

**NAMWOLF**

**LABOR & EMPLOYMENT**

**PRACTICE AREA COMMITTEE**

**50-State Survey:**

**Politics in the Workplace Laws**

**2020 NAMWOLF Driving Diversity & Leadership  
Conference**

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<b>AL</b>	Yes.  Ala. Code. § 17-1-5.	Up to 1 hour off.  If the hours of work of the employee commence at least two hours after the opening of the polls or end at least open hour prior to the closing of the polls, then the time off for voting as provided in this section shall not be made available.  Ala. Code. § 17-1-5.	Reasonable notice. Ala. Code. § 17-1-5.	No specific state law.	The employer may specify the hours during which the employee may absent himself or herself as provided in this section.  Ala. Code. § 17-1-5.
<b>AK</b>	Yes.  Alaska Stat. § 15.56.100.	Paid, for as much time as will enable voting.  A qualified voter who does not have sufficient time outside working hours within which to vote at a state election may, without loss of pay, take off as much	No.	While engaged on official business, a <u>state employee</u> may not display or distribute partisan political material.  Alaska Stat. § 39.25.178	An employer violates the statutes if the employer refuses to allow an employee time off for the purpose of voting, or if, after allowing the time off, the employer deducts the time from the employee's wages (with certain exceptions).  Alaska Stat. § 15.56.100.

<sup>1</sup> Generally, private employers can prohibit political speech in the workplace as long as such prohibitions do not violate the National Labor Relations Act.

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		<p>working time as will enable voting.</p> <p>If any employee has two consecutive hours in which to vote, either between the opening of the polls and the beginning of the employee's regular working shift, or between the end of the regular working shift and the closing of the polls, the employee shall be considered to have sufficient time outside working hours within which to vote.</p> <p>Alaska Stat. § 15.15.100</p>			
<b>AZ</b>	<p>Yes.</p> <p>Ariz. Rev. Stat. § 16-402.</p>	<p>Employee entitled to leave if there are less than 3 consecutive hours between the opening of the polls and the beginning of the employee's</p>	<p>Employee must apply for the absence prior to election day.</p> <p>Ariz. Rev. Stat. § 16-402.</p>	<p>No specific state law.</p>	<p>Violation of time-off requirement is a class 2 misdemeanor.</p> <p>Ariz. Rev. Stat. § 16-402.</p> <p>Employer may not provide paycheck in an envelope on which there is written or</p>

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		<p>regular work shift or between the end of the employee's regular work shift and the closing of the polls.</p> <p>Ariz. Rev. Stat. § 16-402.</p> <p>Up to 3 hours.</p> <p>Employer may specify the hours during which the employee may be absent.</p> <p>Employee may not, because of such absence, be liable for any penalty, nor shall any deduction be made from his usual salary or wages.</p> <p>Ariz. Rev. Stat. § 16-402(A).</p>	<p>No posting requirement.</p>		<p>printed any political mottoes, devices or arguments, containing threats (express or implied) intended or calculated to influence the political opinions, views or actions of employees.</p> <p>Within 90 days of an election, employer may not put up or exhibit in any place where employees are working or are present in the course of employment a handbill, notice or placard containing a threat, notice, or information that if any particular ticket or candidate is elected or defeated, work will cease or be reduced, facility will be closed, wages will be reduced, or other threats (express or implied) intended or calculated to influence the political opinions or actions of employees.</p> <p>A violator is guilty of a class 1 misdemeanor.</p> <p>Ariz. Rev. Stat. § 16-1012.</p>
<b>AR</b>	Yes.	Unpaid.	No.	No specific state law.	Violations of time-off requirement subject to fine of \$25-\$250.



