

THE CALIFORNIA STATE UNIVERSITY
Office of the Chancellor
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Code: **TECHNICAL LETTER**
HR/Benefits 2004-21

To: Human Resources Directors
Benefits Officers

From: Cathy Robinson, Assistant Vice Chancellor
Human Resources Administration



Subject: **Election Posting Requirement – Paid Time to Vote**

California Election Code Section 14001 requires that employers, including the California State University (CSU), post a notice informing employees of the right to take up to two hours of paid time off to vote in a statewide election if the employee does not have sufficient time during non-work hours to vote. Please note that while all employee categories are covered by this law, some collective bargaining agreements specify the number of days the employee must request the leave prior to the election and specify the time of day leave may be taken. Where a contract is silent regarding how to administer the paid time to vote leave, the campus should follow the Secretary of State guidelines below.

The Secretary of State provides the following information related to the statutory provisions for employee time off for voting:

- The notice must be posted a minimum of 10 days before a statewide election.
- The notice must be posted either in the workplace or where it can be seen by employees as they enter or exit their place of work.
- Employees are eligible for paid time off for the purpose of voting only if they do not have sufficient time outside of working hours to vote. The intent of the law is to provide an opportunity to vote to workers who would not be able to do so because of their jobs.
- Voting hours are from 7:00 a.m. to 8:00 p.m.
- Employees can be given as much time as they need in order to vote, but only a maximum of two hours is paid.

Distribution:

CSU Presidents
Vice Chancellor, Human Resources
Vice Presidents, Business/Administration
Director, SOSS
Payroll Managers
Budget Officers

- Employers may require employees to give advance notice that they will need additional time off for voting.
- Employers may require time off to be taken only at the beginning or end of the employee's work schedule.

Campuses may download sample notices from the Secretary of State's Web site at: http://www.ss.ca.gov/elections/elections_tov.htm.

The Office of General Counsel has a newly revised Elections Handbook on their Web site which may be accessed at: http://www.calstate.edu/gc/Docs/Election_Issues.doc.

If you have any questions, please contact Pamela Chapin in Human Resources Administration at (562) 951-4414, or via email at pchapin@calstate.edu. This Technical Letter is also available on Human Resources Administration's Web page at: <http://www.calstate.edu/HRAdm/memos.shtml>.

CR/pc