

Pennsylvania 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 Pennsylvania

Vacation Leave Quota

Pennsylvania law doesn't require employers to provide vacation leave.

Private employers in Pennsylvania are not required to provide paid or unpaid vacation.

However, most employers in the private sector provide employees with more vacation time than is legally required. Generally, employees in the US receive 10 paid days off after a full year on the job. Still, the amount of paid time off (PTO) can vary based on factors such as the industry, location, and the employee's length of service with the company

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 the employment contract.

Accruals

The accrual system is not required by law in Pennsylvania, but it is a common practice among many companies.

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

An employer is allowed to cap (limit) the amount of vacation time an employee can accrue during the year.

Roll Over (Carry Over, Brought Forward)

For more information, please visit vacationtracker.io

A Use-It-or-Lose-It policy is not forbidden.

A “use it or lose it” policy forbids employees from rolling over earned, unused vacation from one year into the next one. Therefore, the employee’s untaken vacation time is lost.

This policy is not prohibited by state law, therefore, an employer may implement it.

Statutory Provisions Addressing Vacation Pay

Fringe benefits like vacation pay are considered part of the wages.

When a company has policies or precedents for compensating employees for vacation time they have earned, that time is regarded as part of their wages.

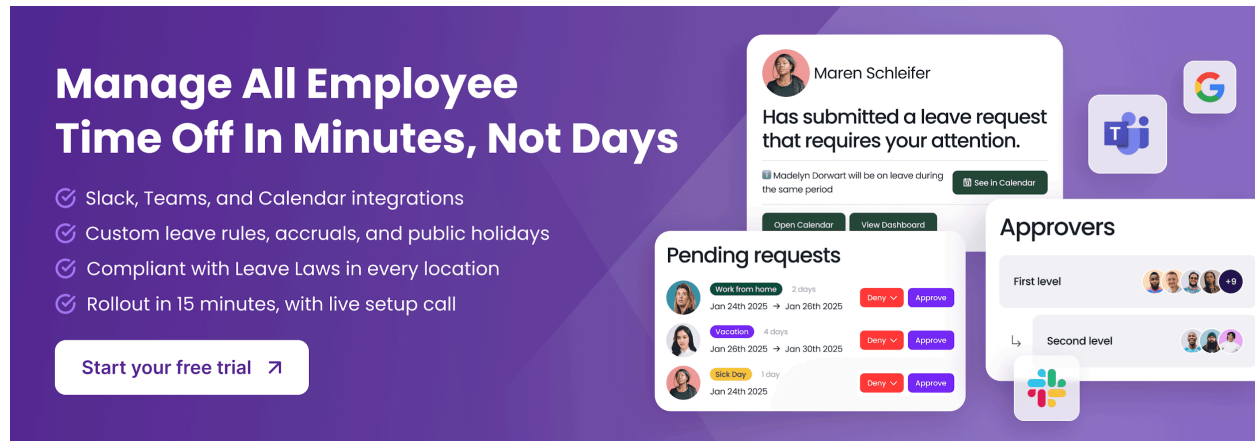
Payment of Accrued, Unused Vacation on Termination

A company policy or employment contract defines whether accrued, untaken vacation is paid upon termination.

The state does not require PTO payout in the event of termination. Employers are not obligated to give vacation pay or pay employees for vacation time that was not used, unless there is a company policy or employment contract that mandates it.

Since Pennsylvania’s authorities do not address numerous vacation policy concerns, it’s probable that employers can select and implement any vacation policy they deem adequate.

So, an employer can create a policy or make a contract that prohibits paying employees for accumulated vacation time when they leave their job.



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: [Avatars] +9
- Second level: [Avatars]

Sick Leave in Pennsylvania

Federal Laws – Leave Quota

Federal law requires 12 weeks of unpaid sick leave.

The standard federal Family and Medical Leave Act (FMLA) applies to Pennsylvania (as it is in all the states in the U.S.A). The leave is job-protected.

Employees qualify for FMLA benefits only if:

- they have been employed 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

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

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

Pennsylvania State Laws

Pennsylvania doesn't demand sick leave, but Philadelphia, Pittsburgh, and Allegheny County do.

Private employers in Pennsylvania are not mandated by the state to offer sick leave.

Nonetheless, private employers in Philadelphia, Pittsburgh, and Allegheny County are obligated to provide paid or unpaid time off (depending on company size).

Philadelphia Sick Leave

All employers in Philadelphia must provide sick leave to employees, but the size of the company determines whether the sick leave is paid or unpaid.

Small companies with 1 – 9 employees are required to grant their employees 1 hour of unpaid time off for every 40 hours worked, up to 40 hours.

Larger companies with 10 or more employees are required to grant their employees 1 hour of paid time off for every 40 hours worked, up to 40 hours.

Employees start to accrue sick leave immediately upon hire, but accrued hours can be used 90 days after the beginning of employment.

Sick leave covers:

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- an employee's illness, injury, or condition; care, treatment, or preventive care
- a family member's illness, injury, or condition; care, treatment, or preventive care
- reasons related to domestic violence, harassment, sexual assault, or stalking where the employee or a family member is a victim.

Allegheny County Sick Leave

Allegheny County companies with 26 or more employees must provide paid sick leave.

Employees accrue 1 hour of paid sick time for every 35 hours worked. Front-loading is permitted. The annual accrual cap is 40 hours.

Accrual begins at the commencement of employment, but employees can use accrued hours beginning on the 90th day following the commencement of their employment.

