



STATE OF MINNESOTA
Office of Minnesota Secretary of State
Steve Simon

Memorandum

To: All Minnesota Employers
Re: Time off for Employees to Vote on Election Day

The Office of the Minnesota Secretary of State reminds employers that employees are allowed time off to vote in upcoming elections. ***Minnesota Statutes 204C.04* allows employees to take time off for the time necessary to vote in a regularly scheduled election without a reduction in pay.**

Please note that *Minnesota Statutes 204C.08* Subd. 1d states that **employees cannot be required to use personal leave or vacation time for the time off necessary to vote.**

Since the law specifically states that an employer may not directly or indirectly refuse or interfere with an employee's right to vote, employers cannot instruct employees of when during work hours employees are excused to go and vote. However, employers may request that employees provide notification as to when they will be gone and request that employees coordinate their absences so as to minimize adverse impact on the workplace. Employers and employees may alternatively mutually agree on voting arrangements. Any complaints should be filed with the county attorney. A violation of this statute is a misdemeanor.

204C.04 EMPLOYEES; TIME OFF TO VOTE.

Subd. 1. **Right to be absent.** Every employee who is eligible to vote in an election has the right to be absent from work for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the day of that election, without penalty or deduction from salary or wages because of the absence. An employer or other person may not directly or indirectly refuse, abridge, or interfere with this right or any other election right of an employee.

Subd. 2. **Elections covered.** For purposes of this section, "election" means a regularly scheduled election, an election to fill a vacancy in the office of United States senator or United States representative, an election to fill a vacancy in nomination for a constitutional office, or an election to fill a vacancy in the office of state senator or state representative.

Subd. 3. **Penalty.** A person who violates this section is guilty of a misdemeanor, and the county attorney shall prosecute the violation.

Encouraging employees to vote is an excellent way to promote civic engagement and our democracy. I thank you in advance for helping to make sure that every eligible Minnesotan wishing to vote is able to cast a ballot.

Sincerely,

A handwritten signature in black ink that reads "Steve Simon".

Steve Simon
SECRETARY OF STATE