

Time Off for Voting: State-by-State

The election is just days away. Many states allow employees to take time off, sometimes with pay, so that they can vote. The chart below provides a general overview of each state's mandate as to time off, pay and what, if any, advance notice is required before taking time off to vote. If you have specific questions about the law in any state, please contact your Vorys attorney.

State	Paid	Must Employee Give Notice Prior To Taking Leave	Can Leave Be Taken During Work Time?
Alabama	No	Yes, reasonable notice required	Up to 1 hour UNLESS the polls are open for 2 hours before work or 1 hour after work. Employer may specify when leave may be taken.
Alaska	Yes	No requirement	Leave can be taken during work time UNLESS the polls are open for 2 or more consecutive hours before or after work.
Arizona	Yes	Yes	Leave can be taken at beginning or end of shift UNLESS the polls are open for 3 or more consecutive hours before or after work. Employer may specify when leave may be taken.
Arkansas	Work hours must be scheduled so that each employee will have opportunity to vote		
California	Yes, up to 2 hours	Yes, at least 2 working days if the employee knows or has reason to believe that time off will be needed	Leave can be taken at beginning or end of shift, whichever allows the most time for voting and the least time off from the work shift.
Colorado	Yes, up to 2 hours	Yes	Up to 2 hours UNLESS the polls are open for 3 or more total hours of non-work time. Employer may generally specify when leave can be taken, but employee must be allowed to take time at beginning or end of shift if requested.
Connecticut	No applicable state law		
Delaware	No applicable state law		
Florida	No applicable state law		
Georgia	No	Yes, reasonable notice required	Up to 2 hours UNLESS the polls are open for 2 or more consecutive hours before or after work. Employer may specify when leave may be taken.

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Hawaii	Yes, up to 2 hours	No requirement.	Up to 2 hours UNLESS the polls are open for 2 or more consecutive hours before or after work.
Idaho	No applicable state law		
Illinois	Yes, up to 2 hours	Yes	Up to two hours. Employer may specify when leave may be taken.
Indiana	No applicable state law		
Iowa	Yes	Yes, individually in writing.	Up to 3 hours UNLESS the polls are open for 3 or more consecutive hours before or after work. Employer may specify when leave may be taken.
Kansas	Yes	No requirement.	Up to 2 hours UNLESS the polls are open for 2 or more consecutive hours before or after work. Employer may generally specify when leave may be taken.
Kentucky	No	Yes	Up to 4 hours.
Louisiana	No applicable state law		
Maine	No applicable state law		
Maryland	Yes, up to 2 hours	No requirement.	Up to 2 hours UNLESS the polls are open for 2 or more consecutive hours before or after work
Massachusetts	No	Yes	Up to the <i>first</i> 2 hours after the polls open.
Michigan	No applicable state law		
Minnesota	Yes	No requirement.	Leave must be given in the morning.
Mississippi	No applicable state law		
Missouri	Yes	Yes	Up to 3 hours UNLESS the polls are open for 3 or more consecutive hours before or after work. Employer may specify when leave may be taken.
Montana	No applicable state law		
Nebraska	Yes, up to two hours of paid leave.	Yes, employees must make leave request prior to Election Day.	Leave can be taken during work time UNLESS the employee has 2 consecutive non-work hours to vote while the polls are open. The employer, however, may specify when during the working day employees may take this time off.
Nevada	Yes, (a) one hour of paid leave if the distance	Yes, employees must make leave request prior to Election Day.	Leave can be taken during work time if it is "impracticable" for the employee to vote before or after his hours of employment. The employer,

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	between the place of employment and the polling place is 2 miles or less, (b) two hours if the distance is between 2 and 10 miles, and (c) three hours if the distance is more than 10 miles.		however, may specify when during the working day employees may take this time off.
New Hampshire	No applicable state law		
New Jersey	No applicable state law		
New Mexico	Yes, up to two hours of paid leave.	No requirement.	Leave can be taken during work time UNLESS the employee has 2 free hours before work or 3 free hours after work while the polls are open. The employer may designate the hours to be taken, but it may not include lunch or rest hours.
New York	Yes, up to two hours of paid leave.	Yes, employees must notify employers of the need for time off not more than 10 days and not less than 2 days before the election.	Employees are allowed to take "sufficient time" on Election Day as is necessary to allow them to vote UNLESS four consecutive non-working hours are available while the polls are open. Employers may designate whether the time is to be taken at the beginning or end of the shift. Employers must post a conspicuous notice of employee rights at least ten days before Election Day.
North Carolina	No applicable state law		
North Dakota	Unspecified	Unspecified	North Dakota law <i>encourages</i> employers to provide time off to vote when an employee's regular work schedule conflicts with the times polls are open. <u>NOTE</u> : The recommended policy is <i>voluntary</i> .
Ohio	No	No requirement.	Employees are allowed a "reasonable amount of time"
Oklahoma	Yes, up to 2 hours or more if distance requires; must show proof of voting	Yes, the day before Election Day	Leave can be taken during work time UNLESS the polls are open for 3 or more consecutive hours outside the employee's working hours

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Oregon	No applicable state law		
Pennsylvania	No applicable state law		
Rhode Island	No applicable state law		
South Carolina	No applicable state law		
South Dakota	Yes, up to 2 hours	No requirement.	Leave can be taken during work time UNLESS the polls are open for 2 or more consecutive hours outside the employee's working hours
Tennessee	Yes, up to 3 hours	Yes, before 12:00 p.m. the day before Election Day	Leave can be taken during work time UNLESS the polls are open for 3 or more consecutive hours outside the employee's working hours
Texas	Yes	No requirement.	Leave can be taken during work time UNLESS the polls are open for 2 or more consecutive hours outside the employee's working hours
Utah	Yes, up to 2 hours	Before election day.	Leave can be taken during work time UNLESS the polls are open for 3 or more consecutive hours outside the employee's working hours
Vermont	No applicable state law		
Virginia	No applicable state law		
Washington	Yes, up to 2 hours	No requirement.	Leave can be taken only if the employee has insufficient time to get an absentee ballot and the polls are open for 2 or more consecutive hours outside the employee's working hours
West Virginia	Yes, up to 3 hours	Yes, 3 days before Election Day	Leave can be taken during work time UNLESS the polls are open for 3 or more consecutive hours outside the employee's working hours
Wisconsin	No	Yes, before Election Day	Leave can be taken during work time
Wyoming	Yes, up to 1 hour, if employee actually voted	No requirement.	Leave can be taken during work time UNLESS the polls are open for 3 or more consecutive hours outside the employee's working hours

For more information regarding this or any other employment-related issue, please contact your Vorys attorney or a member of the Vorys Labor and Employment Group by calling 614.464.6400.

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