

EMPLOYMENT LAW SUMMARY

Mississippi Employee Leave Laws— Overview



As part of their overall compensation packages, employers may provide their employees with various types of paid or unpaid leave, including vacation time, personal leave and sick leave. Employers have some flexibility when it comes to establishing or negotiating employee leave policies. However, Mississippi employers must provide leave for purposes required by state law.

Mississippi has state laws mandating:

- Jury duty leave;
- Crime victims' leave; and
- Military leave.

In addition, federal laws not addressed in this document, such as the Family and Medical Leave Act, require covered employers to provide employees with leave in certain situations.

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

STATE RESOURCES

- **Mississippi Department of Employment Security:** <http://mdes.ms.gov/employers/>
- **Poster:** Employers can use these model [posters](#) to satisfy their posting requirements.

OVERVIEW OF EMPLOYEE LEAVE LAWS

TYPE OF LEAVE	REQUIREMENTS
Jury Duty Leave	An employer may not attempt to interfere with an employee's jury service by threats or intimidation, or otherwise subject the employee to adverse employment action as a result of jury service. Employees must notify their employers within a reasonable amount of time after receiving a summons for jury service. An employer may not require an employee to use annual, vacation or sick leave for any time spent in connection with jury service.
Crime Victims' Leave	Employees who are crime victims may take leave from work in order to: <ul style="list-style-type: none">• Respond to a subpoena to testify in a criminal proceeding; or• Participate in the reasonable preparation of a criminal proceeding. Employees must be granted leave without the loss of employment, intimidation or threat or fear of the loss of employment.

TYPE OF LEAVE**REQUIREMENTS****Military Leave**

In addition to the federal Uniformed Services Employment and Reemployment Rights Act (USERRA), Mississippi provides reemployment rights for returning military members. Members of the United States Armed Forces or persons in active state duty (of Mississippi or any other state) must be permitted an unpaid leave for military duty or training. Upon release or discharge from military duty or training (other than under dishonorable conditions), military members must be reinstated to their positions or to similar positions with equal status, pay and seniority.

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