PERSONNEL SERVICES BULLETINS (PSBs)

440-3

Subject: Time Allowance for Voting

Supersedes: Personnel Services Bulletin 440-3, dated May 9, 2019

Source: New York State Election Law, Section 3-110 as amended by
L 2020, Ch. 55 Pt. AAA §1 (S. 7505-B); eff. 4/20/2020

Date: July 1, 2020

I. Policy

Section 3-110 of the New York State Election Law outlines the guidelines that apply to registered voters who take time off from work to vote. If an employee does not have sufficient time outside of his or her scheduled working hours, an employee shall be allowed, without loss of pay for up to two hours, to take off so much working time off for voting as will, when added to his or her voting time outside his or her working hours, enable the employee to vote at any election. Unless otherwise mutually agreed, the employee shall be allowed time off only at the beginning or end of his or her working shift, as the agency may designate.

If an employee has four consecutive hours either between the opening of the polls and the beginning of his or her working shift, or between the end of his or her working shift and the closing of the polls, he or she shall be deemed to have sufficient time. An employee must charge any time off to vote that exceeds two hours to his or her annual leave or compensatory time balance.

II. Procedure

Every agency shall conspicuously post a notice in the place of work, where it can be seen, as employees come or go to their place of work, setting forth the provisions of Section 3-110 of the New York State Election Law not less than ten working days before every election. Such notice shall be posted until the close of the polls on election day.

If an employee requires working time off to vote, the employee must notify the agency head, or the designated representative of the agency head, in writing not more than ten nor less than two working days before the day of the election that he or she requires time off to vote.

Lisette Camilo
Commissioner

***Inquiries:** Office of Citywide Personnel Policy cpp@dcas.nyc.gov*