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	Ark. Code Ann. § 7-1-102.	Amount of time not specified.			<p>Ark. Code Ann. § 7-1-102.</p> <p>It is unlawful (felony offense) for any person to:</p> <ol style="list-style-type: none"> <li>(1) make any threat or attempt to intimidate any elector or the family, business, or profession of the elector;</li> <li>(2) interfere with or prevent any qualified elector from voting at any election or to attempt to interfere with or to prevent any qualified elector from voting at any election.</li> </ol> <p>Ark. Code Ann. § 7-1-104.</p>
<b>CA</b>	Yes.  Cal. Elec. Code § 14000.	Unspecified limits. "If a voter does not have sufficient time outside of working hours to vote at a statewide election, the voter may, without loss of pay, take off enough working time that, when added to the voting time available outside of working hours, will enable the voter to vote."	<p>At least 10 days before a statewide election, employers must post a notice to employees advising them of provisions for taking time off for purposes of voting.</p> <p>Cal. Elec. Code § 14001.</p> <p>Employers may require employees to give at least two</p>		<p>An employer shall not require or request that an employee bring the employee's vote by mail ballot to work or vote the employee's vote by mail ballot at work.</p> <p>Cal. Elec. Code § 14004.</p> <p>No employer shall make, adopt, or enforce any rule, regulation, or policy:</p> <p>(a) Forbidding or preventing employees from engaging or participating in politics or from becoming candidates for public office.</p>

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		<p>Cal. Elec. Code § 14000(a).</p> <p>The time off for voting “shall be only at the beginning or end of the regular working shift, whichever allows the most free time for voting and the least time off from the regular working shift, unless otherwise mutually agreed.”</p> <p>Cal. Elec. Code § 14000(b).</p> <p>Only a maximum of two hours of time off from work for voting is paid.</p> <p>Cal. Elec. Code § 14000(b).</p>	<p>working days’ advance notice that they will need time off for voting.</p> <p>Cal. Elec. Code § 14000(c).</p>		<p>(b) Controlling or directing, or tending to control or direct the political activities or affiliations of employees.</p> <p>Cal. Labor Code § 1101.</p> <p>No employer shall coerce or influence or attempt to coerce or influence his employees through or by means of threat of discharge or loss of employment to adopt or follow or refrain from adopting or following any particular course or line of political action or political activity.</p> <p>Cal. Labor Code § 1102.</p>
<b>CO</b>	<p>Yes.</p> <p>Colo. Rev. Stat. § 31-10-603.</p>	<p>2 hours</p> <p>Colo. Rev. Stat. § 1-7-102.</p>	<p>“Application shall be made for such leave of absence prior to the day of election.”</p>	<p>No specific state law.</p>	<p>Misdemeanor to do any of the following:</p> <p>(a) To refuse any of his employees the privilege of taking time off to vote as provided in section 31-10-603; or</p>

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		<p>No penalty allowed and no deduction from “usual salary or wages” allowed.</p> <p>But does not apply if employee has 3 hours off between opening and closing of polls.</p>	<p>Colo. Rev. Stat. § 1-7-102.</p> <p>Employer may specify hours employee may be absent, but employee can request hours off at beginning or end of shift</p>		<p>(b) To influence the vote of any employee by force, violence, or restraint, or by inflicting or threatening to inflict any injury, damage, harm, or loss, or by discharging from employment, or by promoting in employment; or</p> <p>(c) To enclose, in paying his employees the salary or wages due them, their pay in pay envelopes upon which there are written or printed political mottoes, devices, or arguments containing threats, expressed or implied, intended or calculated to control the political opinions, views, or actions of such employees;</p> <p>(d) To put up or otherwise exhibit, within ninety days prior to any municipal election, in his factory, workshop, mine, mill, office, or other establishment or place where his employees may be working or be present in the course of such employment any handbill, notice, or placard containing any threat, notice, or information that, in case any particular candidate is elected or issue is carried, work in his place or establishment will cease in whole or in part or the wages of his employees</p>

