

Arkansas 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.

Arkansas Leave Laws	1
Paid Time Off (PTO) in Arkansas	2
Leave Quota	2
Accrual	2
Rollover	2
Payment of accrued, unused vacation on termination	3
Sick Leave in Arkansas	3
Arkansas Federal Laws – Sick Leave Quota	4
Arkansas State Laws – Leave Quota	4
Payout	5
Maternity, Paternity, FMLA in Arkansas	5
Federal Laws	5
Additional State Laws in Arkansas	6
Payout	7
Bereavement Leave in Arkansas	7
Jury Duty Leave in Arkansas	7
Payout of Jury Duty Leave	8
Military Leave in Arkansas	8
Payout	8
Voting Leave in Arkansas	9
Payout	9

Paid Time Off (PTO) in Arkansas

No state laws govern PTO, but it's important to adhere to established policy or employment contract.

Leave Quota

Arkansas has 0 vacation days. Vacation leave is not required by any state law.

No federal or Arkansas state law requires an employer to provide paid or unpaid vacation time for its employees. Despite this, if employers choose to offer vacation leave to their employees, paid or unpaid, it must comply with applicable state law, established policy, or employment contract.

Accrual

Accruals are not required in Arkansas but are widely used by companies.

The employer is allowed to cap the amount of vacation time an employee may accrue over time. No federal or state law in Arkansas requires employers to pay out an employee's accrued vacation, sick leave, or other paid time off (PTO) at the termination of employment.

Rollover

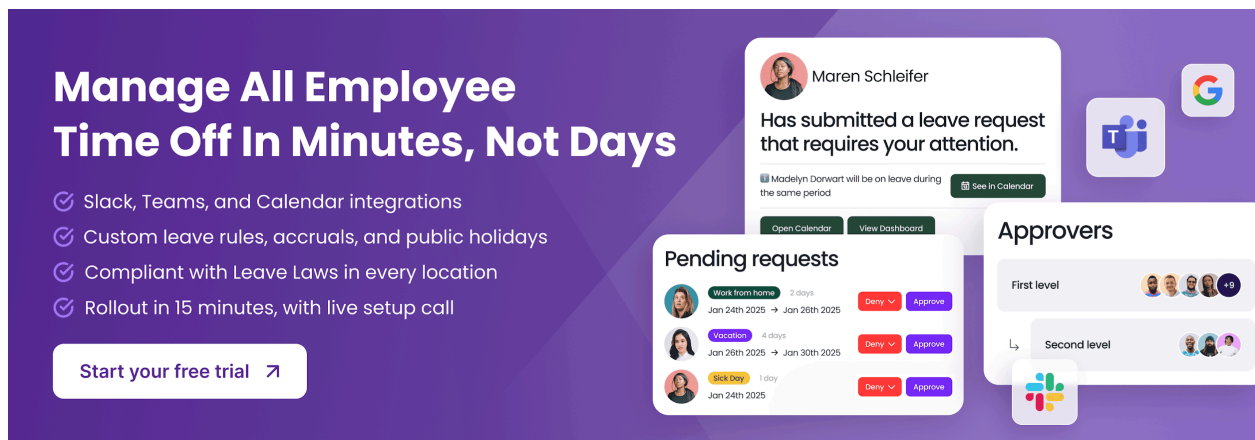
Employers are not obligated to let their employees carry over unused leave into the next year.

As this subject is not addressed by state law, Arkansas allows employers to implement a Use-It-or-Lose-It policy. This matter depends on the employer's contract and company policy. Therefore, employers can apply a "use-it-or-lose-it" policy so that employees' unused accrued PTO days will not be rolled over from one year to the next.

Payment of accrued, unused vacation on termination

Payment isn't guaranteed. It is not directly provided for by state law in Arkansas.

There is no state statute or court decision about an employer's ability to refuse the payment of accrued PTO on separation from employment. Hence, an employer's policy or employment contract handles whether earned, unused vacation is paid on separation. Earned, unused vacation time must be paid to exiting employees only if the employer provides paid vacation according to an accrual plan and vacation is earned according to that program (Oil Fields Corp. v. Hess, 186 Ark. 241 (1932), Waymack v. KCLA, 664 S.W.2d 509 (Ark. Ct. App. 1984)).



Manage All Employee Time Off In Minutes, Not Days

- ✓ Slack, Teams, and Calendar integrations
- ✓ Custom leave rules, accruals, and public holidays
- ✓ Compliant with Leave Laws in every location
- ✓ Rollout in 15 minutes, with live setup call

[Start your free trial ↗](#)

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

Pending requests

Request Type	Duration	Start Date	End Date	Action
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	Jan 24th 2025	Deny Approve

Approvers

First level: +9

Second level:

Sick Leave in Arkansas

Federal – 12 weeks of unpaid sick leave. No state law requires paid or unpaid sick leave.

For more information, please visit vacationtracker.io

Arkansas Federal Laws – Sick Leave Quota

Federal law in Arkansas offers up to 12 weeks of unpaid leave.

The federal law, the Family and Medical Leave Act (FMLA) provides eligible employees with 12 weeks of leave for needs related to their serious health conditions or to care for a close family member with serious health conditions.

Employees are eligible for FMLA benefits if they:

- 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)

It is up to each employer to offer sick leave benefits outside of the minimum federal requirements.

Arkansas State Laws – Leave Quota

No Arkansas state laws regarding sick leave.

No Arkansas law requires employers in the private sector to provide employees with sick leave, paid or unpaid, even though many employers do give it as a perk. Regardless, it is important to remember that if sick leave benefits are promised, an employer may have a legal obligation to give them; it must comply with the company policy or employment contract.

