

Mississippi 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 Mississippi

Vacation Leave Quota

Mississippi law requires no vacation days.

No federal or state law requires employers in Mississippi to provide paid or unpaid vacation time for their employees. The absence of any vacation leave-related laws in Mississippi suggests that companies are free to implement whichever vacation leave policy they see fit.

However, employers often choose to provide vacation benefits as it is one of the most desired perks for employees. So, if an employer chooses to offer vacation leave to their employees, paid or unpaid, it must comply with applicable state law, established policy, or employment contract.

Accrual

Accrual system is not mandatory in Mississippi, but it is widely used by companies.

The accrual system is usually based on the pay period. The most common pay period in Mississippi is semi-monthly.

Roll Over (Carry Over, Brought Forward)

A Use-It-or-Lose-It policy is allowed.

A “use-it-or-lose-it” employee vacation policy requires an employee to lose any unused vacation time after a specific date, such as the end of the year. This policy is not addressed by state statute, which means that employers may implement it.

Statutory Provisions Addressing Vacation Pay

Not defined.

The state of Mississippi has no statute governing the policy.

Payment of Accrued, Unused Vacation on Termination

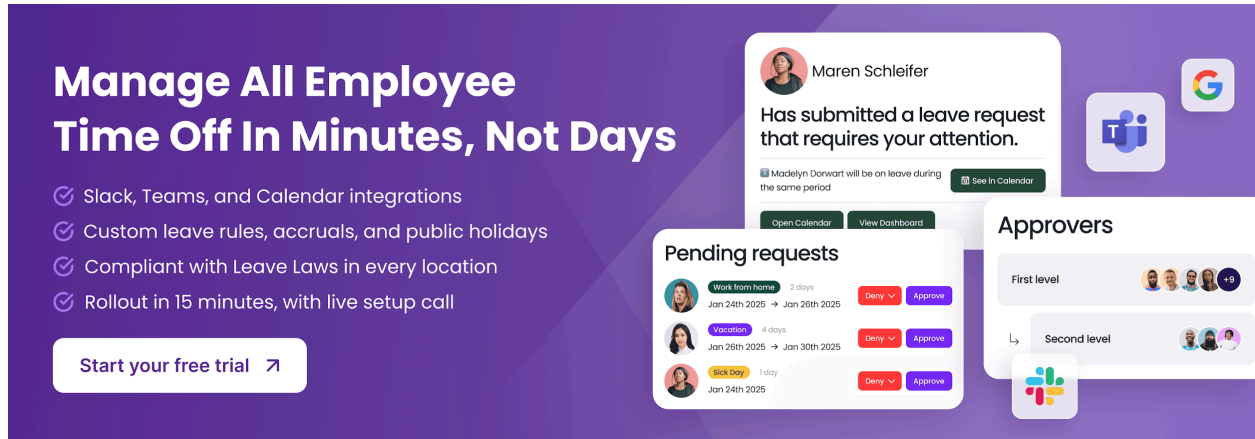
A company policy or employment contract determines vacation pay upon termination.

The state of Mississippi doesn’t require employers to provide PTO payout at termination. Mississippi’s laws are silent regarding any obligation an employer may have regarding whether earned, unused vacation is paid upon separation from employment. So, it is up to each employer to decide on its policy on this matter.

if a policy or contract stipulates it, an employer must reimburse an employee for accrued vacation time upon separation from employment. For instance, an employee who is contractually entitled to vacation pay at the time of his involuntary dismissal has a legitimate claim for the value of his accrued vacation time.

Payout

An employer pays for accrued, unused vacation on termination if its policy says so.



The image shows a mockup of the Vacation Tracker application interface. It features a purple header with the title "Manage All Employee Time Off In Minutes, Not Days". Below the title are four bullet points: "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". A "Start your free trial" button is located at the bottom left. On the right side, there are three overlapping panels. The top panel shows a notification for "Maren Schleifer" who has submitted a leave request, with a "See in Calendar" button. The middle panel shows a "Pending requests" list with three items: "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 item has "Deny" and "Approve" buttons. The bottom panel shows an "Approvers" section with "First level" and "Second level" approvers, each with a "+9" indicator.

Manage All Employee Time Off In Minutes, Not Days

- ✓ Slack, Teams, and Calendar integrations
- ✓ Custom leave rules, accruals, and public holidays
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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: +9

Second level: +9

Sick Leave in Mississippi

Federal Laws – Leave Quota

Federal law requires 12 weeks of unpaid sick leave.

The federal Family and Medical Leave Act (FMLA) applies to all the states in the U.S.A. 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/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)

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

For more information, please visit vacationtracker.io

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

Mississippi State Laws

No additional state sick leave laws.

Unlike other states, Mississippi does not currently provide additional sick leave for employees. State law doesn't require private employers to provide employees with paid or unpaid sick leave. Still, eligible employers in Mississippi must comply with FMLA.

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 Mississippi

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 (maternity or paternity leave). Unless otherwise authorized by the employer, an employee must take this leave continuously. For more information about FMLA benefits, look above under the section Sick Leave in Mississippi: 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

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

Additional State Laws in Mississippi

No additional state maternity/paternity leave laws.

Mississippi has no additional laws regarding Maternity and Paternity leave. Expecting and new parents are entitled to leave under the federal Family and Medical Leave Act (FMLA) and the Pregnancy Disability Act.

Payout

Maternity leave in Mississippi is unpaid.

Bereavement Leave in Mississippi

An employer in Mississippi is not required to give bereavement leave.

An employer is not legally required to provide any paid or unpaid bereavement leave, or any time off to attend an immediate family member's funeral. However, most employers do provide at least 2 days, so employers who decide to provide bereavement leave must follow the bereavement policy or practice they have in place.

Payout

Bereavement leave in Mississippi is unpaid.

Jury Duty Leave in Mississippi

For more information, please visit vacationtracker.io

An employer is required to provide employees with unpaid time off to perform their jury duties.

Employers are required to provide employees with unpaid, job-protected leave to perform their jury duty. Notice requirements apply; employees may have to show their employer their jury summons (within a reasonable period of time after receiving it) to be given the necessary leave.

An employer is not permitted to demand that an employee use annual, vacation, or sick leave for any time spent in connection with the jury service.

An employer may not fire, threaten to fire, penalize, or punish the employee in any way due to their jury service.

Payout

The court pays:

Employees who serve as jurors in Mississippi are paid \$5.00 a day and receive mileage reimbursement for travel (juror pay is a token amount).

The employer pays:

Employers in Mississippi are not required to pay employees for jury duty leave. (Leave may be paid or unpaid, at the employer's discretion.)

Military Leave in Mississippi

All employers in the U.S. must comply with USERRA.

For more information, please visit vacationtracker.io

Federal Regulations

The Uniformed Services Employment and Reemployment Rights Act (USERRA) is a federal law that applies to all employers in the U.S. USERRA protects Army and Air National Guard members, provides reinstatement rights, protection from discrimination, and unlimited unpaid leave for active duty.

Mississippi State Law

In addition to USERRA, Mississippi also provides reemployment privileges; upon return, military members must be reinstated to the exact (or equivalent) previously held position.

In Mississippi, members of the United States Armed Forces, veterans, or people on active state duty can take unpaid time off for military duties or training.

Employers may not discriminate against employees for their military status, or threaten employees to discourage them from enlisting.

Payout

Military leave is unpaid.

Voting Leave in Mississippi

An employer is not required to provide voting leave.

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

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No federal or state laws in Mississippi require an employer to provide employees with either paid or unpaid time off to cast a ballot.

Payout

Voting leave is unpaid.