

Time Off To Vote

October 28, 2010

Many states have enacted leave laws that come into play at election time, often requiring employers to allow employees time off from work to vote. Some states require time off to vote without loss of pay, some limit the amount of time to be taken, and still others have no provisions at all. Please refer to the chart below for those states that have applicable regulations in place.

Be sure to review your policy with your employees now to avoid any confusion when it is time to vote.

STATE	Time Off To Vote
AZ	Three consecutive hours, if nonworking hours are not available. Advance request needed.
AR	No provision for wage deduction, but scheduling must allow for voting opportunity.
CA	Up to two hours.
CO	No deduction permitted up to two hours. Advance notice required.
GA	Without pay, up to two hours. If nonworking hours are not available. Request needed.
IL	Without pay, up to two hours. Request needed. Employer may decide when.
IA	Three consecutive hours, but only for general election. Request needed.
KS	Three consecutive hours, in a general, primary, and special election, whether federal, state, or local.
KY	Not less than four hours, without pay, upon request of time off.
MD	Up to two consecutive hours, if nonworking hours do not permit. Employer may require proof of voting.
MA	First two hours after polls open, however no payment is required.
MN	Morning paid time off permitted for state and federal elections.
MO	Three hours allowed, if nonworking time not available. Applies to all elections. Request in advance is required.
NE	Two hours allowed for all elections. Request in advance is required.
NV	One to three hours allowed for all elections. Request in advance is required.
NM	Two hours permitted unless polls are open two hours before start of work or three hours after workday.
NY	Up to two hours, unless employee has four nonworking hours available to vote. Notification (2-10 days) required.
ND	No requirement, however employers are encouraged to establish time-off policy.
OH	A reasonable amount of time must be allowed. No deduction allowed for salaried employees.
OK	Two hours or more (if necessary), must be permitted. Prior notice must be given by employee.
SD	Up to two hours, if polls are not available for two nonworking hours.
TN	Reasonable time, up to 3 hours, if 3 consecutive non-working hours are not available. Notice required no later than noon of the day before.
TX	Unspecified amount of time may be used for all elections, if two consecutive hours of non-working time is not available.
UT	Up to two hours permitted, if three nonworking hours are not available. Request needed.
WA	Up to two hours permitted, if two consecutive nonworking hours are not available, or sufficient time to secure absentee ballot.
WV	Up to three hours in all elections. Request for time off needed.
WI	Up to three hours must be permitted, however deduction is permitted. Request must be given and employer may schedule.
WY	One hour, other than mealtime, if employee votes.

As always, WorkLife HR personnel are available to answer your questions. Contact us at (888) 344-3794 for assistance.