

De-Risking Corporate Civic Engagement

Target launch date: October 15, 2024

Partners: Michigan Erb Institute, Democracy Works, Civic Alliance

[Website](#)

The problem: Americans face several barriers when it comes to voting. The Pew Research Center [reports](#) that 70% of U.S. adult citizens were eligible to vote in elections from 2018 to 2022, and voted in at least one of them. However, only 37% voted in all three. While people generally want to vote and recognize its importance, they often encounter challenges such as time constraints, limited accessibility, and a dearth of information.

Additionally, employers seem to worry about the legal risks associated with Time Off To Vote policies and struggle to implement them. Fewer than one-third (29%) of employed Americans say their company has a voting leave policy, although 31 states mandate them.

The solution: This resource guide and [website](#) aims to educate employers and employees, to help mitigate the legal risks associated with corporate civic engagement, and to share ways to encourage employee voter participation. This guide includes information on implementing a Time Off To Vote policy, non-coercive ways to encourage civic engagement, and email and policy templates.

6 Steps to Implement a “Time Off to Vote” Policy:

1. **Review State and Local Laws:** Check your state and local regulations regarding time off to vote by referring to [state voting law surveys](#). For example, many states have laws requiring employers to provide paid or unpaid time off for voting, and the specifics vary.
 - If your state does have specific regulations in place, take note of these requirements when drafting your company policy to ensure it complies with state and local regulations. Please reach out to bclb@law.berkeley.edu if you need assistance with making this determination.
 - With regards to paid/unpaid time off, multi-state employers operating in states with differing laws might consider providing paid time off to vote to all employees to help promote compliance and consistency.
2. **Garner buy-in from leadership:** Communicate with the executive team about the policy, why it is important for the company, how it aligns with business strategy and responsibility, and provide the opportunity for contribution. Ensure the Human Resources is involved from the beginning.
 - Use the [Erb Institute’s CPR Decision Tool & Executive Conversation Guide](#) to workshop the firm’s overall civic engagement approach.
 - [Time To Vote](#) provides helpful resources and benchmarking to help relay the importance of setting aside time to vote for workers and increasing voter participation in the election process.
3. **Draft the Policy:** Create a clear and concise policy that outlines:
 - Support: Include a statement of support for active and engaged citizenship.
 - Eligibility: Who is eligible to take time off to vote (e.g., all employees or full-time only).
 - Time Allotment: Specify how much time will be granted to vote (e.g., 2 hours with pay at the beginning or end of a shift). Below are additional examples:
 - A “No Meetings” Day: Direct managers and employees to avoid scheduling meetings or events on election days to offer more flexibility for everyone to get out to vote.
 - Flexible Civic Hours: Issue each eligible employee a bank of paid “civic hours” that they can use to vote early, complete and mail absentee ballots, go to the polls, or take part in other defined civic activities such as serving as a poll worker. This approach can work well for both salary and hourly workers.
 - Election Day Off: Establish Election Day during federal elections (this includes presidential and midterm elections) as a paid company holiday or a paid half day — and consider encouraging employees to get more

involved by serving as poll workers. (Note: This approach often only benefits salaried employees.)

- **Adjusted Operating Hours:** Shift business hours to open later or close earlier on Election Day, which will allow hourly staff the flexibility to vote while still enabling them to work a full day or shift.
- **Conditions:** Time off granted based upon the employee not having time to vote before or after work, not able to use/access a mail-in ballot, or not able to vote early.
- **Notification Procedure:** State how far in advance employees must request time off for voting.
- **Proof of Voting:** Specify whether employees need to provide proof (such as a voter receipt) after voting.

Berkeley Law offers a template you can use to create your policy.

Remember to compare your policy to any state or local regulations you discovered during step one to ensure compliance. Reach out to [Berkeley Center for Law & Business](#) for any help.

4. **Communicate the Policy:** This is an important step. Share the policy with your employees. This can be done via company-wide emails, reinforcing the policy through informational sessions or workshops, posting the policy in common areas, or adding it to your employee handbook. Encourage managers to remind employees about their right to take time off to vote as election days approach.

NOTE: Some states mandate conspicuous notice of the policy in advance of and through the close of polls on Election Day. Please reach out to bclb@law.berkeley.edu if you need assistance with making this determination.

5. **Provide Flexibility:** Ensure employees understand that the policy allows them to take paid time off during work hours without fear of reprisal. Consider offering additional flexibility on election days, such as late starts or extended breaks, to accommodate longer wait times.
6. **Track and Monitor:** Ensure your organization is maintaining proper documentation of employees' requests for time off as well as their proof of voting to help avoid any misunderstandings or miscommunications regarding time off from work. Ensure the policy is applied fairly and consistently across all departments.

By following these steps, you can promote civic participation within your workforce and ensure your organization supports democratic engagement.

6 Ways To Encourage Employee Civic Participation

Your strategy, capacity, and needs for your civic engagement plan will depend on your employee and consumer base, and should align with your mission and values.

Here are 6 ways to do so:

1. Promote Flexibility on or Before Election Day

- Implement flexible scheduling, including optional meeting-free days.
- Offer Paid Time Off (PTO) or Volunteer Time Off (VTO) for civic engagement.
- Consider reducing work hours around election periods.

