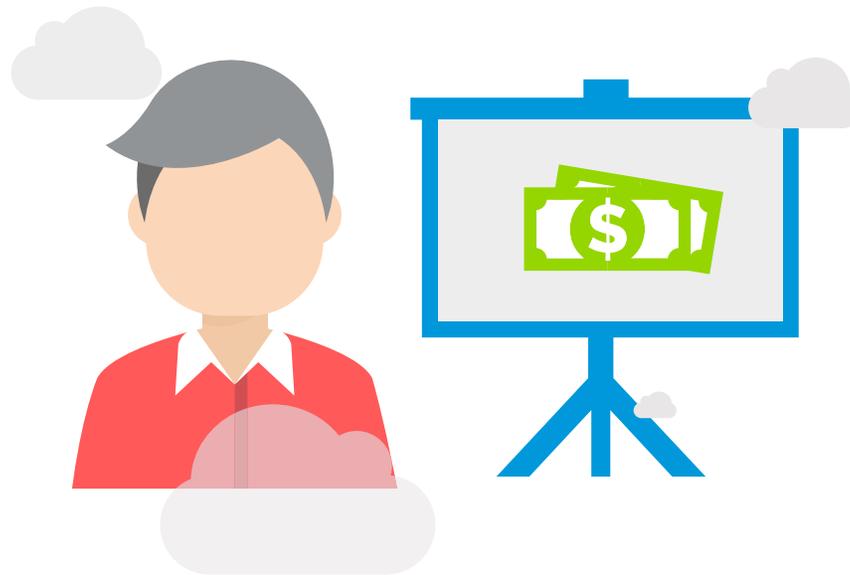


FINAL WAGE PAYMENT FOR PRIVATE EMPLOYERS

October 2019



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This chart details each state’s requirements for payment of final wages, including vacation payouts. It does not cover public employers (state and local governments), exceptions, or special rules for certain industries or professions. Some provisions may also be affected by a collective-bargaining agreement.

STATE	TERMINATION	RESIGNATION	VACATION PAYOUT REQUIREMENT
Alabama	No specific regulation currently exists.	No specific regulation currently exists.	Employers may establish a policy or enter into a contract disqualifying employees from payment of accrued vacation upon separation from employment, whether by quitting, discharge, or layoff. However, payment is required if policy or contract requires it.
Alaska	Payment is due within 3 working days after the termination.	Payment is due by the next regular payday that is at least 3 working days after the employee's last day worked.	An employer must pay vacation benefits only if it has a policy to pay such benefits or has made a promise or has a contract with the employee to pay these benefits.
Arizona	Payment is due within 7 working days or at the end of the next regular pay period, whichever occurs earlier.	Payment is due no later than the regular payday for the pay period during which the termination occurred.	Not required unless otherwise stated in employer policy or practices. However, unused vacation time can constitute wages if the employee has a reasonable expectation of payment (as established by policy or practice).
Arkansas	Payment is due within 7 days of discharge provided the employee has requested or demanded payment. In all other cases, the payment must be made on the regularly scheduled payday.	Payment must be made on the regularly scheduled payday, absent an agreement between the employer and the employee to the contrary.	Not required unless otherwise stated in employer policy or practices.
California	Payment is due immediately.	Payment is due within 72 hours. However, employees who give 72 hours’ notice of intent to quit must be paid upon quitting.	All accrued, vested vacation time must be paid upon termination.

