

GUIDE TO STATE VOTING LAWS

State	Leave Required?	Employee Rights	Restrictions	Source
Alabama	Y	Up to one hour specified by employer to vote in municipal, county, state, or federal primary or election.	Employee must give reasonable notice to employer; leave requirement does not apply if employee's work hours begin at least two hours before polls open or end at least one hour before they close. Employee must be qualified and registered to vote.	Ala. Code Section 17-1-5
Alaska	Y	Paid leave of as much time as needed to allow voting.	Employee is not eligible if he or she has two consecutive non-working hours after polls open or before they close.	AS 15.15.100
Arizona	Y	Leave of up to three hours between opening or closing of polls, and start or end of shift. Any time off that occurs during normal work hours must be paid.	Employee must request time in advance. Requirement applies only if there are fewer than three consecutive hours between opening of polls and start of employee's shift, or fewer than three consecutive hours between closing of polls and end of employee's shift.	A.R.S. 16-402
Arkansas	Y	Employer must schedule employees' work hours to allow time to vote.	Not applicable.	Ark. Code Ann. 7-1-102
California	Y	Paid leave of up to two hours if not enough time before or after work. Employer must post notice of voting leave rights at least 10 days before election.	Voting time must be taken at beginning or end of shift. Employee must request leave at least two working days in advance.	Cal. Elec. Code 14000, 14001
Colorado	Y	No adverse action against employee who takes time off to vote. Up to two hours of paid leave for employees who don't have at least three hours of non-working time to vote.	Employee must be registered voter to be eligible. Employer may specify hours to be taken, but they must be at beginning or end of shift if employee requests.	C.R.S. 1-7-102, 31-10-603
Connecticut	N	Not applicable.	Not applicable.	NA

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Delaware	Y	Employees must be allowed time off to serve as election officers or in similar capacities.	Employees must have vacation time available and not hold a "critical need position." Exceptions also apply to employers with 20 or fewer employees.	Del. Code 4709
District of Columbia	N	Not applicable.	Not applicable.	NA
Florida	Y	No discharge or threat of discharge of employee who votes in state or local election, or who refuses to vote. Some local ordinances require unpaid time off.	Not applicable.	FSA 104.081
Georgia	Y	Up to two hours of unpaid leave for voting if employee's shift starts less than two hours after opening or less than two hours before closing of polls.	Employee must provide reasonable notice. Employer may specify hours that employee takes off to vote.	O.C.G.A. 21-2-404
Hawaii	Y	Up to two hours' paid leave, excluding break and meal periods, between opening and closing of polls if employee does not have two consecutive non-working hours while polls are open. Employer may not change employee's normal schedule to avoid providing paid time off.	If employer verifies that employee took time off and did not actually vote, employee may make appropriate deduction from pay.	HRS 11-95
Idaho	Y	Illegal to threaten discharge or influence an employee's vote.	Not applicable.	Idaho Code 18-2319
Illinois	Y	Up to two hours' leave if work hours begin less than two hours after opening of polls and end less than two hours before closing of polls. Illegal to penalize employees who take time off to vote.	Employee must request time off before election day. Employer may select the time taken for voting.	10 ILCS 5/7-42; 10 ILCS 5/17-15
Indiana	N	Not applicable.	Not applicable.	NA

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Iowa	Y	Paid time off of up to three hours for employees who do not have three consecutive non-working hours while polls are open.	Employer may request written applications before election day. Employer may designate time to be taken.	Iowa Code 49.109
Kansas	Y	Paid leave of up to two hours if not enough time before work. Time may not include employee's regular meal period. Unlawful to intentionally obstruct employee in exercise of voting rights or impose penalty.	Employer may select the time taken for voting, apart from restriction on scheduling voting time during meal periods.	Kan. Stat. Ann. 25-418
Kentucky	Y	Minimum of four hours' leave (unclear whether paid or unpaid) to vote or cast absentee ballot. Election officers must be given entire day for training or to serve. Unlawful to penalize employee for taking reasonable time off to vote unless they fail to vote by their own fault.	Employee must apply for time off before election day. Employer may select the time taken for voting.	KRS 118.035; Ky. Const. 148
Louisiana	N	Illegal to discriminate against employees based on their political beliefs or participation, or to try to influence their beliefs or participation through coercion.	Applies only to employers with 20 or more regular employees.	La. Rev. Stat. Ann. 23:961-962
Maine	N	Not applicable.	Not applicable.	NA
Maryland	Y	Paid time off for voting for employees who do not have two continuous non-working hours when polls are open.	Employer may require proof of voting or attempt to vote.	Md. Code Ann. Elect. Law 10-315
Massachusetts	Y	Mercantile, manufacturing, and mechanical establishments must let employees have time off upon request to vote for two hours after opening of polls in employees' districts.	Employees must be eligible to vote.	Mass. Gen. Laws ch. 149, Section 178

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Michigan	N	Misdemeanor for employer to discharge or threaten to discharge in attempt to influence employee's vote.	Not applicable.	MCL 168.931
Minnesota	Y	Paid time off for time required to appear at polling place, cast vote, and return to work on election day. Election judges must receive paid time off to serve.	Employee must be eligible to vote. Employer is entitled to offset pay to election judges by the amount they receive for service. Election judges must provide 20 days' notice and certificate from appointing authority stating hours to be served and compensation.	MSA 204C.04 (voting); MSA 204B.195 (election judges)
Mississippi	N	Unlawful for employer to attempt to influence employee's vote or political participation in any manner.	Not applicable.	Miss. Code Ann. 23-15-871
Missouri	Y	Paid time off to vote for employees who don't have three consecutive hours between work and opening or closing of polls.	Employer may require application before election day. Employer may choose hours that employee is absent.	RSMo. 115.639
Montana	N	Not applicable.	Not applicable.	NA
Nebraska	Y	Paid time off to vote for employees who don't have two consecutive non-working hours when polls open.	Pay requirement applies if employee applies before or on election day. Employer may choose hours that employee is absent.	Neb. Rev. Stat. 32-922
Nevada	Y	Paid leave for "sufficient time" if voting before or after work is impractical. If distance between polling place and worksite is two miles or less, "sufficient time" is one hour; if more than 2 but less than 10 miles, two hours; if more than 10 miles, three hours.	Employer may choose hours that employee is absent. Employee must be registered to vote. Employee must apply for leave in advance.	NRS 293.463; NAC 284.586
New Hampshire	N	Not applicable.	Not applicable.	NA
New Jersey	N	Not applicable.	Not applicable.	NA