2. Monitor State Requirements

- Stay informed about state regulations concerning time off for private sector employees.
- Use the [Erb Institute's Corporate Political Responsibility 2024: Election Readiness & Principled Action](#)

3. Encourage Civic Participation

- Support employees in signing up as poll workers.
- Integrate voter registration for eligible employees into the onboarding process.
- Host voter registration drives.

4. Support Registered Voters

- Remind registered employees to review and update their voter registration information.

5. Provide Voting Information

- Distribute resources on voting procedures, including how, where, and when to vote: [Vote.org](#) or [TurboVote](#).

6. Facilitate Voting Access

- Provide details on nearby polling locations, especially those close to the office.
- Encourage carpooling to polling places.
- Promote early voting and vote-by-mail options if available.

Proposed Email To Employer About Embedding Time To Vote Policies

Subject: Proposal to Enhance Voter Participation Through Time Off Policies

Dear [Employer's Name],

Hope this message finds you well.

As the upcoming election approaches, an important opportunity exists for our organization to support civic engagement among our employees. Voting is a fundamental right, yet many eligible voters face barriers that prevent participation. According to the [Pew Research Center](#), while 70% of U.S. adult citizens voted in at least one election from 2018 to 2022, less than half (37%) participated in all three elections during that period.

To foster a culture of civic participation, it may be beneficial to consider implementing a policy that allows employees time off to vote. This initiative could enhance voter turnout and demonstrate our commitment to supporting team members in fulfilling their civic duties.

Additionally, to address any legal considerations, it is recommended to review the information available on [Berkeley's De-Risking Corporate Civic Engagement Guide](#). The webpage has a draft policy template outlining potential guidelines for providing time off to vote.

Thank you for considering this proposal. I believe that this initiative could make a meaningful impact on our community.

Best regards,

[Your Name]

Policy Templates For Employers' Time To Vote Policies

Template 1: Comprehensive Time to Vote Policy

Purpose/Objective

[Organization Name] is committed to ensuring that all employees have the opportunity to participate in the democratic process. To facilitate this, we provide paid time off for voting in local, state, and federal elections.

Eligibility

All employees who are registered voters and do not have sufficient time outside of their work day to vote are eligible for this benefit.

Policy and Procedures

1. **Amount of Time Off:** Employees may take up to [X] hours of paid leave to vote. This leave can be taken at the beginning or end of the workday, as designated by the employer, unless otherwise mutually agreed.
2. **Notification:** Employees must notify their supervisor at least [Y] working days prior to the Election Day if they require time off to vote.
3. **Coordination:** Employees should coordinate the time off with their supervisor to ensure minimal disruption to work operations.
4. **Timekeeping:** Time off for voting should be reported and coded appropriately on timekeeping records.
5. **Part-Time Employees:** Part-time employees with a regular and recurring schedule, who are regularly scheduled to work on the day of the election, are also eligible under this policy.

Additional Information

For more information, please contact the [Organization Name] Human Resources Department at [Contact Information].

Compliance

In accordance with state laws, this policy applies to primary and general elections, as well as any special elections called by the Governor. It does not include school district elections, library district elections, fire district elections, or special town elections. The time off to vote provisions only apply to primary or election days, not to early voting periods.

Posting Requirements

Not less than ten working days before any Election Day, a notice setting forth the provisions of this policy shall be posted conspicuously in the workplace where it can be seen by employees as they come or go to their place of work. This notice shall remain posted until the close of the polls on Election Day.

Template 2: Simplified Time to Vote Policy

Purpose

To ensure that all employees have the opportunity to vote in elections, [Organization Name] provides paid time off for voting.

Eligibility

This policy applies to all registered voters employed by [Organization Name].

Policy Details

1. **Paid Leave:** Employees are entitled to up to [X] hours of paid leave to vote in local, state, and federal elections.
2. **Timing:** The time off can be taken at the beginning or end of the workday, as designated by the employer, unless otherwise mutually agreed.
3. **Notification Requirement:** Employees must inform their supervisor at least [Y] working days before the Election Day if they need time off to vote.
4. **Part-Time Employees:** Part-time employees who are scheduled to work on Election Day are also eligible for this benefit.

Compliance

This policy is in accordance with state laws and applies to primary and general elections, as well as any special elections called by the Governor. It does not cover school district elections, library district elections, fire district elections, or special town elections. The policy is applicable only to primary or election days, not to early voting periods.

Contact Information

For any questions or additional information, please contact the [Organization Name] Human Resources Department at [Contact Information].

Posting Requirement

A notice outlining this policy will be posted in a conspicuous place in the workplace at least ten working days before any Election Day and will remain posted until the close of the polls on Election Day.

Proposed Email To Employees Regarding Your Time To Vote Policy

Dear Team,

As the election approaches, we want to encourage all employees to participate in this important civic duty.

As you make plans for Election Day, please read our Time Off To Vote policy [\[insert policy link\]](#). Teams are expected to accommodate this time to ensure everyone has the opportunity to cast their vote.

For any questions or additional resources, please visit [Vote.org](#) or [TurboVote](#) to find your polling location, candidate information, and more.

Let's make our voices heard!

Need assistance or want more resources?

Reach out to bclb@law.berkeley.edu!