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					<p>be reduced or containing any other threats, expressed or implied, intended or calculated to control the political opinions or actions of his employees; or</p> <p>(e) To either expressly or by implication threaten, intimidate, influence, induce, or compel any employee to vote or refrain from voting for any particular person or issue in any municipal election or to refrain from voting at any municipal election.</p> <p>Colo. Rev. Stat. § 31-10-1522</p>
CT	No.	N/A	N/A	<p>Employers may not discipline or discharge employees for exercising their First Amendment or CT Constitutional rights (subject to a private cause of action). However, exception for activity that materially interferes with an employee's bona</p>	<p>It is a Class D felony for an employer (1) during the period 60 days or less prior to any election, municipal meeting, school district election or school district meeting, to attempt to influence any employee's vote by threats of withholding employment or by promises of employment, or (2) to discharge any employee on account of any vote at any such election or meeting.</p> <p>Conn. Gen. Stat. § 9-365.</p> <p>It is also a Class D felony for an employer (or any person) to provide misleading instructions or advice as to the manner of</p>

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				<p>hinder job performance or working relationship with the employer.</p> <p>Conn. Gen. Stat. § 31-51q.</p>	<p>voting or to improperly influence an employee not to vote.</p> <p>Conn. Gen. Stat. § 9-363-364.</p>
<b>DE</b>	No.	N/A	N/A	No specific state laws.	<p>An employer is prohibited from hindering, coercing, or intimidating an employee in the exercise of his or her right to vote at any general, special, or municipal election by bribery or by threatening to deprive the employee of employment or occupation.</p> <p>Del. Code tit. 15, § 5162.</p> <p>Employer prohibited from discharging, threatening, or coercing employee who is not in a “critical need position” because employee is serving as an election officer on an election day, if employee has vacation time accrued and available for use. “Critical need position” is one in field of public safety, corrections, transportation, health care, utilities, small business with 20 or fewer employees, or otherwise necessary position for the business or industry to be</p>

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					in service or operation on election day. Violators are guilty of criminal contempt and may be fined up to \$500 or imprisoned not more than 6 months, or both.  Del. Code tit. 15, § 4709.
<b>FL</b>	No.	N/A	N/A	No specific state law.	It is unlawful for any person having one or more persons in his or her service as employees to discharge or threaten to discharge any employee in his or her service for voting or not voting in any election, state, county, or municipal, for any candidate or measure submitted to a vote of the people. Any person who violates the provisions of this section is guilty of a felony of the third degree.  Fla. Stat. § 104.081.
<b>GA<sup>2</sup></b>	Yes.  Ga. Code Ann. § 21-2-404.	Up to two hours off, unpaid.  The employer may specify the hours during which the employee may be	Reasonable notice.  Ga. Code Ann. § 21-2-404.	No specific state law.	None.

<sup>2</sup> Pending legislation (2019 Bill Text GA H.B. 283 , GEORGIA 155TH GENERAL ASSEMBLY 2019-20 REGULAR SESSION; Section 14) would remove the part from the law where the employee is ineligible if his or her work hours commence at least two hours after the opening of the polls or end at least two hours prior to the closing of the polls.

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		<p>absent himself or herself as provided in this code section.</p> <p>An employee is ineligible if his or her work hours commence at least two hours after the opening of the polls or end at least two hours prior to the closing of the polls.</p> <p>Ga. Code Ann. § 21-2-404.</p>			
<b>HI</b>	<p>Yes.</p> <p>Haw. Rev. Stat. § 11-95.</p>	<p>Yes, two consecutive hours. Time off is paid. Meal or rest breaks are excluded from the two-hour calculation. Employer cannot change employee's regular work schedule to avoid compensation for time off to vote.</p>	<p>Yes, one day in advance for general or state election.</p>	<p>No specific state law.</p>	<p>“Voter fraud” is defined to include:</p> <p>“Every person who, directly or indirectly, personally or through another, makes use of, or threatens to make use of, any force, violence, or restraint; or inflicts or threatens to inflict any injury, damage, or loss in any manner, or in any way practices intimidation upon or against any person in order to induce or compel the person to vote or refrain from voting, or to vote or refrain from voting for any particular person or party, at any</p>

