

Nevada 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 Nevada

Employers with 50+ employees must provide employees with at least 0.01923 hours of paid leave for each hour of work performed. Nevada became the second state (after Maine) to mandate that large employers provide 'any reason' paid leave.

The Basics

Nevada and Maine are the first two states (since 2024, Illinois became the third) in the nation to require employers to make paid leave available to employees for any reason, including non-medical personal reasons. The law (Senate Bill (SB) No. 312) was enacted in 2019, and was effective from January 1, 2020.

Employers with 50 or more employees in Nevada must provide paid leave to their employees in proportion to the number of hours worked.

Eligible and Exempted Employers

Employers with 50 or more employees must provide paid leave to all employees except temporary, seasonal, and on-call workers.

The law also applies to part-time employees.

However, new employers are excused for the first 2 years of business, and so are employers that provide at least 40 hours of paid time off annually under the same conditions as required by the paid leave law. Unfortunately, it's not entirely clear what this final exemption means (the law doesn't apply to an employer who "pursuant to a contract, policy, collective bargaining agreement, or other agreement, provides employees with a policy for paid leave or a policy for paid time off to all scheduled employees at a rate of at least 0.01923 hours of paid leave per hour of work performed."). Employers who are considering utilizing this exemption should speak with legal counsel.

For more information, please visit vacationtracker.io

Accrual Rate and Cap

Private employers must provide employees with at least 0.01923 hours of paid leave for each hour of work performed during a “benefit year,” which the law defines as any “365-day period used by an employer when calculating the accrual of paid leave.” According to this formula, an employee who works 40 hours per week for the entire year will accrue approximately 40 hours of leave each year. Employees who work fewer or more hours are entitled to the same amount of leave.

Employers have the option of granting entitlements in one of two ways. Leave may be granted in a lump sum at the start of the benefit year (the frontloading method), or on an accrual basis throughout the year.

The law doesn’t expressly allow employers to cap the amount of paid leave an employee may accrue, but it allows them to cap an employee’s use of paid leave at 40 hours in a benefit year.

An employer can require that employees use paid leave in a minimum time increment, not to exceed four hours.

The law doesn’t prevent employers from having paid leave policies that are more generous than the statutory requirements.

Waiting Period

New employees begin to accrue leave at the start of employment, but employers may apply for a 90-day waiting period before employees can use their leave.

Roll Over

Employers who choose an accrual system may limit the amount of accrued leave that can be rolled over from year to year to a maximum of 40 hours per benefit year.

For more information, please visit vacationtracker.io

Employers that frontload leave on the first day of the benefit year are permitted to have a “use or it lose it” policy, as the law makes no mention of year-to-year rollover under such a system.

Payment of Accrued, Unused Vacation on Termination

Employers may, but are not required to, pay out any unused available paid leave upon termination of employment.

However, if an employee is rehired within 90 days after separation, any previously unused paid leave must be reinstated, provided that the employee didn’t voluntarily leave their employment.

Notice Requirements, Reporting, Posting, and Recordkeeping

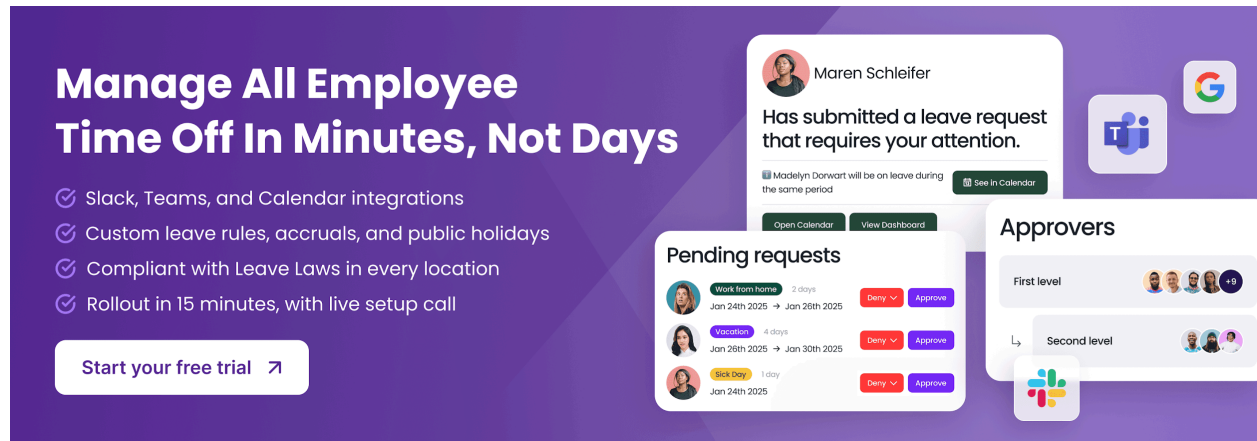
Employees who use their leave are not required to provide a reason for their absence. On the other hand, employees must provide notice of the need to use paid leave as soon as possible.

