

October 21, 2008

VOTING LEAVE ON ELECTION DAY

As the 2008 election season enters its final stretch, employers must be aware that various states afford employees time off to vote. Although Michigan has not yet enacted such legislation, more than 30 states across the country have enacted voting leave laws.

While voting leave laws share the common goal of ensuring that citizens are able to exercise their right to vote on Election Day, the specific requirements vary widely depending on the jurisdiction. For instance, states vary regarding the amount of leave an employee must be given, whether time off must be paid, whether employees must give advance notice of the need for leave, and whether employers must post notices regarding employees' leave rights. In certain states,

employees may not be entitled to voting leave if the polls are open for a specified period of time outside of an employee's scheduled work hours. Some states even impose criminal penalties upon employers that violate voting leave laws.

If your company has operations outside of Michigan, care should be taken to ensure that your company complies with applicable voting leave laws. Please contact any of the Honigman Labor and Employment Department attorneys listed below for a specific analysis of the voting leave laws that may apply to your company.

HONIGMAN MILLER SCHWARTZ AND COHN LLP LABOR AND EMPLOYMENT ATTORNEYS

William D. Sargent	(313) 465-7538	WSargent@honigman.com
Shanta S. Anderson-Williams	(313) 465-7580	SWilliams@honigman.com
Henry J. Andries, Jr.	(313) 465-7310	HAndries@honigman.com
Trisha M. Benson	(313) 465-7404	TBenson@honigman.com
Laura A. Brodeur-McGeorge	(313) 465-7312	LBrodeur@honigman.com
Sean F. Crotty	(313) 465-7336	SCrotty@honigman.com
Matthew S. Disbrow	(313) 465-7372	MDisbrow@honigman.com
Stephanie Douglas	(313) 465-7378	SDouglas@honigman.com
Cameron J. Evans	(313) 465-7370	CEvans@honigman.com
L. A. Hynds	(313) 465-7426	LHynds@honigman.com
Russell S. Linden	(313) 465-7466	RLinden@honigman.com
Tara E. Mahoney	(313) 465-7442	TMahoney@honigman.com
Robert J. Muchnick	(313) 465-7498	RMuchnick@honigman.com
Stanley H. Pitts	(313) 465-7516	SPitts@honigman.com
Jeanne M. Scherlinck	(313) 465-7484	JScherlinck@honigman.com
Adam C. Smith	(313) 465-7584	ASmith@honigman.com