

Kentucky 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 Kentucky

Vacation Leave Quota

Kentucky has zero vacation days. There is no requirement for vacation time and payment in any state law.

Kentucky doesn't have a statute for vacation time, so private-sector employers are not required to provide paid or unpaid vacation. Each company can decide its vacation policies. However, if an employer chooses to offer vacation leave to its employees, paid or unpaid, it must comply with appropriate state law, established company policy, and employment contract.

Accrual

Accruals are not mandatory in Kentucky but are widely used by companies.

Employers are generally free to design their own vacation accrual system, such as weekly, semi-monthly, or monthly increments. It is usually based on the pay period.

An employer may cap the amount of leave (set the limit) an employee may accrue to prevent an employee from accruing vacation over a certain number of hours.

No federal or Kentucky state law requires employers to pay out an employee's accrued vacation or other paid time off (PTO) at the termination of employment.

Roll Over

A Use-It-or-Lose-It policy is not prohibited. Therefore, an employer is not obligated to let employees roll over unused leave into the following year.

Kentucky has no statute governing this policy.

A Use-It-or-Lose-It vacation policy implies that an employer doesn't have to pay employees for unused vacation leave at the end of the year. That way, an employee loses the remaining vacation days, unpaid. Regardless, employees must be allowed to take a vacation and be aware of this policy.

Statutory Provisions Addressing Vacation Pay

A contract between the employer and employee governs vacation benefits. If an employer offers "vested vacation pay", it is treated as regular wages.

Payment of Accrued, Unused Vacation on Termination

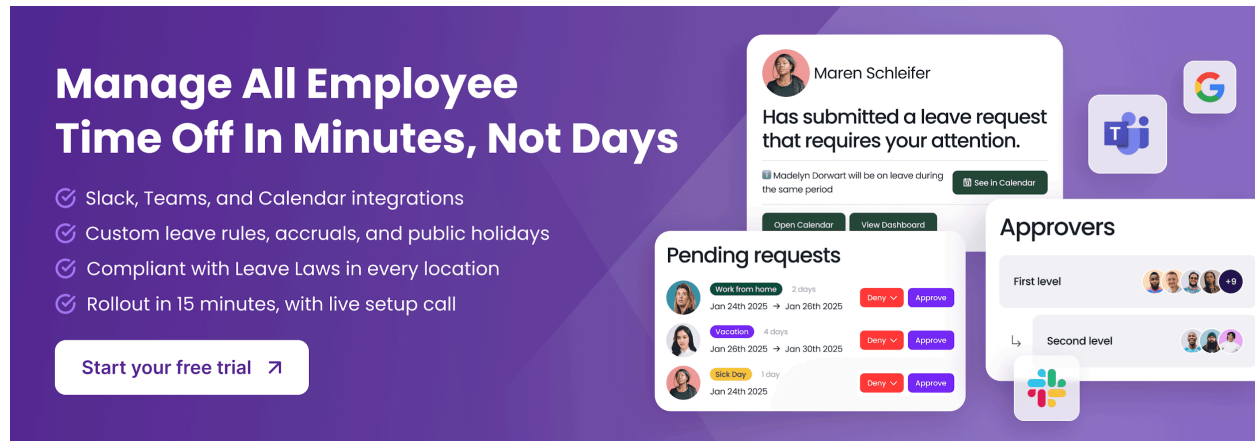
Vacation payout upon termination is not required. Employers must follow their policy.

Employers must pay departing employees the unused vacation if they offer "vested vacation pay", whether the employee is terminated or leaves voluntarily. "Vested vacation pay" is considered wages.

However, whether and when vacation time vests depends on company policy or a written agreement between the employer and employee. Employers are not required to pay for vacation time that has not yet been vested as per a policy or agreement (or possibly an established practice).

Payout

An employer pays for accrued, unused vacation on termination if company policy promises it.



The image shows a mockup of the Vacation Tracker application interface. On the left, a purple banner contains the title "Manage All Employee Time Off In Minutes, Not Days" and a list of features: "Slack, Teams, and Calendar integrations", "Custom leave rules, accruals, and public holidays", "Compliant with Leave Laws in every location", and "Rollout in 15 minutes, with live setup call". Below the list is a "Start your free trial" button. On the right, a notification card for Maren Schleifer states "Has submitted a leave request that requires your attention." and shows a calendar snippet for Madelyn Dorwart. Below the notification is a "Pending requests" table with three rows: "Work from home" (2 days, Jan 24th to Jan 26th), "Vacation" (4 days, Jan 26th to Jan 30th), and "Sick Day" (1 day, Jan 24th). Each row has "Deny" and "Approve" buttons. To the right of the table is an "Approvers" section with "First level" and "Second level" approvers, each with a list of user avatars and a "+9" indicator. The interface also includes icons for Slack, Teams, and Google Calendar.

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](#)

Notification: Maren Schleifer has submitted a leave request that requires your attention. Madelyn Dorwart will be on leave during the same period.

Pending requests

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

Approvers

First level: [User Avatars] +9

Second level: [User Avatars]

Sick Leave in Kentucky

Federal law requires 12 weeks of unpaid, job-protected sick leave. There are no additional state sick leave laws.

Federal Laws – Leave Quota

The federal Family and Medical Leave Act (FMLA) entitles qualified employees to take up to 12 weeks off for personal medical reasons, to care for a close family member suffering from a severe illness, or for maternity or paternity leave. The leave is job-protected.

Employees qualify for FMLA benefits if they:

- have been working for their employer for at least 12 months (at least 25 hours per week) or 1,250 hours in the previous year
- work in a location where at least 50 people are employed by the company (in a 75-mile radius)

Check out [our article on FMLA](#) to learn more.

