

# Tennessee Leave Laws

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*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 Tennessee

## Vacation Leave Quota

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

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

Although it's not mandatory, employees in the private sector generally receive ten paid days off, after working for a full year. However, the amount of PTO available to an employee can be impacted by their job field, location, and length of employment with the company.

If a company decides to provide its employees with vacation time, whether paid or unpaid, it must follow the relevant state regulations, adhere to the company's established policies, and comply with the terms of the employment agreement.

## Accruals

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

Employers have the flexibility to create their own vacation accumulation method, which may be in weekly, biweekly, semimonthly, or monthly intervals and is typically determined by the company's pay cycle.

Official payroll frequency in Tennessee is **semi-monthly**; this means that employers in Tennessee are obligated to compensate most hourly workers via a regular payday, scheduled at a minimum semi-monthly.

An employer can cap the amount of vacation time an employee can accrue during the year.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

## Roll Over (Carry Over, Brought Forward)

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

A “use-it-or-lose-it” type of vacation leave policy requires an employee to lose any unused vacation time after a set date, usually the end of the year.

Tennessee hasn’t specifically addressed a use-it-or-lose-it policy in state statutes, which means that employers can implement it.

Employers often have a use-it-or-lose-it vacation policy in place to address situations where some employees may not use much of their allotted paid time off. Employees who have been with the company for a long time can accumulate a substantial amount of PTO, which could result in significant costs if the company is required to pay out this balance when the employee leaves.

## Statutory Provisions Addressing Vacation Pay

Even if an employer decides to offer paid or unpaid vacation time, it is not mandatory for them to create a written vacation policy.

## Payment of Accrued, Unused Vacation on Termination

The law doesn’t require this payment. Only an employer’s policy or employee’s contract defines whether accrued, untaken vacation is paid upon termination.

An employer may legally establish a policy or contract that denies employees payment for accumulated vacation time upon their departure from the company. Employers can also legally set a policy or contract that denies employees payment for unused vacation time upon leaving



the company if they don't meet certain requirements, such as giving a 2-week notice or being employed on a specific date.

If an employer's established policy or employment agreement is silent on the matter, the employer is also not obligated to pay.

Even though Tennessee doesn't have a law requiring PTO payout at termination, employers must pay unused PTO to an employee who leaves the company if there is a company policy, employment contract, or established practice of doing so.

The screenshot shows the Vacation Tracker dashboard with a purple background. On the left, the text 'Manage All Employee Time Off In Minutes, Not Days' is displayed in white. Below this, four features are listed with checkmarks: '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 with a right arrow is at the bottom left. On the right, a notification for Maren Schleifer states 'Has submitted a leave request that requires your attention.' Below this is a 'Pending requests' table with three rows: 'Work from home' (2 days, Jan 24th to Jan 26th, 2025), 'Vacation' (4 days, Jan 26th to 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 group of user avatars. Integration icons for Slack, Teams, and Google are also visible.

## Sick Leave in Tennessee

### Federal Laws – Leave Quota

Federal law requires 12 weeks of unpaid sick leave.

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

Employees qualify for FMLA benefits only if:

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

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

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

## Tennessee State Laws

No additional state sick laws.

Currently, 23 states offer some sort of paid sick leave. Tennessee is not among them.

Tennessee doesn't require private employers to offer sick leave, paid or unpaid. However, some employers (especially big companies) do offer it as a common benefit. If employers decide to offer sick days, they must stick to the provisions outlined in their established company policy or employment agreement.

Payout

Sick leave in Tennessee is unpaid.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

# Maternity, Paternity, FMLA in Tennessee

## 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 Tennessee: Federal Laws – Leave Quota*. FMLA leave is unpaid.

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 Tennessee

Companies with 100+ employees provide 4 months of unpaid leave.

Tennessee's Maternity Leave Act requires employers with at least 100 full-time employees to provide up to 4 months of unpaid leave for pregnancy, childbirth, adoption, and infant nursing. Job protection applies.

An employee must have been employed for at least 12 consecutive months to be eligible for the leave.

An employee must give at least 3 months' advance notice (except in cases of a medical emergency). Employees who do so shall be restored to the same or equivalent position with the same status, pay, length of service credit and seniority.

