

EMPLOYMENT LAW SUMMARY

Utah: Employee Leave Laws—Overview



Because You're Different

Employers have some flexibility when it comes to establishing or negotiating employee leave policies. 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. However, Utah employers must comply with state employment laws requiring employee leave for specific purposes.

Employers must also follow federal laws not addressed here that require employee leave, such as the Family and Medical Leave Act.

Utah has state laws that mandate:

- Jury duty leave;
- Voting leave;
- Military leave; and
- Leave for emergency services volunteers.

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

Overview of Utah Employee Leave Laws

Type of Leave	Requirements
Jury duty leave	<p>Employers must allow employees unpaid leave to respond to a jury summons, serve as a juror or grand juror, or attend court for prospective jury service. An employer may not threaten or take adverse employment action against an employee who takes leave for jury duty. Also, an employer may not require an employee to use annual, vacation or sick leave to cover the time spent responding to a jury summons, participating in the selection process or serving on a jury.</p> <p>Employer violations are subject to criminal and civil penalties.</p>
Voting Leave	<p>Employers must allow employees two hours of paid leave to vote on an election day, if the employee applied for leave prior to the election day. However, leave is not available to an employee whose work schedule allows for three or more hours of non-work time when the polls are open. Employers may specify the hours during which the employee may leave to vote. If the employee requests the leave at the beginning or end of their work shift, the employer must grant that request.</p> <p>Employer violations are class B misdemeanors.</p>

Type of Leave	Requirements
Military Leave	<p>Utah law provides the following job protections (in addition to USERRA) for members of a reserve component of the U.S. armed forces:</p> <ul style="list-style-type: none"> • Reserve members must be granted leave due to U.S. active duty, training or state active duty for no more than five years. • The reserve members must be reemployed upon satisfactory release with the seniority, status, pay and vacation the employee would have had if not absent for military purposes. <p>In addition, members of the Utah National Guard or State Defense Force ordered to state military service by the governor have USERRA protections for up to five years of that service. Utah National Guard or State Defense Force officers appointed to state employment by the governor have USERRA protections for the duration of their state appointment, even if it exceeds five years.</p> <p>Employer violations are class B misdemeanors.</p>
Leave for emergency services volunteers	<p>Employers must allow employees who are emergency services volunteers unpaid leave to respond to emergencies, and may not terminate employees because they are emergency services volunteers. "Emergency services volunteers" are volunteer firefighters, licensed emergency medical service personnel, and individuals mobilized as part of a posse comitatus. Employers may request a written statement from the employee's emergency services supervisor stating the time and date of the employee's response as an emergency services volunteer. Employees must make a reasonable effort to notify their employers of any absence from or tardiness to work because of their emergency response.</p> <p>Employees alleging violations may bring civil suit against their employers.</p>

SPECIAL NOTE: The information in this chart focuses on statewide laws. Employers are advised that cities, towns and counties across the country have also enacted ordinances that require employers to provide employee leave. Employers must generally comply with both local and statewide law where they apply.

More Information

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

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