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		<p>Employer may require employee to show voter's receipt, or employer can deduct hours off from pay.</p> <p>If an employee's hours of employment are such that the employee has a period of two consecutive hours when the employee is not working (excluding lunch and rest periods), but while the polls are open, an employer need not provide the employee with additional time off.</p> <p>However, if an employee is normally scheduled to work from 8:00 a.m. to 5:00 p.m., the employer must give an additional hour of voting time off so the</p>			<p>election, or on account of the person having voted or refrained from voting, or voted or refrained from voting for any particular person or party; or who by abduction, distress, or any device or contrivance impedes, prevents, or otherwise interferes with the free exercise of the elective franchise.”</p> <p>Haw. Rev Stat. § 19-3.</p>



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		<p>employee has two consecutive hours to vote. The employer could allow the employee to start work at 9:00 a.m. so the employee can vote from 7:00 a.m. to 9:00 a.m.</p> <p>Alternatively, the employer could permit the employee to end work at 4:00 p.m. so the employee can vote from 4:00 p.m. to 6:00 p.m.</p> <p>Penalty for non-compliance is a fine of \$50 to \$300.</p>			
<b>ID</b>	No.	N/A	N/A	No specific state law.	<p>“Every person who, by force, threats, menaces, bribery, or any corrupt means, either directly or indirectly attempts to influence any elector in giving his vote, or to deter him from giving the same, or attempts by any means whatever, to awe, restrain, hinder or disturb any elector in the free exercise of the right of suffrage, or furnishes any elector wishing to vote, who cannot read, with a ticket,</p>

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					<p>informing or giving such elector to understand that it contains a name written or printed thereon different from the name which is written or printed thereon, or defrauds any elector at any such election, by deceiving and causing such elector to vote for a different person, for any office, than he intended or desired to vote for; or who, being officer, judge, or clerk of any election, while acting as such, induces, or attempts to induce, any elector, either by menace or reward, or promise thereof, to vote differently from what such elector intended or desired to vote, is guilty of a misdemeanor.”</p> <p>Idaho Code Ann. § 18-2305.</p>
<p><b>IL</b></p>	<p>Yes. 10 Ill. Comp. Stat. § 5/17-15.</p>	<p>Up to 2 paid hours, provided that the employee’s working hours begin less than 2 hours after the opening of the polls and end less than 2 hours before the closing of the polls.</p> <p>10 Ill. Comp. Stat. § 5/17-15.</p>	<p>Must be prior to election day.</p> <p>10 Ill. Comp. Stat. § 5/17-15.</p>	<p>Employers are prohibited from restricting employees’ off-duty use of “lawful products,” a category that may be broad enough to include blogging software, Twitter, political signs, and other products that</p>	<p>Employers may not maintain a record of employees’ off-duty political activities. 820 Ill. Comp. Stat. § 40/9.</p>

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				<p>are frequently used to deliver political speech. The term “employers” does not include non-profit organizations that discourage the use of a “lawful product.”</p> <p>820 Ill. Comp. Stat. § 55/5.</p>	
<b>IN</b>	No.	N/A	N/A	No specific state law.	The law prohibits employers from influencing political opinions or actions of employees in the workplace. Specifically, an employer cannot print on pay envelopes a political motto, device, or argument containing threats intended or calculated to influence the political opinions or actions of the employees; or exhibit in the workplace a handbill or placard containing a threat, notice, or information that, if a particular ticket, candidate, or public question is elected, approved, or defeated that: (1) work in the person’s place or establishment will cease in whole or in part; (2) the person’s establishment will be closed; or (3) the wages of the employees will be reduced;

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					<p>or that is otherwise intended or calculated to influence the political opinions or actions of the employees.</p> <p>Employer violations are considered a Level 6 felony and punishable by a sentence of between 6 months and 2 ½ years. Fine not more than \$10,000.</p> <p>Ind. Code §§ 3-14-3-21;35-50-2-7.</p>
IA	<p>Yes.</p> <p>Iowa Code § 49.109.</p>	<p>Paid.</p> <p>Leave is for the amount of time that, when added to the employee’s non-working time, creates a period of three consecutive hours during the time the polls are open.</p> <p>Upon proper application, an employer may designate the period of time to be taken.</p> <p>Iowa Code § 49.109.</p>	<p>Employees must apply for the leave individually and in writing prior to the date of the election.</p>	<p>All employees have the right to express their opinions as individuals on political issues and candidates. Such expressions may be either verbal or demonstrative in the form of pictures, buttons, stickers, badges, pins, or posters. Employees’ rights to express their opinions on political matters in this form or manner shall not be restrained while</p>	<p>None.</p>

