



APRIL 5, 2019

## **New York Employees Permitted to Take Up to Three Hours of Paid Time Off to Vote**

Effective immediately, employees in New York who are registered to vote may take up to three hours of paid time off to vote in any election. The 2019-2020 New York State budget amended New York Election Law §3-110 to read as follows:

A registered voter may, without loss of pay for up to three hours, take off so much working time as will enable him or her to vote at any election.

Unless otherwise mutually agreed, an employer may designate that such time be taken at the beginning or end of an employee's shift. Under the new law, an employee must notify his or her employer not less than two working days before the day of the election that he or she requires time off to vote. There is no language in the law allowing an employer to deny a request.

Employers remain obligated to post notice of this law at least ten working days before any election and may only remove the notice when the polls close on the day of the election.

### **Takeaway for Employers**

Under the new law, employees are no longer required to vote before or after their shifts. Employers should designate the paid time off to be taken at the beginning or end of employees' shifts to decrease the interruption in the work day.

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If you have any questions regarding the new election law, please do not hesitate to contact us.

[\*\*PUTNEY, TWOMBLY, HALL & HIRSON LLP\*\*](#)