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Majority of state require  
time off to vote

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## Majority of states require that employees get time off to vote

*For information purposes only. Employers should consider seeking the assistance of experienced employment law attorneys before implementing policy changes.*

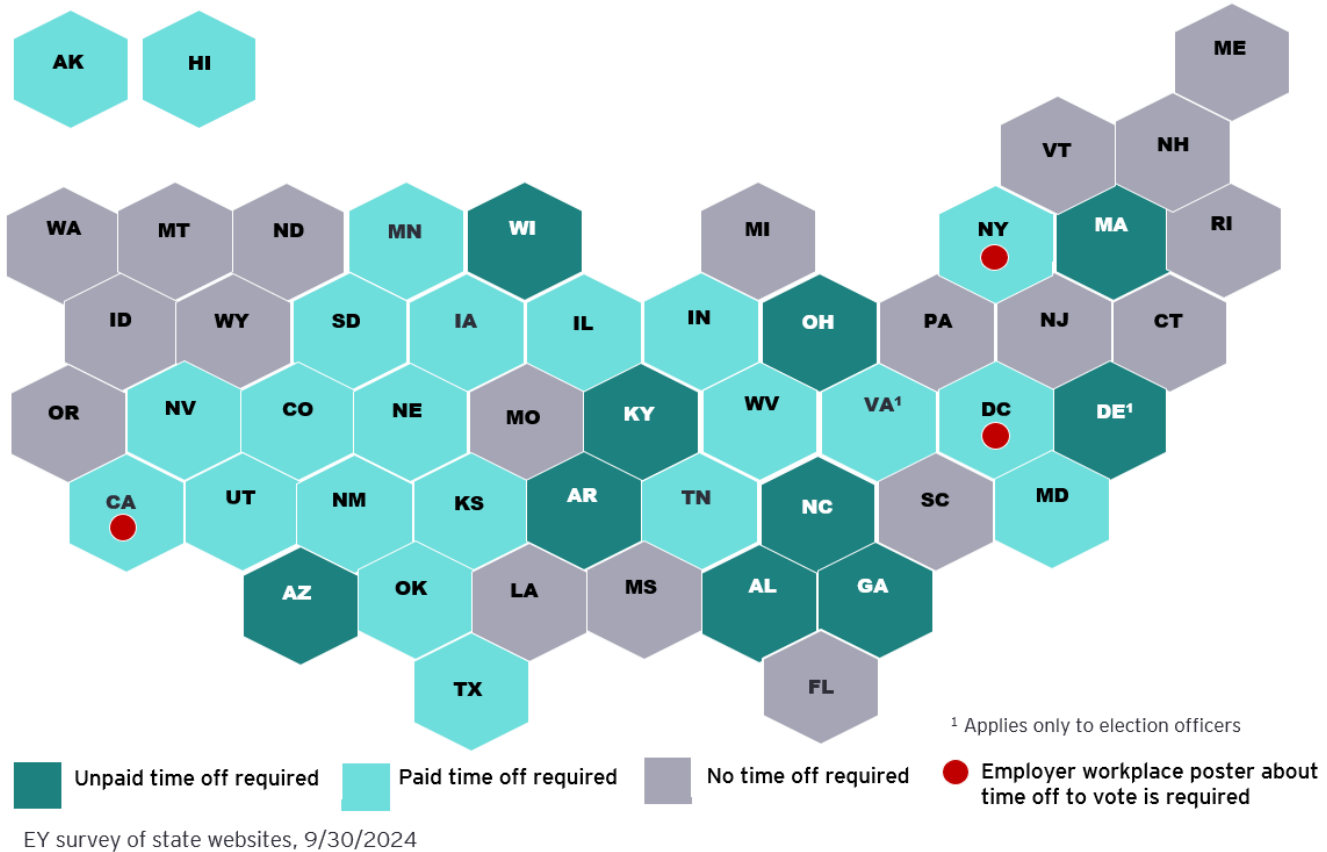
While there is no federal requirement to give employees voting leave, 31 states and the District of Columbia have stepped in to fill the gap. State laws vary in terms of breadth and scope; therefore, some of the employer policy issues to consider include:

- Is leave paid or unpaid?
- How many hours of leave must be provided?
- Is the employee required to give advance notice of the need for leave?
- Is a workplace poster required informing employees of their right to leave?

As Election Day approaches, employers will need to confirm that they are compliant with laws that require eligible voters have sufficient time off to vote.

Following is a summary of the state requirements for time off to vote according to our latest survey of state websites.