STATE	TERMINATION	RESIGNATION	VACATION PAYOUT REQUIREMENT
Colorado	Payment is due immediately. However, if the employer's accounting unit responsible for the drawing of paychecks is not regularly scheduled to be operational, wages due must be made available no later than 6 hours after the unit would normally be operational or within 24 hours if the payroll unit is offsite.	Payment is due no later than the next regular payday.	Wages include vacation pay earned in accordance with the terms of any agreement. If an employer provides paid vacation, then it must pay upon separation from employment all vacation pay earned and determinable in accordance with the terms of any agreement between the employer and employee.
Connecticut	Payment is due on the next business day.	Payment is due on the next regular payday.	Employers are not required to pay accrued, unused vacation on termination unless an employment policy or collective-bargaining agreement provides otherwise.
Delaware	Payment is due on the next regular payday.	Payment is due on the next regular payday.	An employer may lawfully establish a policy or enter into a contract denying employees payment for accrued vacation leave upon separation from employment.
District of Columbia	Payment is due no later than the working day following the date of discharge.	Payment is due within 7 days of resignation, or no later than the next regular payday, whichever occurs earlier.	Vacation must be paid upon separation unless the employer has a written policy stating employees are not entitled to vested vacation upon separation.
Florida	No specific regulation currently exists.	No specific regulation currently exists.	Florida law does not require employers to pay accrued and unused vacation days upon termination. However, employers must pay vacation days as final pay if it is part of an employer's policy.
Georgia	No specific regulation currently exists.	No specific regulation currently exists.	Whether an employer pays an employee for accrued, unused vacation time at the time of termination is strictly a matter of company policy.
Hawaii	Payment is due at time of discharge, or no later than the next working day.	Payment is due no later than the next regular payday. However, if the employee gives at least one pay period's notice of intent to quit, payment must be made at the time of quitting.	An employer may lawfully establish a policy or enter into a contract denying employees payment for accrued vacation leave upon separation from employment. An employee is not entitled to pay for vacation benefits that are unused during the period of employment, unless there is an express policy (or contractual obligation) to the contrary.

STATE	TERMINATION	RESIGNATION	VACATION PAYOUT REQUIREMENT
Idaho	Payment is due the earlier of either the next regular payday, or within 10 days of the termination, weekends and holidays excluded. However, upon the employee's written request for earlier payment of wages, all wages then due must be paid within 48 hours of the employer's receipt of such request, weekends and holidays excluded.	Payment is due the earlier of either the next regular payday, or within 10 days of the termination, weekends and holidays excluded. However, upon the employee's written request for earlier payment of wages, all wages then due must be paid within 48 hours of the employer's receipt of such request, weekends and holidays excluded.	Idaho law does not require employers to provide vacation time. If an employer chooses to provide these benefits, then it must comply with the terms of its established policy or employment contract.
Illinois	Payment is due upon termination, if possible, but no later than the next regular payday.	Payment is due upon resignation, if possible, but no later than the next regular payday.	An employer is required to pay accrued vacation to an employee upon separation from employment if its policy or a contract requires it. Payment for earned vacation is the same as wages; when vacation pay is earned, it is due upon discharge.
Indiana	Payment is due on the next regular payday.	An employer will not be penalized for not paying the wages of an employee who resigned if the employer does not have the employee's address or know where the employee may be reached. Employers are not subject to penalties unless either: <ul style="list-style-type: none"> • Ten business days have elapsed since the employee's wage request; or • The employee gave the employer an address where wages are to be sent. 	Accrued vacation pay is considered a form of compensation. An employee may be entitled to a pro rata share of his or her accrued vacation at the time of termination. If there is a company policy or employment contract stipulating that certain conditions must be met before accrued vacation pay will be paid, these conditions must be met in order to receive accrued vacation pay. Vacation policies are generally left to the discretion of the employer.
Iowa	Payment is due on the next regular payday.	Payment is due on the next regular payday.	Employers must follow their own policies, practices, or contracts regarding vacation benefits. In the absence of such policy, practice, or contract, vacation benefits are not required. Employees are only entitled to payment of unused vacation benefits if the employer has a contract, policy, or procedure to pay vacation to departing employees.

