

Voting Leave

- Does the state protect employees who take leave to vote in elections?

State	Main provisions of law	Covered employers
US	Though federal law protects citizens' right to vote, there is no federal law that mandates employers to give employees a specific amount of time off to do so. Many states have filled this void in the law with specific provisions and sanctions. Some states require employees to give reasonable notice of absence to the employer. Also, many state laws require employees to use their available time outside of work hours to cast their votes if there is sufficient time before or after work to get to local polls.	There is no provision for this topic in this state.
AL	Employees in Alabama shall, upon reasonable notice to their employer, be permitted to take necessary time off from their employment to vote in any municipal, county, state, or federal political party primary or election for which the employee is qualified and registered to vote on the day on which the primary or election is held. The necessary time off shall not exceed one hour, and if the hours of work of the employee commence at least two hours after the opening of the polls or end at least one hour before the closing of the polls, then the time off for voting shall not be available. An employer may specify the hours during which employees may take time off to vote. While it is not required, an employer may pay employees for taking time off to vote <i>Citation:</i> Ala. Code § 17-1-5.	All Alabama employers are covered under the voting leave law.

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AK	All employees who are qualified voters and don't have two consecutive hours of nonwork time while polls are open may take off, without loss of pay, in order to have sufficient time outside working hours within which to vote. Note that if an employee has at least two consecutive hours to vote, either before or after work, when the polls are open, an employer is not required to provide such paid time off. <i>Citation:</i> Alaska Stat. Ann. §§ 15.15.100 and 15.25.209.	All Alaska employers are covered under the voting leave law.
AZ	Arizona employers are required to provide all employees with time off to vote if there are fewer than three consecutive hours between when polls open and the beginning of an employee's shift or fewer than three hours of open polls after the end of an employee's workday. In such event, employees may take enough time at the beginning or end of their work shifts that, when added to the time difference between work shift hours and opening or closing of polls, will provide a total of three consecutive hours. Employers may specify the hours that employees may be absent. <i>Citation:</i> A.R.S. § 16-402(A).	All Arizona employers are covered under the voting leave law.
AR	Arkansas employers must schedule the work hours of its employees on election days so that they will have time to vote. <i>Citation:</i> Ark. Code Ann. § 7-1-102.	All Arkansas employers are covered under the voting leave law.

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CA	California employers must ensure that all employees eligible to vote have sufficient time outside of working hours to vote at a statewide election. The time off provided should only be at the beginning or end of a shift, as determined by the employer, as to whichever enables the most free time for voting and the least time off from the regular working shift (unless otherwise agreed). No more than two hours of the time taken off for voting shall be without loss of pay. If an employee on the third working day prior to the day of election, knows or has reason to believe that time off will be necessary to be able to vote on election day, the employee must give their employer at least two working days' notice that time off for voting is desired. <i>Citation:</i> Cal. Elec. Code §§ 14000(a)-(c). Not less than 10 days before every statewide election, employers must post notice of employees' rights to take time for voting. <i>Citation:</i> Cal. Elec. Code § 14001.	All California employers are covered under the voting leave law.

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CO	Employees who are registered voters and who do not have at least three hours outside of work to vote are entitled to up to two hours of paid leave to vote while the polls are open. Employers may specify the hours during which employees may take time off to vote, but the hours shall be at the beginning or end of employees' work shifts. Employees who take time off to vote are protected from adverse employment actions by their employers. <i>Citation:</i> Col. Rev. Stat. §§ 1-7-102 and 31-10-603. Colorado law also makes it unlawful for an employer to control, in any manner, whether or for whom an employee votes. Employers can't enclose with or attach to an employee's paycheck "any political mottoes, devices, or arguments containing threats, express or implied, intended or calculated to influence the political opinions, views or actions" of their employees. The law also prohibits employers from posting in the workplace any fliers or posters that threaten or otherwise state that if a certain candidate or ticket is elected, the employer will close or wages will go down or other express or implied threats intended to influence employee votes. <i>Citation:</i> Col. Rev. Stat. § 1-13-719.	All Colorado employers are covered under the voting leave law.