For more information, please visit vacationtracker.io

Employers are free to propose additional sick leave benefits that are better than the minimum federal requirement.

Kentucky State Laws

Kentucky doesn't require private employers to provide employees with paid or unpaid sick leave, although many employers, especially big companies, do grant it as an important employee benefit. Eligible employers in Kentucky must comply with FMLA, but there are no additional state sick leave laws.

However, it is necessary to remember that if an employer chooses to provide sick leave benefits, it must comply with the employment contract or employee handbook. This way, an employer may create a legal obligation to grant it.

Maternity, Paternity, FMLA in Kentucky

Federal law

12 weeks of unpaid maternity/paternity leave is provided by FMLA.

The Family and Medical Leave Act (FMLA) is a federal law that mandates employers to provide at least 12 weeks of unpaid family leave following the birth or adoption of a child. Unless otherwise specified by an employer, the leave must be contiguous.

In general, employees are qualified to take FMLA leave if they have worked for their employer for at least 12 months and at a location where they employ at least 50 employees within 75 miles. For more information about eligibility for FMLA benefits, look above under the section [Sick Leave in Kentucky: Federal Laws – Leave Quota](#).

The Pregnancy Discrimination Act (PDA) is yet another federal law that protects pregnant women. According to the PDA, discrimination against pregnant people is

prohibited in all areas of employment: hiring, firing, pay, job assignments, promotions, fringe benefits, training, leave, and health insurance.

Additional State Laws in Kentucky

6 weeks of leave is available to employees who adopt a child.

Kentucky's Adoption Leave Law

This law applies to all employers in Kentucky, regardless of their size. Employers are required to provide an employee with 6 weeks of personal leave due to the adoption of a child under 10 years of age. However, if an employer gives employees more than 6 weeks of leave after the birth of their biological child, that same amount of leave must be given to qualifying adoptive parents as well. Additionally, workers who qualify for adoption leave must be given the same kind, quantity, and length of paid leave as well as other benefits that are given to workers after the birth of their biological child.

Employees are required to make a written request to their employer before being given adoption leave.

The Kentucky Civil Rights Act (KCRA)

This act requires employers with at least 15 workers to make reasonable accommodations for a worker's limitations brought on by conditions related to pregnancy or childbirth. The statute defines reasonable accommodations as more frequent or longer breaks, time off to recover from childbirth, acquisition or modification of equipment, appropriate seating, temporary transfer to a less strenuous or less hazardous position, job restructuring, light-duty, modified work schedule, and private space that is not a bathroom for expressing breast milk.

For more information, please visit vacationtracker.io

Payout

Maternity leave in Kentucky is unpaid.

Bereavement Leave in Kentucky (Funeral Leave)

Employers in Kentucky aren't required to give bereavement leave.

Bereavement leave is taken by an employee in the event of the death of a close relative.

No federal or Kentucky law requires an employer to provide employees with paid or unpaid bereavement leave or any time off to attend an immediate family member's funeral. If an employer decides to provide bereavement leave for employees, they may be required to follow a bereavement policy they have in place.

Payout

Bereavement leave in Kentucky is unpaid.

Jury Duty Leave in Kentucky

Employees must be excused from work to serve on a jury. Leave is unpaid.

Employees are entitled to job-protected, unpaid time off for jury duty, serving as a witness in court, responding to a subpoena, or representing themselves as a party in a legal proceeding. Notice requirements apply; employees may have to show their employer their jury summons to be given the necessary leave.

An employer can never penalize an employee for missing work to attend jury duty.

For more information, please visit vacationtracker.io

Payout

The court pays:

Employees who serve as jurors in Kentucky are paid \$12.5 a day (juror pay is a token amount).

The employer pays:

Employers in Kentucky are not required to pay employees for jury duty leave. However, many firms pay their staff due to the significance of jury duty.

Military Leave in Kentucky

Federal Law

The Uniformed Services Employment and Reemployment Rights Act (USERRA) is a federal law that grants leave rights to public and private employees who have military obligations. It applies to all employers in the U.S. USERRA protects Army and Air National Guard members, provides reinstatement rights, protection from discrimination, and unlimited leave for active duty. Employees are entitled to continue receiving group health insurance for 24 months after taking a leave. When employees return from military leave, they must be assigned to their previous (or equivalent) position.

Employees must be granted up to 5 years of unpaid military leave (with exceptions).

Kentucky State Law

In cases where Kentucky law provides greater protections, benefits, and rights than USERRA, Kentucky law will apply.

Kentucky National Guard members are entitled to additional benefits outside the current USERRA guidelines. Employees who are members of the National Guard of Kentucky

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or any other state receive unlimited leave for training or active duty. The leave may be unpaid. Employers must provide employees with their previous position (with seniority, status, pay, and other rights employees would have had) once their leave is complete. An employer may not in any way discriminate against an employee or threaten to prevent an employee from enlisting in the National Guard (of Kentucky or any other state) or active militia.

Payout

Military leave is unpaid.

Voting Leave in Kentucky

Employers are required to provide at least 4 hours of unpaid leave.

Any employee with the right to vote in any election must be allowed to take off work for a reasonable amount of time, but at least 4 hours between the opening and closing of the polls. An employer may define the hours during which an employee may be absent. The absence is unpaid.

An employer may not penalize an employee for being absent during voting time. An employer may penalize an employee for failing to vote if the employee's circumstances did not prevent him or her from voting. This means that an employee who takes time off and doesn't vote may face disciplinary action.

The employee must apply for leave 1 day before the election.

Payout

Voting leave is unpaid.

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