

EMPLOYMENT LAW SUMMARY

Indiana Employee Leave Laws - Overview



Because You're Different

Employers may provide their employees with various types of paid or unpaid leave as part of their overall compensation packages, including vacation time, personal leave and sick leave. Employers have some flexibility when it comes to establishing or negotiating employee leave policies. However, Indiana employers must comply with state employment laws requiring employee leave for specific purposes. (Employers must also follow federal employee leave laws, such as the Family and Medical Leave Act.)

Indiana has state laws that require:

- Jury and witness duty leave;
- Civil air patrol leave;
- Military and military family leave; and
- Emergency response leave.

The chart below provides a high-level overview of Indiana's employee leave laws.

Overview of Indiana Laws Requiring Employee Leave

TYPE OF LEAVE	REQUIREMENTS
Jury and Witness Duty Leave	Employers may not subject an employee to any adverse employment action for taking time off from work to serve on a jury or respond to a subpoena in a criminal proceeding. Notice requirements apply. For employers with 10 or fewer full-time employees , a court must reschedule an employee's jury service for a date that does not overlap with the jury service of another employee, if the court is properly notified. Leave is unpaid .
Civil Air Patrol Leave	An employer may not discipline an employee who is a Civil Air Patrol member for being absent from or leaving work to engage in an emergency service operation that began: •Before the employee was scheduled to start work; or •After the employee reported to work, if the employee obtained authorization from his or her supervisor before leaving. Notice and certification requirements apply.
Military and Military Family Leave	In addition to USERRA, Indiana law provides employment protections for Indiana and U.S. military members. •Employers must provide up to 15 days per year of temporary leave to U.S. reserve members, members of the Ready Reserve, and members of organized units for periods of military training. Employees must provide notice and evidence of training. Reemployment rights and nondiscrimination protections apply. •Employers must provide temporary leave to Indiana National Guard members for periods of state active service. In Indiana, USERRA applies to members of the Indiana National Guard or the National Guard of another state. Reemployment rights and nondiscrimination protections apply. •The Indiana Military Family Leave Law applies to employers that employ 50 or more employees for each working day during at least 20 calendar work weeks. It provides job-protected leave for certain employees to spend time with a family member who has been called to active duty.

TYPE OF LEAVE	REQUIREMENTS
Emergency Response Leave	An employer may not discipline an employee who is a volunteer firefighter or member of a volunteer medical services association for being absent from or leaving work due to: •Response to a fire or emergency call that was received before the employee was scheduled to start work; •Response to a fire or emergency call during work hours, if the employee obtained authorization from his or her supervisor before leaving; or •An injury that occurred while the employee was engaged in emergency firefighting or other emergency response. Notice and certification requirements apply.

SPECIAL NOTE: The information in the above chart focuses on statewide laws. Cities, towns and counties across the country have enacted local ordinances that require employers to provide employee leave for specific reasons. Employers must comply with both local and statewide law where it applies.

More Information

Contact Heffernan Insurance Brokers for more information on employee leave laws in Indiana.

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