

Rhode Island 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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Vacation / Paid Time Off

Vacation Leave Quota

Rhode Island doesn't demand vacation days.

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

Despite this, most employers in the private sector in the United States offer, on average, 10 days off after one year of service.

So, if employers choose to offer vacation leave to their employees, paid or unpaid, it must be by appropriate state law, established company policy, and the employment contract.

Accruals

The accrual system is not compulsory in Rhode Island, but it is widely used by companies.

Employers are generally free to design their own vacation accrual system, which could include daily, weekly, biweekly, semi-monthly, or monthly increments. It is usually based on the pay period.

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.

For more information, please visit vacationtracker.io

A use-it-or-lose-it policy is not addressed by state statutes, which means that employers can apply it.

Statutory Provisions Addressing Vacation Pay

All accrued vacation pay is considered wages after completing 1 year of work.

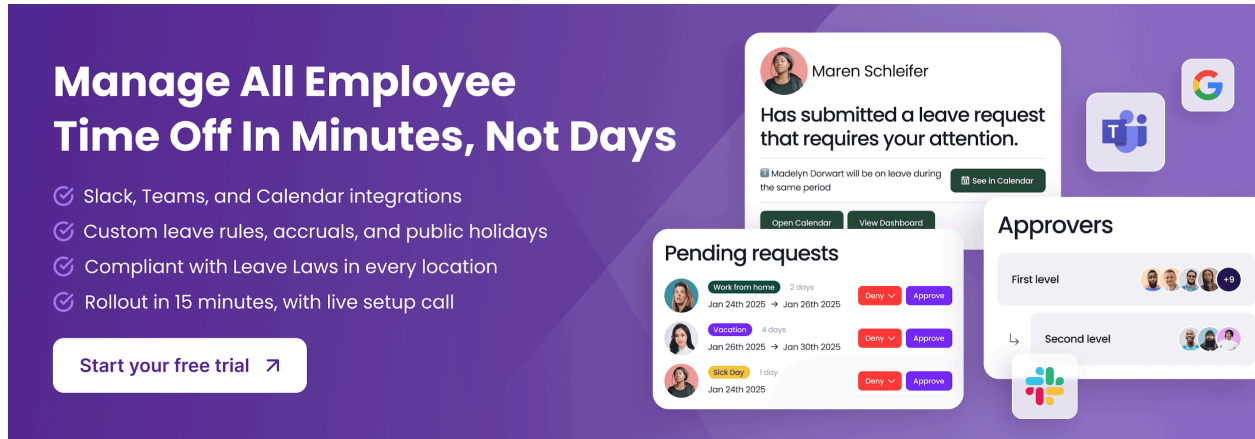
Payment of Accrued, Unused Vacation on Termination

The state requires PTO payout at termination.

Rhode Island is among the few states in the U.S. that demand payment of accrued, unused vacation on termination. After 1 year of employment, all accrued, unused vacation time is considered wages and must be paid upon employee termination.

Employers are required to compensate separated employees for their accrued vacation time by either:

- A collective bargaining agreement.
- Written or verbal company policy.
- Any agreement, whether it is written or spoken, between the employer and the employee.



Sick Leave in Rhode Island

Federal Laws – Leave Quota

Federal law requires 12 weeks of unpaid sick leave.

The standard federal Family and Medical Leave Act (FMLA) applies to Rhode Island (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.

Rhode Island State Laws

Employees accrue 1 hour for every 35 hours worked (paid or unpaid).

All employers in Rhode Island must provide sick leave to employees.

Employers that have a workforce of 18 or more people are required to grant their workers 40 hours of paid sick leave annually.

On the other hand, smaller firms with less than 18 employees must offer 40 hours of leave without pay.

Employers are required to give 1 hour for every 35 hours worked, up to a maximum of 40 hours per year. Frontloading is permitted (full 40 hours at the start of the year).

Employees start to accrue sick leave immediately upon hire, but employers may set a waiting period for a minimum of 90 days before they can use it.

Employees are allowed to use a maximum of 40 hours per year.

Employees are allowed to roll over unused paid sick leave from one year to the next.

Alternatively, employers have the option to compensate their employees for the vacation time that they have earned but didn't use.

Sick leave can cover the following reasons:

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- employee's or a family member's illness, injury, or condition;
- employee's or a family member's care, treatment, or preventive care;
- to take care of their child if their school or care facility has been shut down by a public authority due to a public health emergency.
- to care for themselves or their family members if health authorities or healthcare providers have determined that their presence in the community could put others' health at risk due to a communicable disease, even if the employee or family member does not have the disease.
- reasons related to domestic violence, harassment, sexual assault, or stalking;

If an employee uses paid sick leave for 3 or more consecutive days, the employer may ask for appropriate proof that the absence was for a valid reason.

Payout

Sick leave in Rhode Island is paid by the employer (if the employer has 18 or more employees).

Maternity, Paternity, FMLA in Rhode Island

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 Rhode Island: Federal Laws – Leave Quota*.

For more information, please visit vacationtracker.io

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 Rhode Island

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

The Parental and Family Medical Leave Act (PFMLA)

Employers with 50 or more employees are required to provide employees who work an average of 30 or more hours per week and have been employed for at least 12 consecutive months with 13 consecutive workweeks of unpaid leave in any two calendar years. Parental and family medical leave can be taken for:

- The birth of the employee's child
- The placement of a child who is 16 years old or under with the employee for adoption
- The serious illness of a family member (including a parent, spouse, child, or parent-in-law of the employee).