Arkansas does not have a state law that requires an employer to provide time off for medical and family reasons, so employees have only the rights guaranteed by the FMLA. Only public employees are covered with paid sick leave.

The Arkansas Uniform Attendance and Leave Policy Act equips public employees with paid sick leave for injury, sickness, medical treatment, or the death or serious illness of a close family

For more information, please visit vacationtracker.io

member. This Act covers all agencies, boards, departments, commissions, bureaus, councils, and state institutions of higher learning. Full-time state employees, temporary, probationary, and provisional state employees are qualified to take leave under the Act (AR Code Sec. 21-4-201 et seq.).

Payout

Sick leave is unpaid.

Maternity, Paternity, FMLA in Arkansas

FMLA provides 12 weeks of unpaid sick leave. No state laws cover paid or unpaid maternity/paternity leave.

Federal Laws

12 weeks of unpaid sick leave.

The Family and Medical Leave Act (FMLA) is a federal law that requires employers to provide at least 12 workweeks of unpaid family leave time after the birth of a child or after the adoption of a child. This leave must be adjacent unless otherwise granted by an employer. The employer is free to offer parental benefits above and beyond the basic minimum.

An employee is qualified for this leave if:

- The employee has worked for their employer for at least 12 months.
- The employee has worked at least 1,250 hours over the past 12 months.
- The employee works at a location where the company hires 50 or more employees within 75 miles.

For more information, please visit vacationtracker.io

The Pregnancy Discrimination Act (PDA) is another federal law that protects new mothers. This law prohibits discrimination in any aspect of employment (hiring, firing, etc.) and protects pregnant women from discriminatory actions based on pregnancy, childbirth, or other medical conditions. The PDA covers employers with 15 or more employees.

Some pregnant employees may be eligible for additional protection under the Americans with Disabilities Act (ADA) due to conditions related to pregnancy and childbirth. This act is applied to employers with fifteen or more workers.

Additional State Laws in Arkansas

No paid or unpaid maternity/paternity leave. Additional laws: The Arkansas Civil Rights Act and Adoptive Parent Leave.

Arkansas doesn't have a family leave law that requires private employers to provide maternity/paternity leave, job protection, or any benefits for new parents.

In addition to FMLA, Arkansas has the following laws:

The Arkansas Civil Rights Act prohibits employers from discriminating based on gender, including during pregnancy, childbirth, and related medical conditions. Under this Act, employers must assure that their policies don't negatively affect one sex more than another. An employee who is affected by pregnancy must be treated the same as an employee with a disability. The Act covers employers with nine or more employees. (AR Code Sec. 16-123-101 et seq.).

The Adoptive Parent Leave states that an employer that permits maternity leave or paternity leave for a biological parent after the birth of a child must also permit maternity/paternity leave for an adoptive parent upon placement of an adoptive child in the adoptive parent's home if requested by the adoptive parent. The employee may also be allowed other benefits provided by an employer, such as job protection or a payment guarantee. The law only involves the adoption of a person up to 18 years of age.

If a public employee specifically requests it, they may use accrued sick leave and annual leave for maternity leave. (AR Code Sec. 21-4-209).

For more information, please visit vacationtracker.io

Payout

Maternity and paternity leaves are unpaid in the private sector.

Bereavement Leave in Arkansas

Employers aren't required to provide paid or unpaid bereavement leave.

There are no federal or state laws that require an employer to provide employees with paid or unpaid bereavement leave or time off to attend a close family member's funeral. The employer may select to provide bereavement leave for employees, and in that case, they may be required to follow any bereavement policy or practice they have in place.

Jury Duty Leave in Arkansas

Employers are required to provide unpaid time off for jury duty.

In Arkansas, an employer must excuse employees from work to respond to a jury duty summons, but the employer doesn't have to compensate employees for this time. Some employers may continue the employee's salary during jury service, but neither federal nor state law requires an employer to do so.

Arkansas law protects an employee's job when they serve on a jury. Therefore, an employer can't terminate or penalize an employee for complying with a jury summons or serving on a jury. Also, the employer isn't allowed to require an employee to use vacation or sick leave to perform their jury duties. (AR Statute 16-31-106)

Employees must show the employer their jury duty summons letter when they receive it as evidence of the requirement.

State employers are required to provide paid leave for jurors attending state or federal court.

For more information, please visit vacationtracker.io

Payout of Jury Duty Leave

Court pay:

Employees who serve as jurors in Arkansas are paid \$50.00 a with no mileage reimbursement for travel.

Employer pay:

Jury duty is unpaid in Arkansas, as far as employers concerned.

Military Leave in Arkansas

An employer must provide unpaid leave to all military members.

The Uniformed Services Employment and Reemployment Rights Act (USERRA) applies to all employers in the U.S.A. Employers must provide unpaid leave to state military members who are called to active duty. They are entitled to all of the privileges and benefits of their employment following their service, including the opportunity to return to their previous position. In addition to the USERRA, Arkansas state law provides similar job protection to members of the National Guard, U.S. armed forces, reserves, and designated corps of the public health service. Thus, an employer may not discharge, refuse to hire, or otherwise discriminate against an individual because they serve as a member of the armed forces.

Public employees are given paid military leave with special rights, insurance retention, and retirement benefits.

Payout

Military leave is unpaid.

Voting Leave in Arkansas

Employer must provide enough time for unpaid voting leave.

Arkansas law doesn't specify how long a period of absence shall be, but an employer must schedule work hours in a way that will allow each employee the opportunity to vote. This voting time is unpaid.

Advance notice is not required.

The fine for not complying with this law is between \$25 and \$250.

Payout

Voting leave is unpaid