify how long a period of absence shall be.

The employer can define the hours during which the employee must take the leave. However, the employer does not have to provide the leave if an employee's work shift begins at least 2 hours after the polls open or ends at least 1 hour before the polls close.

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Employees do not have to provide advance notice to their employer. Proof of voting is also not required.

Payout

An employer must not deduct an employee's wages for voting time.