# Heatmap: Survey of state requirements governing employee time off to vote (as of September 30, 2024)



# Chart: Survey of state requirements governing employee time off to vote (as of September 30, 2024)

\*Information is not available on the state's website

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
Alabama	Yes	No	An employee must give reasonable	An employee must be given time off to vote of not more	<a href="#">AL Statute 17-1-5</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
			notice to the employer.	than one hour.  If the hours of work of the employee commence at least two hours after the polls open or end at least one hour before the polls close, no time off is required.	
Alaska	Yes	Yes	*	Employers must allow employees time off to vote; however, an employee who has two consecutive hours in which to vote, either between the time polls open and the beginning of the employee's regular work shift, or between the end of that regular work shift and the time the polls close, is considered to have sufficient time outside of working hours within which to vote.	<a href="#">Alaska Stat. Sec. 15.56.100</a>
Arizona	Yes	Yes	An employee must give the employer notice of the need to be absent prior to the day of the election.	If there are less than three consecutive hours between the time polls open and the beginning of the regular work shift or between the end of the regular work shift and the time the polls close, the employee must be given time off to vote.	<a href="#">ARS Sec. 16-402</a>
Arkansas	Yes	No	*	Employers must schedule the work hours of employees on election days so	<a href="#">Arkansas Code Sec. 7-1-102</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
				that each employee will have an opportunity to vote.	
California	Yes ( <a href="#">Workplace poster is required</a> )	Yes	Employees that know or have reason to believe that they will need time off to vote must provide at least two working days of notice to their employer.	Employees must be given up to two hours of time off to vote without loss of pay.  The time off for voting is only at the beginning or end of the regular work shift, whichever allows the most time off for voting and the least time off from the regular work shift, unless otherwise mutually agreed upon.	<a href="#">California Election Code Sec. 14001</a>
Colorado	Yes	Yes	An employee must request voting leave prior to the day of the election.	Employees paid by the hour must receive their regular hourly wage for the period of their absence to vote, not to exceed two hours. The employer may specify the hours during which the employee may be absent, but the hours must be at the beginning or end of the work shift, if the employee so requests.	<a href="#">Colo. Rev. Stat. Sec. 1-7-102</a>
Connecticut	No (requirement expired June 30, 2024)	No	N/A	N/A	<a href="#">Conn. Gen. Stat. § 31-57y</a> (expired June 30, 2024)
Delaware	Yes (applies only to election officers)	No	N/A	N/A	<a href="#">Del. Code tit. 15, sec. 4709</a>
District of Columbia	Yes ( <a href="#">Workplace poster is required</a> )	Yes	Employer may require employees to	Employers must provide employees at least two hours of	<a href="#">Code of DC, Sec. 1-</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
			request leave a reasonable time in advance.	paid leave to vote in person in any election held in the district, provided that the employee would have been scheduled to work during the time for which the leave is requested.	<a href="#">1001.07a</a>
Florida	No (but it is unlawful for employers to discharge or threaten to discharge any employee for voting or not voting for any candidate or measure in any state, county or municipal election)	No	N/A	N/A	<a href="#">Fla. Stat. Sec. 104.081</a>
Georgia	Yes	No	Employees must provide their employer reasonable notice of the need to be absent.	Employers must permit their employees to take the necessary leave to vote of no more than two hours; however, if the hours of work commence at least two hours after the polls open or end at least two hours before the polls close, time off to vote is not required.  The employer may specify the hours during which the employee may be absent.	<a href="#">Ga. Code Sec. 21-2-404</a>
Hawaii	Yes	Yes	*	Employees are entitled to a maximum of two consecutive hours	<a href="#">Office of Elections Fact Sheet</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
				<p>off from work, excluding lunch or rest periods, to vote.</p> <p>The law does not apply to employees who are not scheduled to work for a period of two consecutive hours while the polls are open.</p>	
Idaho	No	No	N/A	N/A	
Illinois	Yes	Yes	The employee must apply for leave prior to the day of the election.	<p>The employer must permit a two-hour absence during working hours to vote if the employee's working hours begin less than two hours after the polls open and end less than two hours before the polls close.</p> <p>The employer may specify the hours during which the employee may be absent.</p>	<a href="#">10 ILCS 5/17-15</a>
Indiana	No	No	N/A	N/A	
Iowa	Yes	Yes	An employee must apply in writing prior to the date of the election.	Any person entitled to vote in an election who does not have two consecutive hours between the time polls open and close is entitled to such time off from work as will, in addition to the person's nonworking	<a href="#">Iowa Code Ann. Sec. 49.109</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
				time, total two consecutive hours during the time the polls are open.	
Kansas	Yes	Yes	*	If the polls are open before commencing work or after terminating work but for less than two consecutive hours, the employee is entitled to leave for such period, which, when added to the period of time the polls are open, does not exceed two hours.	<a href="#">Kan. Stat. Sec. 25-418</a>
Kentucky	Yes	No	The employee must apply for leave prior to the day of the election.	Employees are entitled to leave of not less than four hours on the day they appear before the clerk to request an application for, or to execute an absentee ballot, during normal business hours of the office of the clerk or to cast a ballot on the day of the election between the time the polls open and close.  The employer may specify the hours during which an employee may be absent.	<a href="#">Ky. Rev. Stat. Ann. Sec. 118.035</a>
Louisiana	No	No	N/A	N/A	
Maine	No	No	N/A	N/A	
Maryland	Yes	Yes	The employee must apply for voting leave. The statute does not	Employers must permit employees a period not to exceed two hours absence to vote if they do not	<a href="#">Md. Code Ann., Elec. Law Sec. 10-315</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
			specify how much notice an employee must give.	have two hours of continuous off-duty time during the period the polls are open.  Employees may be required to show proof to the employer that they voted or attempted to vote.	
Massachusetts	Yes	No	The employee must apply for voting leave. The statute does not specify how much notice an employee must give.	Employers in the manufacturing, mechanical and mercantile establishment must permit employees to vote at an election, during the period of two hours after the polls open.	<a href="#">Mass. Gen. Laws. Ann. Ch. 149, Sec. 178, 180</a>
Michigan	No	No	N/A	N/A	
Minnesota	Yes	Yes	*	Every employee eligible to vote has the right to be absent from work for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the day of that election, without penalty or deduction from salary or wages because of the absence.	<a href="#">Minn. Stat. Ann. Sec. 204C.04</a>
Mississippi	No	No	N/A	N/A	
Missouri	Yes	Yes	An employee must make the request for leave prior to the day of the election.	Employers must give employees up to three hours leave between the time polls open and close.  The employer may specify the hours	<a href="#">Mo. Rev. Stat. Sec. 115.639</a>