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CT	Connecticut employers must provide all employees with two hours of unpaid time off to vote. An employee is eligible for leave (1) in the case of a state election and/or (2) when an employee is an elector in the case of any special election for U.S. senator, representative in Congress, state senator, or state representative. <i>Citation:</i> Conn. Gen. Stat. § 31-57y.	All Connecticut employers are covered under the voting leave law.
DC	Under the Washington, D.C. Leave to Vote Amendment Act of 2020 ("LVAA"), Washington, D.C. employers must, upon the request of an employee, provide that employee with at least two hours of paid leave to vote in person in any election, or, if the employee is not eligible to vote in Washington, D.C., in any election run by the jurisdiction in which the employee is eligible to vote. Employers must post and maintain a notice that includes an easily understood description of the provisions of the LVAA. <i>Citation:</i> D.C. Law 23-110.	All Washington, D.C. employers with at least one employee are covered under the voting leave law.
DE	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i>	N/A

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FL	There is no Florida law requiring employers to give their employees paid or unpaid time off to vote in public elections. However, all Florida employers are prohibited from discharging or threatening to discharge any employees who vote in state or local elections. The same prohibitions apply to prevent employers from discharging or threatening to discharge employees who refuse to vote. <i>Citation:</i> Fla. Stat. Ann. § 104.081.	All Florida employers are covered under the voting leave law.
GA	Georgia employers are required to grant employees (who are registered voters) up to two hours off to vote in person in primaries and elections, either on election day or on a designated in person early voting day. In addition, Georgia employees can take two hours off, regardless of whether the polls are open two hours before or after a work shift ends. <i>Citation:</i> O.C.G.A. § 21-2-404; Georgia Senate Bill 129 (2023).	All Georgia employers are covered under the voting leave law.

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HI	As of 2020, Hawaii employers are no longer required to provide employees two hours of time off to vote. The state has instituted voting by mail for all elections. While no Hawaii law requires employers to give their employees paid or unpaid time off to vote in public elections, it is unlawful for employers to discharge employees from employment or occupation because of the exercise of political rights and privileges. <i>Citation:</i> Hawaii Res. Stat. § 11-95 (repealed July 1, 2019).	All Hawaii employers were covered under the former voting leave law.

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ID	<u>Voting Leave and the Private Sector</u> There is no Idaho law requiring employers to give their employees paid or unpaid time off to vote in public elections. However, Idaho employers should be cautious when denying employees the opportunity to vote and should not discipline or terminate employees for actually voting. For an Idaho private employer to avoid any appearance of domination or interference with an employee's ability to vote, it is generally advisable to either ensure that employees have an opportunity to vote in off hours or grant them time off to vote. If an employer chooses either option, it should consider doing so in a written policy applicable to all employees. Such a policy also should address the issue of preventing supervisors or managers from stifling or otherwise influencing an employee's vote. <i>Citation:</i> Idaho Code § 18-2319. <u>Voting Leave and the Public Sector</u> Idaho public employers are subject to stricter regulatory requirements than private employers. The Idaho Administrative Procedures Act ("APA") requires that Idaho's public employers give their employees time off to vote when the employees' scheduled workdays interfere with their ability to reach the polls.	All Idaho employers are covered under the various voting leave laws.

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	Idaho's statutory law is a direct result of the U.S. Supreme Court's ruling in <i>Day-Bright Lighting, Inc. v. Missouri</i>, 342 U.S. 421, 72 S. Ct. 405 (1952), which upheld a Missouri statute that required employers to grant paid time off to employees for them to vote in public elections. The Supreme Court determined that state legislators may enact laws that “free employees from the domination of employers” with respect to voting and that such requirements don't violate the equal protection laws. <i>Citation:</i> Idaho Code § 67-52.	

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IL	The Illinois Paid Leave for All Workers Act ("PLAWA") offers family and medical leave and sick leave protections to public and private employees. The PLAWA provides employees with up to 40 hours of paid leave per year to be used for any purpose, including voting leave. <i>Citation: 820 ILCS 192/1, et seq.</i> Illinois employers must provide all employees registered to vote with two hours of paid time off between the time of opening and closing of the polls to vote but only if the employees' working hours begin less than two hours after the opening of the polls and end less than two hours before the closing of the polls. Employers may specify the hours employees may be absent. <i>Citations: 10 ILCS 5/7-42 and 10 ILCS 5/17-15.</i>	All Illinois employers are covered under the Paid Leave for All Workers Act. <i>Citation: 820 ILCS 192/1, et seq.</i> All Illinois employers are covered under the voting leave law. <i>Citations: 10 ILCS 5/7-42 and 10 ILCS 5/17-15.</i>
IN	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i>	N/A

