

Time Off To Vote



A Federal election has been called for Monday, October 19, 2015. Polls are open in Atlantic Canada from 8:30 a.m. to 8:30 p.m. Advance polls are open from noon to 8:00 p.m. on Friday, October 9, Saturday, October 10, Sunday, October 11, and Monday, October 12. Individuals may also register to vote by special mail-in ballot at www.elections.ca.

Qualified Elector

Every Canadian citizen, 18 years or older on polling day is entitled to vote.

Three Consecutive Hours

Qualified electors are entitled to three consecutive hours on voting day to cast their ballots during polling hours (i.e., 8:30 a.m. to 8:30 p.m.). If the employee's work schedule prevents having three consecutive hours off to vote, the employer must provide the time off to meet the three consecutive hours rule. The following are examples of what time off to vote looks like when voting hours are 8:30 a.m. to 8:30 p.m.:

- The employee works from 8:00 a.m. to 4:00 p.m. – no time off required because the employee has 4.5 consecutive hours off of work to the time polls close at 8:30 p.m.
- The employee works from 9:00 a.m. to 5:00 p.m. – no time off required because the employee has three consecutive hours off of work to the time polls close at 8:30 p.m.
- The employee works from 7:00 a.m. to 7:00 p.m. – the employee may be permitted to arrive late or leave early to provide three consecutive hours off of work.

The employer has the right to decide what time off to provide to an employee in order to meet the required three consecutive hours and is under no obligation to make allowance for "travel time" to vote for the employee. The *Canada Elections Act* prohibits any deduction or reduced pay or imposing any penalty for time off to vote as required by the *Act*.

Employees of a transportation company (i.e., transporting goods or passengers by land, air or water) who are employed outside their polling division in the operation of transportation are not entitled to time off if it cannot be provided without interfering with the transportation service.

What's the Penalty?

An employer who is convicted of a violation under the *Canada Elections Act* (e.g., failing to provide time off or reducing an employee's pay) may be liable for up to a \$2000 fine and/or three months imprisonment, or both.