Employees must be reinstated to a position with equivalent seniority, status, employment benefits, pay, and other related terms and conditions of employment, including fringe benefits and service credits.

The employer is required to maintain any existing health benefits for the employee during any period of parental or family leave.



Employees are required to provide 30 days' notice prior to the leave. Employers may request that an employee provide a written certification from a physician specifying the probable duration of the leave.

Rhode Island's Fair Employment Practices Act (FEPA)

This act requires employers with 4 or more employees to provide reasonable accommodation (which may include unpaid leave) to employees with conditions related to pregnancy, childbirth, or a related medical condition.

Employers must provide employees with time off from work to recover from childbirth if it is requested by the employee. An employer is not allowed to request the employee to take leave if another reasonable accommodation is available.

Reasonable accommodations may include more frequent or longer breaks, time off to recover from childbirth, the acquisition or modification of equipment, seating, a temporary transfer to a less strenuous or hazardous position, job restructuring, light-duty, break time, a private non-bathroom space for expressing breast milk, assistance with manual labor, or modified work schedules.

Rhode Island Temporary Disability Insurance (TDI) and Temporary Caregiver Insurance (TCI)

The state of Rhode Island has a program that offers a portion of their regular pay to employees who qualify and need to take time off work. This program includes two types of benefits: Temporary Disability Insurance (TDI) and Temporary Caregiver Insurance (TCI).

It is mandatory for employers to take part in this program run by the state.

TDI and TCI are financed entirely by employees through their employee TDI/TCI payroll deductions.

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Temporary Disability Insurance (TDI) is available to employees who are unable to work because of an injury or illness that is not related to work, or due to pregnancy and childbirth. TDI provides up to 30 weeks of partial wage replacement, employees may receive up to \$1,007 per week.

Temporary Caregiver Insurance (TCI) is available to employees who need to care for a seriously ill family member or to bond with a new child. TCI provides up to 6 weeks (as of 2023) of partial wage replacement, employees may receive up to \$1,007 per week.

Bereavement Leave in Rhode Island (Funeral Leave)

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, most employers do provide at least 2 days, so if an employer decides to provide bereavement leave, they must follow the bereavement policy or practice they have in place.

Payout

Bereavement leave in Rhode Island is unpaid.

Jury Duty Leave in Rhode Island

Employers must provide employees unpaid time off for jury duty.

Employers are required to provide employees with unpaid, job-protected leave to report to jury selection, jury duty or as a witness in a case. Notice requirements do apply, so 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 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.

Payout

The employer pays:

Employers in Rhode Island are not required to pay employees for jury duty leave.

The court pays:

Employees who serve as jurors in Rhode Island are paid \$15.00 a day (though juror pay is only a token amount).

Military Leave in Rhode Island

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).

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Rhode Island State Law

Apart from the USERRA, Rhode Island offers job protections to members of its state military forces, the National Guard, and U.S. military reserves. Under this protection, military members are entitled to unpaid leave for military service or training and should be reinstated to their previous job (or a job with the same status, pay, and seniority) once they have completed their service.

Rhode Island Family Military Leave

Employers who have 15+ employees are required to offer unpaid leave to a qualified employee who is the parent or spouse of someone who has been called to military service lasting more than 30 days.

Employers with 15-50 employees must grant up to 15 days of leave while federal or state orders are in effect, while those with more than 50 employees must provide up to 30 days of leave during the same period.

In order to qualify, an employee must have worked for 12 consecutive months and completed a minimum of 1,250 hours during the 12-month period prior to taking the leave.

Before taking family military leave, an employee must use up all the available leave that they have accumulated, such as vacation, personal, and compensatory leave, except for sick and disability leave.

If the employee needs to take 5 or more days of leave, they must provide their employer with a notice period of at least 14 days. However, if the employee needs leave for less than 5 days, they must give notice as soon as possible.

During family military leave, employees can continue their benefits, but at their own expense.

Payout

For more information, please visit vacationtracker.io

Military leave is unpaid.

Voting Leave in Rhode Island

Not required by state law.

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

While most states in the U.S. provide time off for voting, Rhode Island is not among them.

Payout

Voting leave is unpaid.

Rhode Island State Holidays in 2025

1.5 times employees' regular pay on Sundays and certain holidays.

Employers in Rhode Island are obliged to pay their employees at a rate of 1.5 times their regular pay on Sundays and certain holidays: New Year's Day, Memorial Day, Independence Day, Victory Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Christmas Day. This is the only state in the U.S. where employers are mandated to compensate non-exempt employees at a premium rate for hours worked on holidays and Sundays. These employees are entitled to receive 1.5 times their standard pay rate for working on these days.

The law allows employees to refuse working on Sundays and public holidays. If a public holiday happens to fall on a Sunday, then the following day is recognized as the legal holiday.

Rhode Island officially observes 10 state holidays.

For more information, please visit vacationtracker.io

A complete list of holidays celebrated in Rhode Island 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 |
| Memorial Day | Monday, May 26 | Last Monday in May |
| Independence Day | Friday, July 4 | July 4 |
| Victory Day | Monday, August 11 | 2nd Monday in August |
| Labor Day | Monday, September 1 | 1st Monday in September |
| Columbus Day | Monday, October 13 | 2nd Monday in October |
| Veterans Day | Tuesday, November 11 | November 11 |
| Thanksgiving Day | Thursday, November 27 | 4th Thursday of November |
| Christmas Day | Thursday, Dec. 25 | December 25 |

Weekend holidays are observed on the nearest weekday; Friday for Saturdays, Monday for Sundays.

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 |