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IA	All employees in Iowa are entitled to vote. Employees who do not have two consecutive hours in the period between the time of the opening and the time of the closing of the polls during which the employee is not required to be present at work for an employer, is entitled to such time off from work time to vote as will in addition to the person's nonworking time total two consecutive hours during the time the polls are open. <i>Citation:</i> Iowa Code § 49.109; § 39A.5; § 903.1.	All Iowa employers are covered under the voting leave law.
KS	All Kansas employees entitled to vote in elections conducted by the county election officer are entitled to a voting leave period not to exceed two consecutive hours. Employers may specify when the two-hour period must be taken. It's permissible for employers to specify that the two-hour voting period (or any portion of it) be taken prior to or after an employee's regular working hours if the polls are open at such times. <i>Citation:</i> K.S.A. § 25-418.	All Kansas employers are covered under the voting leave law.
KY	Kentucky employers must provide employees with at least four hours of leave to either vote or cast an absentee ballot. Employers may specify the hours when such leave can be taken. <i>Citation:</i> Ky. Const. § 148 and KY Rev. Stat. § 118.035(2).	All Kentucky employers are covered under the voting leave law.

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LA	There is no Louisiana law requiring employers to give their employees paid or unpaid time off to vote in public elections. However, it is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges. <i>NOTE: Louisiana law prohibits employers from discriminating against employees based on political beliefs.</i> <i>Citation: La. Rev. Stat. Ann. §§ 23:961 through 23:962.</i>	All Louisiana employers with 20 or more regularly employed employees are covered under the political beliefs discrimination law.
ME	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i>	N/A
MD	Eligible Maryland voters are allowed up to two hours of paid leave unless they have two continuous nonworking hours when polls are open. Deduction from wages is prohibited for employees who use the time to vote or attempt to vote. Employees can be required to furnish proof to the employer of voting or attempting to vote. <i>Citation: Md. Code Ann., Elect. Law § 10-315.</i>	All Maryland employers are covered under the various voting leave laws.

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MA	Massachusetts employees working in manufacturing, mechanical, or mercantile establishments are entitled to time off to vote during the first two hours polls are open. Voting leave may be unpaid. <i>Citation:</i> Mass. Gen. Laws c. 149, § 178.	Note that although the statute seems to apply only to certain employers, “mechanical establishment” under the law means any establishment where "machinery is employed." Further, at least one court in Massachusetts has held that a computer is machinery. Accordingly, the voting leave law has been interpreted to apply broadly to almost all employers in Massachusetts.

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MN	Minnesota employees who are eligible to vote in an election have the right to be absent from work for the purpose of voting during the morning of the day of an election. Specifically, the amount of time an employee is given must be adequate to (1) appear at the employee's polling place, (2) cast a ballot, and (3) return to work. It is important to note that while an employee should be given sufficient time to vote but the law does not specify if an employer may designate the hours an employee takes to vote. Importantly, the law also establishes that no employee may be requested, directed, or permitted to canvass for or against any candidate or render any other services for or against any candidate or group of candidates, during any of the hours within which the salary of the employee as an employee is being paid or agreed to be paid. No employee may be allowed any vacation or leave of absence at the expense of the employer to render any service or services for or against any candidate or group of candidates, or to take any active part in any election campaign whatsoever, except the necessary time to cast their vote. <i>Citation:</i> Minn. Stat. Ann. § 23-15-871 (204C.04, Subd. 1).	All Minnesota employers are covered under the voting leave law.

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MS	There is no Mississippi law requiring employers to give their employees paid or unpaid time off to vote in public elections. However, it is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges. Note that under Miss. Code Ann. § 23-15-871, no employee is allowed to take any part in an election campaign at the expense of the employer, except the necessary time to cast their vote. If an employee's regular working hours do not otherwise allow them time to vote, an employer may allow that employee to take vacation or leave time so they have the necessary time to cast their vote. <i>Citation:</i> Miss. Code Ann. § 23-15-871.	All Mississippi employers are covered under the voting/election campaign leave law.
MI	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i>	N/A

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MO	All Missouri employers are required to allow employees to take time off to vote. An employee's request for time off to vote on an election day, if their regular schedules do not give them three successive hours in which to vote while the polls are open, entitles that employee to be off work for an amount of time that will give them three successive hours to vote. Employers may specify the hours that employees may be absent to take leave to vote. <i>Citation: R.S.Mo. § 115.639(1).</i>	All Missouri employers are covered under the voting leave law.
MT	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i>	N/A
NE	All Nebraska employees who are registered voters and do not have two consecutive hours of nonwork time when polls are open may take off enough time to allow them two consecutive hours for voting. Employers may specify the hours employees may be absent. <i>Citation: Neb. Rev. St. § 32-922.</i>	All Nebraska employers are covered under the voting leave law.

