

HR COMPLIANCE BULLETIN

District of Columbia Paid Voting Leave

Under a [new law](#) in Washington, D.C., employers must provide their employees with at least two hours of paid time off to vote, upon the employee's request. The law applies to all employers and employees, and becomes effective when it is funded by the district's government.

Employees are entitled to use the new paid leave to vote in an election in Washington, D.C., or in the jurisdiction in which they are eligible to vote, if that jurisdiction is not Washington, D.C.

Among other things, the law bars employers from:

- Deducting salary, wages or accrued leave for leave taken to vote;
- Interfering with an attempt to take leave to vote; and
- Retaliating against employees for taking leave to vote.

Employers are required to post a notice explaining the law's provisions. The law directs the District of Columbia Board of Elections to issue regulations implementing its provisions.

Action Steps

Employers should become familiar with the voting leave requirements and review their employee leave policies to ensure compliance with the new law.

In addition, employers should watch for the publication of any regulations issued by the District of Columbia Board of Elections on the law.

Highlights

Washington, D.C. Enacted Paid Voting Leave Law

An amendment to the district's election code allows employees to take two hours of paid time off to vote.

Leave May be Taken to Vote Outside the District

Employees may use the leave to vote in the jurisdiction where they are eligible to vote, even if different from the district.

Employer Notice Required

Employers must post a notice about the new law.

Limitations on Leave

Advance Notice

Employers may require that requests for leave be made a reasonable time in advance.

Hours Specified by Employer

Employers may specify the hours leave is taken, including during early voting or at the beginning or end of work hours.



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Overview

The District of Columbia's [Leave to Vote Amendment Act](#) adds a new section to the district's election code, providing for paid voting leave for employees. The law becomes effective when it is funded by the district's government.

Leave Requirement

The new law requires employers to provide employees with at least two hours of paid leave to vote in person in any district election or, if the employee is not eligible to vote in a district election, any election run by the jurisdiction in which the employee is eligible to vote. The leave must be granted upon the employee's request, but the employee must have been scheduled to work during the time requested for the leave.

The law defines "employer" as any person who employs an individual for compensation. "Employee" is defined as "any individual employed by an employer who is eligible to vote."

Employee Requirements

Under the law, an employer may:

- Require the employee to request the leave a "reasonable time" in advance; and
- Specify the hours during which the employee may take the leave, including by requiring that the employee take the leave:
 - During a period designated for early voting instead of on the day of the election; or
 - At the beginning or end of the employee's scheduled working hours.

Employer Prohibitions

Employers are prohibited from:

- Interfering with, restraining or denying any attempt to take voting leave;
- Retaliating against an employee in any manner for taking voting leave; or
- Deducting voting leave from an employee's salary, wages or accrued leave.

Employer Notice Requirement

Employers must post a notice (to be issued by the District of Columbia Board of Elections) that includes an easily understood description of the voting leave law. The notice must be posted in a conspicuous place.

Regulations Expected

The District of Columbia Board of Elections is charged with issuing regulations on the new law.