

## ***Time (off with pay) to Vote!***

With the Federal election scheduled for October 19, 2015, employees of your organization may be entitled to time off, with pay, to vote.

Under the *Canada Elections Act*, employers must allow employees sufficient time off work to vote. In particular, if an employee's hours of work do not afford them with at least three (3) consecutive hours off work while polling stations are open (8:30 am to 8:30 pm), an employee is entitled to paid time off so that they are provided those hours. That said, when that time is to be given is at the discretion of the employer.

By way of example, if an employee is scheduled to work from 10:30 am to 6:30 pm, the employer can decide to change the employee's start time to 11:30 am (while providing them with one hour of pay) so that the employee then has three (3) consecutive hours while the polling stations are open (i.e. from 8:30 am to 11:30 am). Conversely, an employee scheduled to work that same shift may be given an hour off, with pay, at the end of the day so he/she has three (3) consecutive hours off to vote (i.e. from 5:30 pm to 8:30 pm).

Also keep in mind that an employee is not afforded the right to be off work, with pay, to vote in an advanced poll nor can an employer require an employee to vote in an advanced poll.

Failing to provide regular wages during the time off to vote can result in a maximum fine of \$2,000 and/or three months imprisonment. Intimidating an employee or interfering with an employee's right to be off work to vote can result in a maximum fine of \$50,000 and/or five years in prison.

Given the penalties associated with the above, it is recommended that employers be proactive with scheduling on the 19<sup>th</sup> of October to ensure compliance with the *Canada Elections Act*. If you have any questions about this leave or any other leaves of absence please do not hesitate to speak with an e2r Advisor.