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NV	Under Nevada law, employees who are registered voters can take paid leave from work to vote if it is impracticable for them to vote before or after work. Nevada law sets out what is considered sufficient time, which is determined by the distance between an employee's workplace and a polling place. If the distance is (1) two miles or less, an employee is entitled to leave work for one hour; (2) between two and 10 miles, two hours; or (3) more than 10 miles, three hours. Employers can designate the appropriate time for employees to leave work to go vote. <i>Citation: Nev. Rev. Stat. Ann. § 293.463, et seq.</i>	All Nevada employers are covered under the voting leave law.
NH	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i> <i>NOTE: If a New Hampshire employee must be physically present at work or in transit to and from work from beginning to end of the polling hours, they may apply to vote by absentee ballot.</i> <i>Citation: N.H. Rev. Stat. Ann. § 657:1.</i>	N/A
NJ	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i>	N/A

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NM	New Mexico employees (including qualified voters in elections of Indian nations, tribes, or pueblos) may request two hours of paid leave for the purpose of voting between the time of opening and closing of the polls. Voting leave under the statute does not apply to employees whose workdays begin more than two hours after polls open or end more than three hours before the time polls close. Employers may specify the hours when employees can be absent. <i>Citation:</i> N.M. Stat. Ann. 1978, § 1-12-42(A) and (B).	All New Mexico employers are covered under the voting leave law.

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NY	New York has long permitted employees to take leave on election days. Specifically, the 2020 amended version of N.Y. Elec. Law § 17 3-110 established that if an employee who is registered to vote does not have sufficient time outside of their scheduled working hours, on any day at which they may vote, that employee may, without loss of pay for up to two hours, take off so much working time as will enable them to vote. If an employee has four consecutive hours either between the opening of the polls and the beginning of their working shift, or between the end of their working shift and the closing of the polls, they shall be deemed to have sufficient time outside their working hours within which to vote. The amended law permits the time off at either the beginning or the end of an employee's shift, and the employer gets to choose whether the leave is taken at the beginning or end of the shift. The amended law does not modify the requirement that employers must notify employees of their right to take leave to vote. New York employers must post, at least 10 days before the date of any election, notice that employees are entitled to paid voting leave, and the notice must remain posted through the closing of the polls. <i>NOTE: The amended law does not appear to require employees to provide any proof that they actually voted. It is unclear if employers can require proof that employees are</i>	All New York employers are covered under the voting leave law.

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	registered to vote, despite the language in N.Y. Elec. Law § 17 3-110 that indicates only registered voters are permitted to take the leave. <i>Citation:</i> N.Y. Elec. Law § 17 3-110, et seq.	
NC	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i>	N/A
ND	North Dakota law encourages all employers to establish policies granting employees time to vote during work hours if they cannot vote during nonwork hours, but such policies aren't required. <i>Citation:</i> N.D. Cent. Code § 16.1-01-02.1.	All North Dakota employers are covered under the voting leave law.
OH	Ohio employers must provide employees with a reasonable amount of time to vote on an election day. Employers may not interfere with, discriminate, or retaliate against employees for taking a reasonable amount of time to vote. Employers are prohibited from printing statements on pay envelopes or posting any kind of threat or notice intended to influence employee political opinions. The law does not specify if employers can designate the hours employees may be absent. <i>Citation:</i> Ohio Rev. Code §§ 3599.05 and 3599.06.	The term "employer" is not defined by the Ohio voting leave law, but the statute is widely considered to apply to all employers in Ohio.

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OK	Oklahoma employees who are eligible to vote must be granted two hours of leave to vote. The law does not apply to employees whose workday begins three hours or more after the opening of the polls or whose workday ends three hours or more before polls close. If an employee is at such distance from the voting place that more than two hours are required to attend an election, the employee is allowed a sufficient time in which to cast a ballot. Employers are entitled to select the time employees may vote during work hours. <i>Citation: Okla. Stat. tit. 26, § 7-101, et seq.</i>	All Oklahoma employers are covered under the voting leave law.
OR	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i> <i>NOTE: Oregon does have a vote-by-mail system.</i>	N/A
PA	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i> <i>Citation: 25 Pa. Cons. Stat. § 3547.</i>	N/A

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RI	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i>	N/A
SC	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i> <i>NOTE: While South Carolina law does not provide voting leave for employees, the South Carolina Uniform Military and Overseas Voters Act provides for absentee voting protection for overseas military service members.</i> <i>Citations: S.C. Code Ann. §§ 7-15-600, et seq. and 16-17-560.</i>	N/A All military employers and employers employing citizens overseas are covered under the South Carolina Uniform Military and Overseas Voters Act. <i>Citations: S.C. Code Ann. §§ 7-15-600, et seq. and 16-17-560.</i>
SD	South Dakota employees eligible to vote may be absent for up to two consecutive hours during the time the polls are open, provided there are not two consecutive hours of open polls when the employee isn't required to be at work. Time off for leave to vote must be paid and an employer may specify the hours during which an employee may absent to take voting leave. <i>Citation: S.D. Cod. Laws § 12-3-5.</i>	All South Dakota employers are covered under the voting leave law.

