

Employer Obligations On Election Day In Saskatchewan



As Saskatchewan's provincial election day, October 28, 2024, quickly approaches, it is important for employers to be aware of their obligations under *The Election Act, 1996*, SS 1996, c E-6.01 (the "Act").

Voting employees are entitled to three consecutive hours away from work for the purpose of voting while polling places are open.

It is a common misconception that this entitlement means that employers are obligated to provide three paid hours off work to every employee on election day for the purpose of casting a vote. To the contrary, employers are only required to provide employees paid time off work to the extent that they **do not otherwise have three consecutive hours off work to vote while the polls are open on polling day.**

For example, if an employee is scheduled to work from 8:00 am to 5:00 pm and the polls are open 9:00 am to 8:00 pm, the employee is **not** entitled to any additional hours off work to vote as they have three consecutive hours after work while the polls are open.

In another example, if an employee works from 10:00 am to 6:00 pm, and the polls are open 9:00 am to 8:00 pm, the employer can provide the employee with any of the following to ensure the employee has three consecutive hours away from work:

- One hour of paid time off at the end of their shift (5:00 pm to 6:00 pm);
- Two hours of paid time off at the beginning of their shift (10:00 am to 12 noon); or
- Three hours of paid time off at any point during their shift.

Employers are encouraged to proactively plan and address their employees' right to vote in advance of election day. Employers should also review their internal policies and/or applicable collective agreement in case they have agreed to obligations over and above the requirements of the Act.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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