STATE	TERMINATION	RESIGNATION	VACATION PAYOUT REQUIREMENT
Kansas	Payment is due on the next regular payday.	Payment is due on the next regular payday.	Vacation must be paid upon separation if the employer's policy provides for payout. Payout may be limited by employer policy requiring a condition to be met before payout (for example, a certain amount of notice).
Kentucky	Payment is due on the next normal pay period or 14 days following the date of termination, whichever occurs later.	Payment is due no later than the next normal pay period or 14 days following resignation, whichever occurs later.	Vested vacation must be paid upon separation if the employer's policy provides for vacation.
Louisiana	Payment is due no later than the next regular payday or no later than 15 days after the date of discharge, whichever occurs first.	Payment is due no later than the next regular payday or no later than 15 days after the date of resignation, whichever occurs first.	To be paid for unused vacation time, an employee must, according to the employer's vacation policy, both: <ul style="list-style-type: none"> • Have accrued vacation time; and • Be eligible to take the vacation at discharge or resignation.
Maine	Payment is due no later than the employee's next established payday.	Payment is due no later than the employee's next established payday.	Only accrued vacation time is required to be paid upon termination in cases where the employer's policy specifically states that the benefit will be paid upon termination. An employer may lawfully establish a policy or enter into a contract denying employees payment for accrued vacation leave upon separation from employment.
Maryland	Payment is due on or before the next regular payday.	Payment is due on or before the next regular payday	Employers are not required to pay accrued leave to an employee if: <ol style="list-style-type: none"> 1. The employer has a written policy that limits the compensation of accrued leave to employees; 2. The employer notified the employee of the employer's leave benefits; and 3. The employee is not entitled to payment for accrued leave at termination under the terms of the employer's written policy.

STATE	TERMINATION	RESIGNATION	VACATION PAYOUT REQUIREMENT
Massachusetts	Payment is due immediately.	Payment is due on the next regular payday, or by the first Saturday after quitting if there is no regular payday.	No law requires employers to provide vacation. Employers may establish the terms of a vacation policy and must abide by it. However, if vacation is provided, then it is considered wages and must be paid upon termination. No forfeiture of earned vacation time is allowed.
Michigan	Payment is due on the next regular payday. If the amount due for an employee working under a contract cannot be determined until termination of the contract, then the employer must pay final wages as nearly as they can be estimated but by no later than at the termination of the contract.	Payment is due on the next regular payday. If the amount due for an employee working under a contract cannot be determined until termination of the contract, then the employer must pay final wages as nearly as they can be estimated but no later than at the termination of the contract.	Vacation provided under a written contract or policy is considered a fringe benefit rather than wages. Employers must pay fringe benefits according to the terms of their written contract or policy and cannot withhold any payments due on termination unless the employee voluntarily agrees to otherwise in writing.
Minnesota	Payment is due within 24 hours of a written demand for payment to employees who are terminated, discharged, or fired.	Payment is due on the next regularly scheduled payday to employees who voluntarily leave employment (quit). If the payday is within 5 days of the employee's last day of work, the employer has up to 20 days to make final payment.	Vacation must be paid upon separation if the employer's policy or practice provides for vacation payout. Benefits due must be paid within 30 days of when they became due under company policy.
Mississippi	No specific regulation currently exists.	No specific regulation currently exists.	There is no provision requiring the payment of accrued vacation at the time of termination. An employment contract or policy determines payment.
Missouri	Payment is due immediately.	No specific regulation currently exists.	Employers are not required to provide vacation pay. Vacation may be offered at an employer's discretion. Vacation pay upon termination may occur if the employee and employer have a contract for such payment.

