

## Am I Required to Give Employees Time Off to Vote?

As public momentum builds toward state and federal elections on Tuesday, November 6, it can be important for Arizona employers to be aware of their own legal obligations in relation to voting rights.

### Taking time off to vote

Arizona law allows employees to take time off from work to vote in limited circumstances.

Polls in Arizona open at 6:00 a.m. State law essentially creates a three-hour block of time starting at 6:00 a.m. that employees may use to vote. Under the law, that is, an employee whose regular shift is scheduled to start earlier than 9:00 a.m. may nevertheless be absent from work until 9:00 a.m. to vote.

Meanwhile, the polls close at 7:00 p.m. State law basically creates another three-hour block of time ending at 7:00 p.m. that employees may use to vote. An employee whose regular shift is scheduled to end later than 4:00 p.m. may nevertheless leave work starting at 4:00 p.m. to vote.

As stated, these three-hour blocks of time occur at the beginning and end of Election Day; employees do not have a legal right to leave the workplace in the middle of the day to vote.

### Prior request mandatory

An employee who wishes to take time off to vote under the statute must submit a request to his or her employer prior to Election Day. When an employee submits such a request, the employer may specify the hours that the employee may be absent.

### No deduction from salary or wages

State law prohibits employers from taking any deduction from employees' compensation for time that they take off under the statute to vote. In essence, time that an employee takes off under the law to vote is paid time.

### No "threats" to employees

State law also prohibits employers from posting or disseminating any "threats, express or implied," that are intended or calculated to influence the political opinions or actions of employees. The law also expressly prohibits making any such "threats" on employees' "pay envelopes."



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