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New Mexico	Y	Paid leave of two hours for employees unless workday begins more than two hours after polls open or ends more than three hours before poll closing time. Qualified voters in elections of Indian nations, tribes, or pueblos are also entitled to this leave.	Employer may choose hours that employee is absent.	NMSA 1978, 1-12-42
New York	Y	Paid leave of up to two hours at beginning or end of shift (unless employer and employee mutually agree otherwise); employer may have to grant more than 2 hrs' leave, but anything above 2 hrs can be unpaid; employer must post notice of voting leave rights at least 10 days before every election. Unlawful to refuse to let eligible employee vote, to penalize employee, or to reduce wages. Employer threats or other attempts to influence employee voting are unlawful.	Employee must give notice to employer of need for leave 2-10 days before election. Employee is deemed to have sufficient time to vote without time off work if he or she has four consecutive hours outside of work when polls are open. Employer may choose hours that employee is absent.	NY Election Law 3-110, 17-150, 17-166
North Carolina	Maybe	No statute, but terminating an employee for taking time off to vote could be basis for tort action for wrongful discharge.	Not applicable.	NA
North Dakota	N	Employers are encouraged, but not required, to have policies to allow time off for voting.	Not applicable.	NDCC 16.1-01-02.1
Ohio	Y	Employees are entitled to "reasonable time" off work to vote. Unlawful for employer to interfere with, discriminate or retaliate against, employees who exercise rights. Unlawful to print statements on pay envelopes or posting threats or notices intended to influence employees' political opinions.	Voting leave can be unpaid unless employee is salaried.	Ohio Rev. Code 3599.05 and 3599.06

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Oklahoma	Y	Paid leave of up to two hours, or time necessary to allow employee to vote.	Employer may choose hours that employee is absent. No leave entitlement if employee's workday begins at least three hours after polls open or ends at least three hours before polls close. Employees must provide notice at least one day in advance.	Okla. Stat. Tit. 26 Sect. 7-101
Oregon	N	Not applicable.	Not applicable.	NA
Pennsylvania	N	Not applicable.	Not applicable.	NA
Rhode Island	N	Not applicable.	Not applicable.	NA
South Carolina	N	Not applicable.	Not applicable.	NA
South Dakota	Y	Paid leave of up to two hours.	Employer may choose hours that employee is absent. No leave entitlement if there are two consecutive hours of open polls when employee is not required to be at work.	SDCL 12-3-5
Tennessee	Y	Paid leave of up to three hours if work schedule does not permit voting while polls are open.	Employer may choose hours that employee is absent. No leave entitlement if employee's workday begins at least three hours after polls open or ends at least three hours before polls close. Employees must provide notice by noon the day before election day.	TCA 2-1-106
Texas	Y	Unlawful for employer to knowingly refuse to let employees leave work to vote, or to penalize or threaten a penalty for going to the polls to vote. Voting time must be paid.	Law does not apply if polls are open for two consecutive non-working hours.	Election Code 276.004
Utah	Y	Paid leave of up to two hours; if employee requests leave at beginning or end of work shift, employer is required to grant the request.	Law does not apply if polls are open for three hours of non-working time. Employer may choose hours that employee is absent as long as employee does not request time at beginning or end of shift. Employee must apply for leave before election day.	Utah Code 20A-3-103

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Vermont	N	Not applicable.	Not applicable.	NA
Virginia	Y	No leave for voting, but unpaid leave must be granted to employees who serve as "officers of election." No adverse employment action may be taken against employee for serving as officer. If employee serves at least four hours, he or she cannot be required to work on a shift starting at 5 p.m. that day or before 3 a.m. the next day. Employee cannot be required to use sick or vacation time.	Employee who serves as officer of election must give reasonable notice to employer.	Va. Code 24.2-118.1
Washington	NA	Voting in Washington state is done by mail.	Not applicable.	Wash. Rev. Code 49.28.120 repealed in 2013.
West Virginia	Y	Paid leave of up to three hours. Employer can adjust work schedules in certain essential industries, or where continuous operations are necessary.	Employee must make written demand for leave at least three days in advance. Employer may deduct from wages if (1) employee has three or more non-working hours while polls are open AND (2) does not vote during that non-working time.	W. Va. Code 3-1-42
Wisconsin	Y	Unpaid leave of up to three consecutive hours.	Employer may choose hours that employee is absent. Employee must request time off before election day.	Wis. Stat. 6.76
Wyoming	Y	Paid leave of one non-meal hour.	Employer may choose hours that employee is absent. Employee must be eligible to vote. No requirement to provide leave if employee has at least three non-working hours while polls are open.	Wyo. Stat. 22-2-111

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Canada	Y	Under federal law, paid leave of up to three consecutive hours while polls are open if employee does not have three consecutive non-working hours while polls are open. (Provincial and territorial laws require paid leave of one to four hours.)	Employer may choose hours that employee is absent. Exception for certain employees in transportation industry.	Canada Elections Act and various provincial/territorial laws.