Employers must “maintain a record of the receipt or accrual and use of paid leave” for a period of at least one year, and provide an accounting to each employee of the paid leave available to that employee. Employers also must prepare and display the bulletin (informing employees of their rights and obligations under this law) in a conspicuous place in the workplace.

Retaliation against an employee for using accrued paid leave is illegal.

Payout

Employers are required by law to compensate employees for used paid leave at the same rate and on the same day as the hours would have been paid if the employee had worked them.



Empl. with Less Than 50 Employees

Employers with fewer than 50 employees are not required to provide paid leave for any reason.

Vacation Leave Quota

There is no federal or state law that requires employers with fewer than 50 employees in Nevada to provide paid or unpaid vacation time for their employees. Paid leave, such as paid time off (PTO), vacation time, sick days, or paid holidays, is at the discretion of the employer.

However, most employers do offer their employees these types of paid leave benefits.

Accrual

The PTO accrual system is not mandatory in Nevada for employers with fewer than 50 employees, but it is widely used by companies.

For more information, please visit vacationtracker.io

The accrual system is based on the pay period. Nevada employers must pay most employees on a regular payday, at least semimonthly or monthly (minimum frequency).

Employers can also cap the amount of vacation time employees can accrue.

Roll Over

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 in Nevada isn’t addressed by state statute, which means that employers may implement it.

Statutory Provisions Addressing Vacation Pay

The state of Nevada has no statute governing the payment of vacation time.

Payment of Accrued, Unused Vacation on Termination

Employers aren’t required to pay employees for accrued, unused vacation upon their separation from the company, regardless of the reason.

An employer has the right to create a policy or sign a contract that prohibits employees from receiving payment for accrued vacation leave at the end of the employment relationship. Additionally, an employer may legitimately create a policy or sign a contract that forbids employees from receiving accrued vacation pay upon termination if they don’t adhere to certain conditions, such as providing 2 weeks’ notice or being employed as of a specific date of the year. Also, an employer isn’t required to pay accrued but unused vacation upon separation from employment if the employer’s established policy or employment contract is silent on the subject.

Only if a policy or contract stipulates it, an employer must reimburse an employee for accrued vacation time upon separation from employment.

Sick Leave in Nevada

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. The leave is job-protected.

Employees qualify for FMLA benefits only 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
- they work in a location where at least 50 people are employed by the company (in a 75-mile radius)

The FMLA entitles qualified employees to take up to 12 weeks off for:

- personal medical reasons – illness or injury
- to care for a close family member (child, spouse, or parent) suffering from a severe illness
- for maternity or paternity leave.

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

To learn about federal leave laws in the USA, check out our [US Leave Laws](#) page.

For more information, please visit vacationtracker.io

Nevada Paid Sick Leave Laws

Only employers with 50 or more employees must provide paid leave, which can be used as sick leave.

Employers with 50 or more employees are required to provide paid sick leave. Nevada's law, "Senate Bill (SB) No. 312" requires employers with 50+ employees to let employees take paid time off for any reason, not just sick leave. Employers are required to give at least 0.01923 hours of leave per hour worked. To learn more about this law, go to the first section: Paid Time Off (PTO) in Nevada.

Nevada also requires private employers with 50 or more employees to provide paid leave (up to 4 total hours) to employees receiving a COVID-19 vaccination until December 31, 2023.

Employers with fewer than 50 employees are not required to provide paid sick leave. Still, eligible employers in Nevada must comply with the FMLA.

Maternity, Paternity, FMLA in Nevada

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 allows eligible workers to take up to 12 weeks of unpaid, job-protected leave per year for family or medical reasons, including maternity or paternity leave. Unless otherwise authorized by the employer, an employee must take this leave continuously. More information about FMLA eligibility can be found above, under the section *Sick Leave in Nevada: Federal Laws – Leave Quota*.

The Pregnancy Discrimination Act (PDA) is one more 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 Nevada

In addition to the Family and Medical Leave Act (FMLA) and the Pregnancy Discrimination Act, Nevada has the following laws regarding maternity and paternity leave:

The Nevada Pregnant Workers' Fairness Act (SB 253 of the 79th Session of the Nevada Legislature) requires employers with 15 or more employees to provide employees with reasonable accommodation or leave due to conditions related to pregnancy or childbirth. It applies to each working day in each of 20 or more calendar weeks in the current or preceding calendar year.

The Nevada Fair Employment Practices (FEP) provides protection against discrimination based on sex. The Act also specifically provides that, if an employer grants leave with or without pay, or leave without loss of seniority to employees for sickness or disability because of a medical condition, it is an unlawful employment practice to fail or refuse to extend the same benefits to any female employee for a condition relating to pregnancy, childbirth, or a related medical condition. The covered employee must be allowed to use the leave before and after childbirth, miscarriage, or any other natural resolution of her pregnancy, if the leave is granted, accumulated, or accrued as part of her employment benefits.