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TN	Tennessee law requires employers to provide eligible employees (i.e., registered voters) with a reasonable amount of paid time off to vote, up to three hours. An employer does not, however, need to provide such voting leave if an employee has at least three consecutive hours of nonworking time, such as in the mornings or evenings, during the time the polls are open. Employers may specify the time during which the employee may take leave to vote. <i>Citation:</i> Tenn. Code Ann. § 2-1-106(a)-(d).	All Tennessee employers are covered under the voting leave law.
TX	Texas employers must permit employees to be absent from work on an election day for the purpose of attending the polls to vote. An employer does not have to provide employees with leave to vote when the polls are open on an election day for two consecutive hours outside of employees' working hours. The law does not specify a period of absence or whether employers may specify the time during which an employee may take leave to vote. <i>Citation:</i> Tex. Elec. Code Ann. § 276.004(a)(1)-(b).	All Texas employers are covered under the voting leave law.

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UT	Utah employers must allow up to two hours of paid leave so that employees can vote if the employees aren't already off work at least three hours during the time polls are open. Employers may specify the hours during which employees may take leave to vote, except when an employee requests leave at the beginning or end of the work shift and an employer must grant such a request. <i>Citation: Utah Code §§ 20A-3a-105(1)(a) and (c).</i>	All Utah employers are covered under the voting leave law.
VT	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i> <i>NOTE: Vermont employees have the right to take unpaid leave to attend annual town meetings, provided they notify their employers at least seven days prior to the date of the town meetings.</i> <i>Citation: 21 V.S.A. § 472b.</i>	N/A All Vermont employers are covered under the town meeting attendance law. <i>Citation: 21 V.S.A. § 472b.</i>

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VA	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i> <i>NOTE: The Tuesday following the first Monday in November, or Election Day, is a legal holiday in Virginia.</i> <i>Citation: VA Code § 2.2-3300.</i>	N/A All Virginia employers are covered under the Election Day holiday law. <i>Citation: VA Code § 2.2-3300.</i>
WA	No requirements beyond federal law. <i>NOTE: It is unlawful for an employer to discharge an employee from employment or occupation because of the exercise of political rights and privileges.</i> <i>NOTE: Washington is a vote by mail system and thus repealed Wash. Rev. Code Ann. § 49.28.120 that formerly required employers to allow employees up to two hours of time off to vote while polling places were open.</i>	N/A

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WV	All West Virginia employees who are eligible to vote are entitled to take up to three hours of voting leave if their scheduled work hours on an election day are such that the employee does not have three or more hours of free time away from work while the polls are open to vote. In certain circumstances, employers may specify the window of time employees may be absent from work to vote. Note that in essential government, health, hospital, transportation, and communications services and in production, manufacturing, and processing workplaces requiring continuity in operation, employers may arrange and schedule time off for voting to avoid impairment or disruption of essential services and operations. Employers that wish to schedule voting time for their employees in this manner must be sure to provide sufficient voting leave to every employee who submits a timely written demand. <i>Citation:</i> W. Va. Code § 3-1-42.	All West Virginia employers are covered under the voting leave law.

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WI	Any Wisconsin employee who is entitled to vote in an election is entitled to be absent from work for a maximum of three successive hours for the purpose of voting when the polls are open. Employers may specify the time during which an employee may take leave to vote. Employers are also prohibited from threatening to discharge an employee, threatening to reduce an employee's wages, or promising to pay an employee higher wages in an attempt to influence the employee to give or withhold his or her vote in an election. <i>Citation:</i> Wis. Stat. § 6.76(1); § 12.07(1); § 12.60(1)(b).	All Wisconsin employers are covered under the voting leave law.
WY	All Wyoming employees who are eligible to vote are allowed to be absent from work to go vote for a period of one hour (other than meal hours). This voting leave requirement does not apply when an employee has three or more consecutive nonworking hours during the time the polls are open. Such voting leave is to be at the convenience of the employer between the time of opening and closing of the polls. <i>Citation:</i> Wyo. Stat. Ann. § 22-2-111, <i>et seq.</i>	All Wyoming employers are covered under the voting leave law.