

Time Off to Vote: Employer Obligations

A Federal election will take place on **Monday, October 21, 2019**.

The following summarizes an employer's obligation to provide an employee with time off to vote, under the *Canada Elections Act*¹.

- Any employee eligible to vote is entitled to **three consecutive hours** free from work on election day.
- There is no obligation to provide time off of work if an employee has three consecutive hours free from work within voting hours. For example, an employee employed in Ontario (Eastern Time Zone) scheduled to start work no earlier than 12:30 pm or who will finish working by 6:30 pm is not entitled to additional time off to vote.
- If an employee is entitled to time off of work this can be scheduled at the convenience of the employer. An employer is not required to provide three consecutive hours off during the middle of the day. To satisfy the three consecutive hours requirement, an employer may allow an employee to arrive at work later than usual or to leave earlier.
- Time off provided by the employer must be paid². An employer cannot make a deduction from wages or impose a penalty on an employee for time taken to vote.

Polling stations will open and close at the following local times:

TIME ZONE	VOTING TIMES
Central, Atlantic and Newfoundland	8:30 am - 8:30 pm
Eastern	9:30 am - 9:30 pm
Pacific	7:00 am - 7:00 pm
Mountain	7:30 am - 7:30 pm

¹ SC 2000, c 9.

² The obligation to provide paid time off does not apply to an employee who transports passengers or goods by land, water or air, when employed outside their polling division and time off cannot be provided without interfering with the transportation service.

For questions about employee entitlements during the upcoming election, please contact a member of Sherrard Kuzz LLP.

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