State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
				during which the employee may be absent.	
Montana	No	No	N/A	N/A	
Nebraska	Yes	Yes	An employee who is a registered voter must apply for leave prior to the day of the election.	Any employee who is a registered voter and does not have two consecutive hours between the time polls open and close is entitled to leave on the day of the election for a period that will, in addition to the employee's nonworking time, total two consecutive hours between the time polls open and close.  The employer may specify the hours during which the employee may be absent.	<a href="#">Neb. Rev. Stat. Sec. 32-922</a>
Nevada	Yes	Yes	An employee must apply for leave prior to the day of the election.	Employees who are registered voters are entitled to sufficient employment leave determined as follows: (1) If the distance between the place of employment and the polling place where the employee votes is two miles or less, one hour; (2) If the distance is more than two miles but not more than ten miles, two hours; (3) If the distance is more than ten miles, three hours.	<a href="#">Nev. Rev. Stat. Sec. 293.463</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
New Hampshire	No	No	N/A	Employers are not required to provide employees time off to vote, either paid or unpaid.  The law, however, does provides that an employee who is unable to vote on the day of the election due to employment obligations is considered absent and entitled to absentee voting.	<a href="#">NH Rev. Stat. Sec. 657.1</a>
New Jersey	No	No	N/A	N/A	
New Mexico	Yes	Yes	*	Employees may take employment leave to vote for up to two hours between the time polls open and close.  Time off to vote is not required if an employee's workday begins more than two hours after the polls open or ends more than three hours before the polls close.	<a href="#">N.M. Stat. Ann. Sec. 1-12-42</a>
New York	Yes ( <a href="#">Workplace poster is required</a> )	Yes	Employees must notify their employer of the requested absence at least two days, but not more than ten days, prior to the day of the election.	Employees who are registered voters and do not have sufficient time outside of their working hours to vote, may, without loss of pay for up to two hours, take as much time as will (when added to voting time outside of working hours) enable them to vote.	<a href="#">N.Y. Elec. Law Sec. 3-110</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
North Carolina	No	No	N/A	N/A	
North Dakota	No	No	*	Employers are encouraged to establish a program to grant an employee who is a qualified voter to be absent from employment for the purpose of voting when an employee's regular work schedule conflicts with voting during the time when polls are open.	<a href="#">N.D. Cent. Code Sec. 16.1-01-02.1</a>
Ohio	Yes	No	*	Employers must allow employees who are eligible voters a reasonable amount of time to vote.	<a href="#">Ohio Rev. Code Ann. Sec. 3599.06</a>
Oklahoma	Yes	Yes	An employee must notify the employer orally or in writing of the intention to be absent prior to the day of election.	Employers must allow employees who are registered to vote two hours to vote either on the day of the election or during early voting periods.  Time off will not be granted to employees if a three-hour voting period exists before or after the employees' normal working hours. An employer may require proof of voting.	<a href="#">26 O.S. Sec. 7-101</a>
Oregon	No	No	N/A	N/A	