Sick leave covers:

- an employee's illness, injury, or condition; care, treatment, or preventive care
- a family member's illness, injury, or condition; care, treatment, or preventive care
- closures of a place of business, a child's school, or a place of care due to a public health emergency
- care for a family member exposed to a communicable disease.

Employers are free to adopt or retain a leave policy that is more generous than the minimum.

An employer isn't required to pay out accrued, unused paid sick hours upon termination.

Pittsburgh Sick Leave

Companies with fewer than 15 employees are required to provide their employees with 1 hour of paid sick time for every 35 hours worked, and they can accrue up to 24 hours.

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Companies with 10 or more employees are required to provide their employees with 1 hour of paid sick time for every 35 hours worked, and they can accrue up to 40 hours.

Employees begin to accrue paid sick leave at the commencement of employment, but they have to wait 90 calendar days before they begin to use it.

Sick leave covers the following reasons:

- an employee's or a family member's illness, injury, or condition; care, treatment, or preventive care
- closures of a place of business, a child's school, or a place of care due to a public health emergency
- care for a family member exposed to a communicable disease.

Maternity, Paternity, FMLA in Pennsylvania

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 Pennsylvania: 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

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employment: hiring, firing, pay, job assignments, promotions, fringe benefits, training, leave, and health insurance.

Additional State Laws in Pennsylvania

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

The Pennsylvania Human Relations Act applies to employers with four or more employees and prohibits employment discrimination against any applicant, employee, or independent contractor on the basis of sex, including childbirth, pregnancy, and other related medical conditions. The Act requires employers to treat pregnancy the same way as any other temporary disability, including commencement and duration of disability leave, the availability of extensions, the accrual of seniority and other benefits while on leave, and job reinstatement.

Pennsylvania's Pregnancy Guidelines provide that all employer policies regarding job benefits and job security must be applied to women disabled by pregnancy on the same terms as they are applied to other disabilities. The Guidelines do not prohibit an employer from allowing additional time off for child-rearing, but it must be provided equally to both male and female employees.

Payout

Maternity and paternity leave in Pennsylvania are unpaid.

Bereavement Leave in Pennsylvania

An employer is not required to provide 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, nearly all American companies, offer paid time off for bereavement. If an employee loses a close family member like a spouse, parent, or child, they are eligible for paid leave, which usually lasts for up to 3 work days. Some companies are even more generous and offer a maximum of 5 or 6 days.

Payout

Bereavement leave in Pennsylvania is unpaid.

Jury Duty Leave in Pennsylvania

Employers must provide employees unpaid time off for jury duty.

Jury duty is an important civic obligation for all United States citizens.

Employers are required to provide employees with unpaid, job-protected leave to report to jury selection or jury duty. An employer is not allowed to force its employees to use any other type of leave (vacation time, sick leave, etc.) to cover leave taken for jury duty. An employer may not fire, threaten to fire, penalize, or punish the employee in any way due to their jury service.

This law doesn't apply to:

- employers in the retail or service industries with fewer than 15 employees
- manufacturing employers with fewer than 40 employees.

Workers employed in these sectors have the option to ask to be exempted from serving on a jury.

Payout

The employer pays:

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

The court pays:

Employees who serve as jurors in Pennsylvania are paid \$9.00 a day for the first 3 days of service, and \$25.00 from then on (though juror pay is only a token amount).

Pennsylvania Witness and Crime Victim Leave

Employers are required to give their employees job-protected unpaid time off if they need to attend court:

- as the victim of a crime (or their family member)
- as a witness to a crime.

Military Leave in Pennsylvania

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).

Pennsylvania State Law

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Apart from the protections offered by USERRA, Pennsylvania law offers the following employment protection for members of the Pennsylvania National Guard or any Reserve component of the U.S. Armed Forces, and employees who are summoned or instructed to serve in a state or federal capacity:

- An employee who is recruited or volunteers to serve during a time of war or crisis as declared by the president or governor, or a military reservist who is activated, is eligible for unpaid military leave, along with other reservists who are called to active duty.
- Upon returning to work, the employee must be reinstated to the same or a comparable position with the same seniority, status, and salary.
- Employers are prohibited from firing or discriminating against any employee based on their military service or membership.
- Employees who are called to active duty are also entitled to 30 days of health insurance coverage at no expense.

Payout

Military leave is unpaid.

Voting Leave in Pennsylvania

Not required by state law.

Pennsylvania law does not require employers to grant their employees time off to vote on Election Day.

About half of the states in the U.S. provide time off for voting, but Pennsylvania is not among them.

For more information, please visit vacationtracker.io

Payout

Voting leave is unpaid.

Pennsylvania State Holidays in 2025

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

In Pennsylvania, a private employer can require employees to work on holidays. Even so, most employers in Pennsylvania offer several paid holidays. If the company decides to offer holiday time off, it must follow the rules outlined in its established policy or employment agreement.

Also, a private company is not required to provide extra pay to an employee for working on holidays (such as 1.5 times the usual rate), unless the employee is entitled to overtime pay according to standard overtime regulations.

Pennsylvania officially observes 12 state holidays.

A complete list of holidays celebrated in Pennsylvania 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
Presidents' Day.	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
Columbus Day / Indigenous People's Day	Monday, October 13	2nd Monday in October
Veterans Day	Tuesday, November 11	November 11
Thanksgiving Day	Thursday, November 27	4th Thursday of November

Thanksgiving Friday	Friday, November 28	Day after Thanksgiving
Christmas Day	Thursday, Dec. 25	December 25

A holiday that happens on Saturday is typically observed on the prior Friday, while one on Sunday is observed the next Monday.

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