Payout

Maternity leave in Nevada is unpaid.

Bereavement Leave in Nevada (Funeral Leave)

An employer 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, a vast majority of employers (85%) provide bereavement leave, with 66% of these employers offering 3 to 5 days. Thus, employers who decide to provide bereavement leave must follow the bereavement policy or practice they have in place.

Payout

Bereavement leave in Nevada is unpaid.

Jury Duty Leave in Nevada

Employers must provide employees unpaid time off for jury duty.

Employers in Nevada are required to provide their employees with unpaid time off work for jury service. Notice requirements apply; so, employees have to show their employer their jury summons at least 3 days before they are to appear, to be given the necessary leave.

An employee cannot be required to use sick or vacation time to comply with a jury duty summons.

An employee can't be required to work within eight hours before or after their scheduled jury appearance. Additionally, an employer may not require an employee to work between 5:00 p.m.

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on the day of his appearance for jury duty and 3:00 a.m. the following day, if he or she served for 4 or more hours on the day of his appearance for jury duty (including travel time).

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

Payout

The court pays:

Employees who serve as jurors in Nevada are paid \$40.00 a day (though juror pay is only a token amount rather than actual compensation).

The employer pays:

Employers in Nevada aren't required by law to pay jury duty leave.

Military Leave in Nevada

Federal Law

The Uniformed Services Employment and Reemployment Rights Act (USERRA) is a federal law that applies to employers of all sizes and types in the U.S. USERRA protects employees called to active duty in the U.S. military, including the U.S. Armed Forces, Reserves, and National Guard. USERRA provides reinstatement rights, protection from discrimination, the right to continue group health care benefits for up to 24 months during their leave, and up to 5 years of unpaid leave for military service (with exceptions to this 5-year limit).

Nevada State Law

For more information, please visit vacationtracker.io

Employees who are members of the Nevada National Guard (or the national guard of any other state) and are called into active state duty have the same leave and reinstatement rights and benefits as those guaranteed by USERRA.

Nevada law will apply in cases where it provides greater benefits, protections, and rights than federal law.

Payout

Military leave is unpaid.

Voting Leave in Nevada

Employers are required to provide 1, 2, or 3 hours of paid time off for employees to vote.

Employers are required to provide paid voting leave to all employees who are registered voters, if it's impractical for them to vote before or after work. The duration of this type of leave is determined by the distance between the workplace and the polling place.

An employee must be given:

- 1 hour – if the distance between the workplace and polling place is less than 2 miles
- 2 hours – if the distance is between 2 miles and 10 miles
- 3 hours – if the distance is more than ten miles

Employers may designate the hours of absence, in order to minimize the impact on business operations.

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An employer isn't allowed to penalize, discharge, discipline, or discriminate against an employee who wishes to vote.

Advanced notice is required; an employee must apply for leave before the election day.

Payout

Voting leave in Nevada must be paid. An employer may not deduct from an employee's salary or wages for this absence.

Nevada State Holidays for 2025

Nevada law doesn't require private employers to provide employees with paid or unpaid holiday leave.

Private employers in Nevada don't have to provide paid or unpaid leave for holidays. Private employers can require all employees to work on holidays. However, the majority of employers in Nevada do provide at least several paid holidays.

Nevada officially observes 12 state holidays.

A complete list of holidays celebrated in Nevada in 2025:

Holiday	Observed in 2025	General Date
New Year's Day 2025	Wednesday, January 1	January 1

Martin Luther King, Jr.	Monday, January 20	3rd Monday in January
Washington's Birthday	Monday, February 17	3rd Monday in February
Memorial Day	Monday, May 26	Last Monday in May
Juneteenth	Thursday, June 19	June 19
Independence Day	Friday, July 4	July 4
Labor Day	Monday, September 1	1st Monday in September
Nevada Day	Monday, October 31	Last Friday in October
Veterans Day	Tuesday, November 11	November 11
Thanksgiving Day	Thursday, November 27	4th Thursday of November
Family Day	Friday, November 28	Day after Thanksgiving
Christmas Day	Thursday, Dec. 25	December 25

** Holidays that fall on Saturday are observed on Friday; holidays that fall on Sunday are observed on Monday.*

Any day that may be appointed by the President of the United States for public fast, thanksgiving or as a legal holiday except for any Presidential appointment of the fourth Monday in October as Veterans Day.

2026

Holiday	Observed in 2026	General Date
New Year's Day 2026	Thu, Jan 1, 2026	January 1
Martin Luther King, Jr.	Monday, January 19	3rd Monday in January