



## CLIENT ALERT

### NEW YORK STATE AMENDS ELECTION LAW

Effective immediately, amendments to the New York State election law increase the amount of paid time off New York employers must provide their employees to vote.

Prior to the amendment, New York employees were eligible for up to two hours of paid time off to vote, so long as they did not have four or more consecutive hours off during polling hours. The amendment removes the “time off” caveat, and now simply requires that employers provide their employees three paid hours in which to vote. Employers are entitled to specify that the voting time be taken at either the beginning or end of the employee’s working shift, otherwise the time must be mutually agreed.

To be entitled to voting time off, employees must be registered to vote and must provide at least two days’ advance notice of the need for time off to vote. The law has left open the question of whether “paid time off” for voting may be deducted from employees’ established PTO or vacation leave banks, or, whether time off for voting leave would be a separate form of time off. Additionally, the law does not address whether employers can require a voting receipt or otherwise request proof that the employee in fact used the time off for voting.

The law does require employers, no less than ten working days before every election, post a notice setting forth the provisions of the state’s election law, which is available at <https://www.elections.ny.gov/NYSBOE/elections/AttentionEmployees.pdf>.

\* \* \*

If you have questions or would like additional information, please contact our Employment Law Practice Group Leader Amanda M. Fugazy ([afugazy@egsllp.com](mailto:afugazy@egsllp.com)) or the primary EGS attorney with whom you work.



---

#### THE EMPLOYMENT LAW PRACTICE GROUP

**Amanda M. Fugazy, Esq.**

**Paul P. Rooney, Esq.**

**Valerie J. Bluth, Esq.**

**Stephania C. Sanon, Esq.**

**Mohammad B. Shihabi, Esq.**

**Ilan Weiser, Esq.**

**Allison Vieyra, Paralegal**

1345 Avenue of the Americas, New York, NY 10105

Telephone: (516) 801-8139/(212) 370-1300

[afugazy@egsllp.com](mailto:afugazy@egsllp.com) | [www.egsllp.com](http://www.egsllp.com)

*This memorandum is published solely for the informational interest of friends and clients of Ellenoff Grossman & Schole LLP and should in no way be relied upon or construed as legal advice.*