

State	Vacation Pay Laws
Alabama	If an employer has a formal vacation policy, it may not unilaterally rescind that policy. Employers must notify employees in advance if they decide not to continue paying accrued, unused vacation upon separation.
Alaska	An employer's policy or agreement determines whether earned, unused vacation is paid on separation.
Arizona	Earned vacation time is considered wages when an organization has established policies or precedent of paying employees for this time. An employer's policy or employee contract governs whether earned, unused vacation is paid on separation.
Arkansas	Unused vacation must be paid if employer's policy or contract is to pay.
California	All accrued vacation is considered earned wages and must be paid out upon termination at final rate of pay. California also prohibits policies that make employees take vacation by a certain date or lose it. Employers may implement a practical accrual cap on vacation time.
Colorado	All accrued vacation is considered earned wages and in accordance with any agreement, accrued vacation must be paid.
Connecticut	Unused vacation must be paid if employer's policy or contract is to pay.
Delaware	Unused vacation must be paid if employer's policy or contract is to pay.
Florida	No state law. Company must follow their own policy.
Georgia	No state law. Company must follow their own policy.
Hawaii	Unused vacation must be paid if employer's policy or contract is to pay.
Idaho	Unused vacation must be paid if employer's policy or contract is to pay.
Illinois	All final compensation (including vacation pay) must be paid out upon termination, unless a collective bargaining agreement with union states otherwise. Employers can have a policy that states vacation time must be used by a certain date or it is lost, provided the employee is given a reasonable opportunity to use vacation pay.
Indiana	An employer's policy or agreement determines whether earned, unused vacation is paid on separation. Vacation does not have to be paid out if the employer has a written forfeiture clause in its policy or contract that states an employee must use the benefits by a certain date or lose it. Without a policy in place, employees are entitled to any and all earned and unused vacation pay.
Iowa	Unused vacation must be paid if employer's policy or contract is to pay.
Kansas	An employer may lawfully establish a policy or enter into a contract denying employees payment for accrued vacation leave upon separation from employment.
Kentucky	Earned vacation time is considered wages when an organization has established policies or precedent of paying employees for this time. Unused vacation must be paid if employer's policy or contract is to pay.
Louisiana	Unused vacation time must be paid upon termination and is considered property of the employee. Employers may have a written "use it or lose it" policy saying employees must use it by a certain date or lose the vacation.
Maine	Earned vacation time is considered wages when an organization has established policies or precedent of paying employees for this time. Unused vacation must be paid if employer's policy or contract is to pay.
Maryland	Unused vacation must be paid if employer's policy or contract is to pay. Without a written policy in place, highlighting the forfeiture of pay for accrued, unused vacation to a separating employee, the employee must be paid a cash value for earned, unused vacation.
Massachusetts	Earned vacation must be paid out upon termination and is considered wages. If employers do have a vacation policy that states employees must take their vacation by a certain date or lose it, employers must give employees a reasonable opportunity to take those vacation days before they are gone.

