

Louisiana 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 Louisiana

Vacation Leave Quota

Louisiana has zero vacation days.

Louisiana 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

Accrual is not compulsory in Louisiana, but it is widely used by companies.

Employers are generally free to design their 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. For new employees, the employer may set a reasonable period during which no vacation is accrued.

U.S. federal or state law doesn't require employers to provide accrued time off.

Roll Over (Carry Over, Brought Forward)

A Use-It-or-Lose-It policy is permitted by state law. Therefore, an employer is not obligated to let employees carry over unused leave into the following year.

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

According to the employer's stated vacation policy, an employee must fulfill both of the following requirements in order to receive payment for any unused vacation time:

- Have accrued vacation time.
- Be eligible for a vacation upon discharge or resignation.

Payment of Accrued, Unused Vacation on Termination

Yes, employers must pay for this accrued vacation time.

No matter the reason for an employee's termination, the law states that they must be paid for all accrued but untaken vacation time.

However, one Louisiana Court of Appeals court determined that an employee's claim for unused vacation pay may be rejected if they were fired for good reason. Louisiana's courts are divided on whether an employer can refuse to pay an employee's accrued or earned vacation when the employee leaves the company if the employee doesn't follow certain requirements, like giving two weeks' notice.

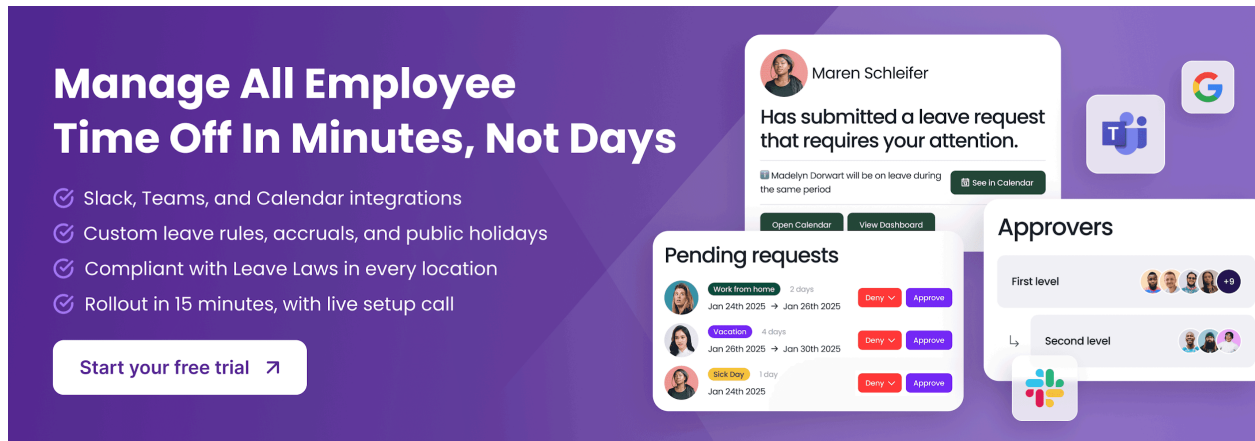
Employers can't force employees to sign a contract or policy that requires them to forfeit any accrued wages (including vacation pay) upon termination.

Employers must pay terminated employees before the next payday or within fifteen days (whichever comes first), or they will be liable for 90 days' wages at the employee's regular rate.

Payout

An employer pays for accrued, unused vacation on termination.

For more information, please visit vacationtracker.io



The image shows a mockup of the Vacation Tracker application interface. On the left, a purple banner contains the text "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 this 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. Below the notification is a "Pending requests" table with three rows: "Work from home" (2 days, Jan 24th 2025 - Jan 26th 2025), "Vacation" (4 days, Jan 26th 2025 - Jan 30th 2025), and "Sick Day" (1 day, Jan 24th 2025). 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 Louisiana

Federal law requires up to 12 weeks of unpaid, job-protected sick leave. No additional state sick leave laws.

Federal Laws – Leave Quota

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

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

Louisiana State Laws

Louisiana doesn't require private employers to provide employees with paid or unpaid sick leave. Eligible employers in Louisiana must comply with FMLA, but there are no additional state sick leave laws.

Nonetheless, 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 Louisiana

Federal law

12 weeks of unpaid maternity or 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 authorized by the employer, an employee must take this leave continuously.

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 Louisiana: 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 Louisiana

In addition to the Family and Medical Leave Act (FMLA) and the Pregnancy Discrimination Act, Louisiana has the following laws regarding Maternity and Paternity Leave:

Louisiana Pregnancy Disability Leave

Employers with more than 25 employees are required to provide maternity leave for up to 6 weeks for employees who do not have pregnancy-related complications or disabilities (“normal” pregnancies) and up to 4 months for employees with disabilities related to pregnancy, childbirth, or other related conditions (“seriously disabling” pregnancies).

Payout

Maternity leave in Louisiana is unpaid.

Bereavement Leave in Louisiana (Funeral Leave)

Employers in Louisiana 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 Louisiana 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 Louisiana is unpaid.

Jury Duty Leave in Louisiana

For more information, please visit vacationtracker.io

All employers must provide their employees with job-protected, paid leave for their jury duties.

When employees are called to serve on a state petit or grand jury, the employer is required to pay up to 1 day's wages. After that, the court pays the employee \$25 a day. Furthermore, the employee can't be required to use any available vacation, sick leave, or other accrued personal leave while responding to the call or subpoena.

Employees have to provide reasonable notice as evidence of requirements regarding their jury service.

An employer may not fire, threaten, or otherwise coerce employees because they receive or respond to a summons, serve as jurors, or attend court for prospective juror service.

Payout

An employer pays

The first day of the trial (normal wages).

The court pays

Starting on the 2nd day of service, \$25 a day (juror pay is a token amount).

Military Leave in Louisiana

An employer must allow employees to take unpaid military leave.

Federal Law

All employers in the United States are governed by the federal Uniformed Services Employment and Reemployment Rights Act (USERRA). USERRA protects members of the Army and Air

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National Guard who are called away from civilian jobs for federal service. Employers are prohibited from discriminating against employees who serve in the military. An employer may fire an employee only for a good reason for up to one year after returning from service.

Louisiana State Law

Any employee who is called to active duty in the Louisiana National Guard, the state militia, or another branch of the state military forces is entitled to reinstatement to the same or a comparable position with the same seniority, status, benefits, and pay after completing service. If an employee no longer meets the qualifications for a former position due to a disability acquired while serving in the military but meets the requirements for another position, the employee must be given a comparable position.

Employees must report to their employer within 72 hours of being released from treatment for service-related injuries. Unless they do so, they risk losing their job.

Payout

Military leave is unpaid.

Voting Leave in Louisiana

Employers aren't required to provide voting leave.

Most states in the U.S. provide time off for voting. Louisiana is not one of them. The state of Louisiana has no voting leave statute.

No federal or state law in Louisiana requires employers to provide employees with either paid or unpaid time off to vote.

Payout

Voting leave is unpaid.

For more information, please visit vacationtracker.io