STATE	TERMINATION	RESIGNATION	VACATION PAYOUT REQUIREMENT
Montana	Payment is due immediately (within four hours or the end of the business day, whichever occurs first), unless the employer has a pre-existing, written policy allowing for payment on the next regular payday or within 15 days of the termination, whichever occurs first.	Payment is due on the next scheduled payday, or within 15 calendar days, whichever occurs first.	Accrued, paid vacation must be paid upon separation if the employer's policy provides for vacation. Employers may place reasonable restrictions on accrual of paid vacation; however, the employer may not impose new conditions that could divest the employee of that accrued vacation.
Nebraska	Payment is due no later than the next regular payday or within 2 weeks of the date of termination, whichever is earlier.	Payment is due no later than the next regular payday or within 2 weeks of the date of resignation, whichever is earlier.	Employers must pay earned vacation time. Accrued vacation time, which may be part of an employment agreement, is due and payable as wages upon termination of employment.
Nevada	Payment is due immediately.	Payment is due on the next regular payday or 7 days after resignation, whichever is earlier.	Nevada law requires payment only for time worked and not for vacation time; however, employers must comply with their existing policies or past practices.
New Hampshire	Payment is due within 72 hours.	Payment is due no later than the next regular payday. However, if the employee gives at least one pay period's notice of intention to resign, then all wages earned must be paid within 72 hours.	Final wages include vacation pay when it is provided under a company policy or practice. Otherwise payment is not required.
New Jersey	Payment is due no later than the next regular payday.	Payment is due no later than the next regular payday.	Vacation must be paid upon separation only if the employer's policy provides for it. Payment may also be limited by employer policy requiring a condition to be met first (such as a certain amount of notice, etc.).
New Mexico	If the wages owed are a fixed and definite amount, the employer must pay wages within 5 days of discharge. Task, piece, and commission wages must be paid within 10 days of discharge.	Payment is due no later than the next regular payday, unless the employee has a written contract for a definite period.	State law does not require payment for unused vacation. Employers may choose to provide vacation pay and must follow their stated policies for payout.

STATE	TERMINATION	RESIGNATION	VACATION PAYOUT REQUIREMENT
New York	Payment is due on the next regular payday.	Payment is due on the next regular payday.	An employer's policy determines whether earned, unused vacation is paid on termination. If an employee has accrued vacation time and the employer does not have a written forfeit policy, then it must pay earned vacation time on termination.
North Carolina	Payment is due on or before the next regular payday. Wages based on bonuses, commissions, or other forms of calculation must be paid on the first regular payday after the amount becomes calculable when a separation occurs.	Payment is due on or before the next regular payday. Wages based on bonuses, commissions, or other forms of calculation must be paid on the first regular payday after the amount becomes calculable when a separation occurs.	Earned vacation must be paid upon separation unless the employer's policy or employment contract states vacation pay is forfeited upon separation.
North Dakota	Payment is due on the next regular payday.	Payment is due on the next regular payday.	<p>Earned vacation constitutes wages and is due with the employee's final paycheck.</p> <p>If an employee separates from employment voluntarily, a private employer may withhold payment for accrued paid time off if:</p> <ol style="list-style-type: none"> 1. At the time of hiring, the employer provided the employee written notice of the limitation on payment of accrued paid time off; 2. The employee has been employed by the employer for less than one year; and 3. The employee gave the employer less than five days written or verbal notice.

STATE	TERMINATION	RESIGNATION	VACATION PAYOUT REQUIREMENT
Ohio	<p>Ohio law does not clarify wage payment upon termination. However, by the first day of each month, employers must pay workers all wages earned during the first half of the preceding month, ending by the 15th day of the month.</p> <p>By the 15th day of each month, employers must pay workers all wages earned during the last half of the preceding month.</p>	<p>Ohio law does not clarify wage payment upon resignation. However, by the first day of each month, employers must pay workers all wages earned during the first half of the preceding month, ending by the 15th day of the month.</p> <p>By the 15th day of each month, employers must pay workers all wages earned during the last half of the preceding month.</p>	<p>An employer's policy determines whether earned, unused vacation is paid upon termination.</p>
Oklahoma	<p>Payment is due on the next regular payday.</p>	<p>Payment is due on the next regular payday.</p>	<p>Vacation must be paid upon separation if the employer's policy or practice specifically provides for payout upon separation.</p>
Oregon	<p>Payment is due no later than the end of the next business day, including when an employer and employee mutually agree to terminate the relationship.</p>	<p>If the employee gives at least 48 hours' notice of intention to resign, an employer must pay upon discharge (unless it is not a business day). If the employee gives less than 48 hours' notice, payment is due within 5 days or the next regular payday, whichever occurs earlier.</p>	<p>Vacation must be paid upon separation if the employer's policy or practice provides for payout upon separation.</p>
Pennsylvania	<p>Payment is due on the next regular payday.</p>	<p>Payment is due on the next regular payday.</p>	<p>Vacation must be paid if the employer's policy provides for it.</p>
Rhode Island	<p>Payment is due no later than the next regular payday.</p>	<p>Payment is due no later than the next regular payday.</p>	<p>If an employee is terminated after at least one year of employment, accrued vacation pay becomes wages and is payable in full with all other wages due.</p> <p>When an employees separates or is separated from an employer's payroll after at least one year of service, any vacation pay accrued or awarded by collective bargaining, written or verbal company policy, or any other written or verbal agreement between the employer and employee becomes wages payable in full or on a prorated basis with all other wages owed on the next regular payday.</p>