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Michigan	Vacation pay is considered a fringe benefit, not wages. Unused vacation must be paid if employer's policy or contract is to pay. Employers cannot revoke or withhold any payments due at an employee's separation.
Minnesota	Earned vacation time is considered wages when an organization has established policies or precedent of paying employees for this time. Unused vacation must be paid if employer's policy or contract is to pay.
Mississippi	Unused vacation must be paid if employer's policy or contract is to pay.
Missouri	Final wages do not include vacation pay.
Montana	Earned vacation time is considered wages when an organization has established policies or precedent of paying employees for this time. Unused vacation must be paid if employer's policy or contract is to pay. Montana prohibits policies that make employees take vacation by a certain date or lose it. Employers may implement a practical accrual cap on vacation time.
Nebraska	Earned, unused vacation pay must be paid out as part of final wages upon termination.
Nevada	An employer is required to pay accrued vacation to an employee upon separation from employment if its policy or contract requires it. An employer is not required to pay accrued vacation leave upon separation from employment if the employer's established policy or employment contract is silent on the matter.
New Hampshire	Earned, unused vacation time is considered wages when an organization has established policies or precedent of paying employees for this time. Unused vacation must be paid if employer's policy or contract is to pay.
New Jersey	Earned, unused vacation will not be considered wages unless an employer's policy or contract states otherwise.
New Mexico	Unused vacation must be paid if employer's policy or contract is to pay.
New York	Employers must provide an advanced notice of the vacation policy, including any "use it or lose it" provisions. Unused vacation must be paid if employer's policy or contract is to pay.
North Carolina	Employers must post notices in writing of any policy that requires or results in the loss of vacation time. Unused vacation must be paid if employer's policy or contract is to pay.
North Dakota	Unused, accrued vacation time must be paid out upon termination. It is considered earned wages and should be paid out at employee's final rate of pay, unless employer has a written forfeiture clause in its policy or contract that states an employee must take vacation by a certain date or lose the vacation time. The employer must make sure the employee is given reasonable opportunity to take
Ohio	Unused vacation must be paid if employer's policy or contract is to pay.
Oklahoma	An employer is required to pay accrued vacation to an employee upon separation if it is company policy. An employer is not required to pay accrued vacation leave upon separation from employment if the employer's established policy or employment contract is silent on the matter.
Oregon	Earned vacation must be paid out as part of final wages, unless the company's written policy states otherwise.
Pennsylvania	Earned, unused vacation time is considered wages when an organization has established policies or precedent of paying employees for this time. Unused vacation must be paid if employer's policy or contract is to pay.

State	Facts
Rhode Island	After completing one year of employment, vacation pay earned shall become wages and payable in full or on a prorated basis with all other due final wages.
South Carolina	Unused vacation must be paid if employer's policy or contract is to pay. An employer may cap the amount of vacation leave an employee may accrue over time. An employer may implement a "use-it-or-lose-it" policy requiring employees to use their leave by a set date or lose it.
South Dakota	No state law. Company must follow their own policy.
Tennessee	Unused vacation must be paid if employer's policy or contract is to pay. An employer is not required to pay accrued vacation leave upon separation from employment if the employer's established policy or employment contract is silent on the matter. An employer may also lawfully establish a policy or enter into a contract disqualifying employees from payment of accrued vacation upon separation from employment if they fail to comply with specific requirements, such as giving two weeks' notice or being employed as of a specific date of the year.
Texas	Unused vacation must be paid if employer's policy or contract is to pay. An employer is not required to pay accrued vacation leave upon separation from employment if the employer's established policy or employment contract is silent on the matter, unless the employer has an established practice of doing so.
Utah	Unused vacation must be paid if employer's policy or contract is to pay.
Vermont	Unused vacation must be paid if employer's policy or contract is to pay.
Virginia	If there is a vacation policy, the employer is required to comply with the terms of its policy or contract and pay employee for accrued vacation upon separation.
Washington	No state law. Company must follow their own policy.
West Virginia	Vacation pay must be paid out as part of final wages, unless the company's written policy states otherwise.
Wisconsin	Earned, unused vacation time is considered wages when an organization has established policies or precedent of paying employees for this time. Unused vacation is not required to be paid.
Wyoming	Earned vacation pay must be paid out as part of final wages, unless the company's written policy states otherwise and is acknowledged in writing by the employee.

State	Facts
Virginia	If there is a vacation policy, the employer is required to comply with the terms of its policy or contract and pay employee for accrued vacation upon separation.
Washington	Paid leave vacation is considered "benefits" that may be paid by the business under a policy, written agreement, personal contract, oral agreement, collective bargaining agreement or other form of agreement. There are no state laws requiring that such benefits be given.
West Virginia	Vacation pay must be paid out as part of final wages, unless the company's written policy states otherwise.
Wisconsin	Employers are not required by Wisconsin law to grant vacations to their workers, whether with pay or without. Such matters are determined entirely by written or unwritten agreements between the employer and the employee. However, where such benefits have been agreed upon, the department may take action as part of a wage claim.
Wyoming	Earned vacation pay must be paid out as part of final wages, unless the company's written policy states otherwise and is acknowledged in writing by the employee.