For employees who qualify for leave under both state law and the FMLA, the leave will be applied to both laws at the same time. This means that an employee can't take 4 months of leave under state law, and then take an additional 12 weeks of leave under FMLA. The first 12 weeks of an employee's leave will be counted under both laws.

The leave under Tennessee's Maternity Leave Act may be paid or unpaid, at the discretion of the employer.

#### Payout

Maternity leave is not paid neither under the FMLA, nor Tennessee's Maternity Leave Act.

## Bereavement Leave in Tennessee (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, almost all companies in the United States provide paid bereavement leave to their employees. If employees lose a first-degree relative (like a spouse, parent, or child), they are usually entitled to up to 3 consecutive days off. The most generous companies regarding bereavement leave offer 5 or 6 days.

#### Payout

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

Bereavement leave in Tennessee is unpaid.

## Jury Duty Leave in Tennessee

Employers with 5+ employees must provide paid time off for jury duty.

Tennessee law requires employers with 5 or more employees to provide employees with job-protected paid leave for time spent on jury duty. This applies to full-time employees and temporary employees who have worked for at least 6 months. If an employee's jury service lasts more than three hours, they will be given the entire day off from work. If an employee is assigned to work a night shift or a shift that falls before the usual court hours, he/she must be given time off from work for the shift immediately preceding the start of their jury duty.

Paid leave for jury duty is a rare guarantee in the US, as most states only require employers to provide unpaid leave.

An employee must show the jury summons to their employer the same day or the day after receiving the summons, to be given the necessary leave.

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 Tennessee are required to pay employees for jury duty leave. However, an employer may deduct from the wages any payment received from the court.

For more information, please visit [vacationtracker.io](https://vacationtracker.io)



Employers are obligated to pay employees only for the time they actually spent while serving on the jury, as well as time spent traveling to and from jury service.

The court pays:

Employees who serve as jurors in Tennessee are paid \$10.00 a day (though juror pay is only a token amount).

## Military Leave in Tennessee

All employers in the U.S. must comply with USERRA. Additional state laws for National Guard.

### 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).

### Tennessee State Law

Besides USERRA, the state of Tennessee offers employment protection for members of the Tennessee National Guard.

Tennessee employers are prohibited from refusing to hire or terminating an employee because of being a member of the Tennessee National Guard, or because of his/her absence for a required drill or annual field training.

#### Payout

Military leave in Tennessee is unpaid.

## Voting Leave in Tennessee

Up to 3 hours of paid leave.

Employers are required to provide a reasonable amount of time for voting\*\*, up to 3 hours of paid time off\*\*, while the polls are open. An employer can specify the hours when an employee can go to vote.

An employer is not required to provide the leave if an employee has 3 or more hours to vote before their shift begins or after their shift ends while voting polls are open.

To be eligible for the leave, an employee must request the leave by noon (twelve o'clock) on the day before Election Day.

Companies are also obligated to offer time off without pay to workers who are serving as part-time voting machine technicians.

#### Payout

Voting leave in Tennessee is paid by an employer.

## Tennessee State Holidays in 2025

For more information, please visit [vacationtracker.io](https://vacationtracker.io)

A leave for holidays is not required by state law.

Private employers in Tennessee are not required to provide paid or unpaid leave for holidays. Private employers can require all employees to work on holidays. However, the majority of employers in Tennessee do provide at least several paid holidays.

Tennessee officially observes 13 state holidays.

### A complete list of holidays celebrated in Tennessee 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
Good Friday	Friday, April 18	2 days before Easter
Memorial Day	Monday, May 26	Last Monday in May
Juneteenth	Thursday, June 19	June 19
Independence Day	Friday, July 4	July 4

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Labor Day	Monday, September 1	1st Monday in September
Veterans Day	Tuesday, November 11	November 11
Thanksgiving Day	Thursday, November 27	4th Thursday of November
Day after Thanksgiving	Friday, November 28	Friday after Thanksgiving
Christmas Eve	Wednesday, Dec. 24	December 24
Christmas Day	Thursday, Dec. 25	December 25

When a public holiday falls on a Saturday, the preceding Friday is designated as the observed holiday. Similarly, when a holiday falls on a Sunday, the following Monday is observed.

## 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