STATE	TERMINATION	RESIGNATION	VACATION PAYOUT REQUIREMENT
South Carolina	Payment is due within 48 hours of the time of separation or the next regular payday, not to exceed 30 days.	Payment is due within 48 hours of the time of separation or the next regular payday, not to exceed 30 days.	Vacation, holidays, and sick leave must be paid upon separation if the employer's policy or other agreement provides for it.
South Dakota	Payment is due no later than the next regular payday and employers may withhold the final paycheck until the employee returns any property that belongs to the employer.	Payment is due no later than the next regular payday and employers may withhold the final paycheck until the employee returns any property that belongs to the employer.	Vacation must be paid upon separation if the employer's policy or practice provides for it.
Tennessee	Payment is due on the next regular payday or within 21 days, whichever is later.	Payment is due on the next regular payday or within 21 days, whichever is later.	Vacation or compensatory time off must be paid upon separation if the employer's policy or labor contract provides for it.
Texas	Payment is due within 6 calendar days of discharge.	Payment is due on the next regular payday.	Payouts of accrued leave are required only if they are promised by the employer in a written policy or agreement. Payment is not required if no such policy or agreement exists.
Utah	Payment is due within 24 hours of discharge.	If an employee who does not have a written contract for a definite period resigns, the wages earned must be paid on the next regular payday.	Paid vacation is treated as wages and is due upon termination from employment. Unless the employer specifically implements a use-it-or-lose-it policy (explicitly stating that leave does not accrue and employees are not paid unused leave), the employer must pay the employee for any accrued, unused leave upon termination.
Vermont	Payment is due within 72 hours of discharge.	Payment is due on the last regular payday or, if there is no regular payday, on the following Friday.	Vacation must be paid upon separation if the employer's policy or employment contract provides for it.
Virginia	Payment is due on or before the next regular payday.	Payment is due on or before the next regular payday.	Employers may establish any or no policy regarding vacation benefits.

STATE	TERMINATION	RESIGNATION	VACATION PAYOUT REQUIREMENT
Washington	Payment is due on the next regular payday.	Payment is due on the next regular payday.	An employer's policy determines whether earned, unused vacation is paid upon termination.
West Virginia	Payment is due on or before the next regular payday.	Payment is due on or before the next regular payday.	Depends on employer policy. Fringe benefits are included in the definition of wages, and any benefits payable at termination according to written company policy are to be included as part of final wages upon separation from employment.
Wisconsin	Payment is due no later than the next regular payday or monthly, whichever is earlier.	Payment is due no later than the next regular payday or monthly, whichever is earlier.	Depends on employer policy. Employers are not required to provide employees with vacation benefits, either paid or unpaid. If an employer chooses to provide such benefits, through written or unwritten agreement between the employer and employee, it must comply with the terms of its established policy or employment contract. Wages include vacation pay when required under a binding collective-bargaining agreement, bonuses, and any other similar advantages agreed upon between the employer and the employee or provided by the employer to employees as an established policy.
Wyoming	Payment must be made no later than the employer's usual practice on regularly scheduled payroll dates.	Payment must be made no later than the employer's usual practice on regularly scheduled payroll dates.	An employer may specify that vacation pay will not be paid upon termination if its written policies provide that accrued vacation is forfeited upon termination and the written policies are acknowledged in writing by the employee.