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
Pennsylvania	No	No	N/A	N/A	
Rhode Island	No	No	N/A	N/A	
South Carolina	No	No	N/A	Employees are not required to receive leave for voting; however, it is unlawful to discharge a citizen from employment or occupation because of the exercise of political rights and privileges.	<a href="#">S.C. Code § 16-17-560</a>
South Dakota	Yes	Yes	An employee must apply for the absence prior to twelve noon on the day before the election.	<p>Employees eligible to vote are entitled to leave for two consecutive hours between the time polls open and close on the day of the election.</p> <p>An employer does not have to provide leave if the employee has two consecutive hours of non-working time during which the polls are open. An employer may specify the hours of absence.</p>	<a href="#">S.D. Codified Laws § 12-3-5</a>
Tennessee	Yes	Yes	An employee must apply for the absence prior to twelve noon on the day before the election.	<p>An employee eligible to vote may be absent from any service or employment on the day of the election for a reasonable period not to exceed three hours to vote.</p> <p>If the tour of duty of</p>	<a href="#">Tenn. Code Ann. § 2-1-106</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
				<p>an employee begins three or more hours after the polls open or ends three or more hours before the polls of the county where the employee is a resident close, the employee is not entitled to leave.</p> <p>The employer may specify the hours during which the employee may be absent.</p>	
Texas	Yes	Yes	*	<p>An employer may not knowingly refuse to permit an employee to be absent from work for the purpose of attending the polls to vote.</p> <p>An employer is not required to permit leave if the polls are open for two consecutive hours outside of an employee's working hours.</p>	<a href="#">Tex. Elec. Code Ann. Sec. 276.004</a>
Utah	Yes	Yes	An employee must apply for a leave of absence prior to the day of the election.	Employers must allow employees that are eligible to vote to be absent from work on the day of the election for not more than two hours between the time the polls open and close. Leave does not apply to employees who have three or more hours between the time polls open and	<a href="#">Utah Code Ann. Sec. 20A-3-103</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
				close during which employees are not employed on the job.	
Vermont	No	No	N/A	N/A	
Virginia	Yes (applies only to member of a local electoral board, an assistant general registrar, or an officer of election)	Yes (applies only to member of a local electoral board, an assistant general registrar, or an officer of election)	Eligible employee must give reasonable notice.	Any persons who serve as a member of a local electoral board, an assistant general registrar, or an officer of election shall neither be discharged from employment nor have any adverse personnel action taken against them, nor may be required to use sick leave or vacation time, as a result of absence from employment due to service at a polling place on the day of an election or at a meeting of the electoral board following the election to ascertain the results of such election pursuant to Sec. 24.2-671, provided that they gave reasonable notice to their employer of such service.	<a href="#">VA Code Sec. 24.2-119.1</a>
Washington	No	No	N/A	N/A	
West Virginia	Yes	Yes	An employee must make a written demand for leave at least three days prior to the day of the election.	Employees must be given time off to vote of no more than three hours, if necessary, between the time polls open and close. Leave is not required if employees have three or more hours	<a href="#">W. Va. Code Ann. Sec. 3-1-42</a>

State or US territory	Requirement for time off to vote?	Is paid time off required?	Requirement for employee notice of request for leave	Time allowed for voting	Citation
				away from work or place of employment at any time between the time polls open and close.	
Wisconsin	Yes	No	Employees must notify their employer before the day of the election of the intended absence.	Any employee entitled to vote at an election is allowed to be absent from work while the polls are open for a period not to exceed three successive hours.	<a href="#">Wis. Stat. Sec. Chapter 6.76</a>
Wyoming	Yes	Yes	*	<p>Employees eligible to vote must be allowed at least one hour to vote (other than meal hours), the hour being at the convenience of the employer between the time polls open and close.</p> <p>An employer is not required to provide voting leave if the employee has three or more consecutive non-working hours during the time the polls are open.</p>	<a href="#">Wyo. Stat. Ann. Sec. 22-2-111</a>

Footnotes

\*No information was found on the state's website.

Contact us for more information

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