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				on duty unless: (1) It is a violation of the law; or(2) The display of such items would cause or constitute a real and present safety risk or would substantially and materially interfere with the efficient performance of official duties; or(3) The employee has substantial contact with the public and the level of trust and confidence associated with the employee's position is perceived to be such that political expressions in any form, while on duty, might influence the public.	

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				Iowa Code § 65.1.	
KS	Yes.  Kan. Stat. Ann. § 25-418	Up to 2 consecutive hours between opening and closing of the polls; however, if the polls are open before or after an employee's shift, the employee is entitled to time off for such a period of time which, when added to the period of time the polls are open when the employee is not scheduled to work, will not exceed 2 hours.  Employer may specify the particular time an employee may take off, but such time may not include the employee's regular lunch period.  Employee must be paid for the time.	No.	No specific state law.	Violation of the time-off requirement is a class A misdemeanor.  Kan. Stat. Ann. § 25-418  Voter intimidation is a severity level 7, nonperson felony.  Kan. Stat. Ann. § 25.2415

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		Kan. Stat. Ann. § 25-418			
<b>KY</b>	Yes.  Ky. Const., § 148; Ky. Rev. State Ann. § 118.035.	Reasonable amount of time but not less than four (4) hours.  No compensation requirements.	Employee must give notice prior to the day of election or day for casting an absentee ballot.  Employer may specify the hours during which the employee may be absent.	The Kentucky Bill of Rights protects freedom of expression and speech.  Ky. Const., §§ 1, 8.	Any person who exercises their rights under this statute but fails to vote although able to may be subject to disciplinary action.  Ky. Rev. State Ann. § 118.035(3).  Any person selected to serve as an election officer is entitled to one day time off for training or to serve as an election officer, without penalty.  Ky. Rev. State Ann. § 118.035(4).
<b>LA</b>	No.	N/A	N/A	No specific state law.	No employer having regularly in his employ 20 or more employees shall make, adopt, or enforce any rule, regulation or policy forbidding or preventing any of his employees from engaging or participating in politics, or from becoming a candidate for public office. No such employer shall adopt or enforce any rule, regulation or policy which will control, direct or tend to control or direct the political activities or affiliations of his employees, nor coerce or influence, or attempt to coerce or influence any of his employees by means

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					<p>of threats of discharge or of loss of employment in case such employees should support or become affiliated with any particular political faction or organization, or participate in political activities of any nature or character.</p> <p>Violation by firm or corporation is subject to fine of \$500–\$2,000.</p> <p>Employee may also recover damages from employer as a result of suffering caused by employer’s violation.</p> <p>La. Rev. Stat. Ann. § 23:961.</p> <p>Any planter, manager, overseer or other employer of laborers who, previous to the expiration of the term of service of any laborer in his employ or under his control, discharges such laborer on account of his political opinions, or attempts to control the suffrage or vote of such laborer by any contract or agreement whatever, shall be fined not less than one hundred dollars, nor more than five hundred dollars and imprisoned for not more than one year.</p> <p>La. Rev. Stat. Ann. § 23:962.</p>



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<b>ME</b>	No.	N/a	N/A	No specific state law.	None.
<b>MD</b>	Yes.  Md. Code Ann., Elec. Law § 10-315.	2 hours; paid.  Time off not required if employee has 2 consecutive nonwork hours when polls are open.	No.	Some Maryland county codes prohibit employers in the particular county from discriminating against any individual based on the individual's political affiliation. See Prince George's County Code § 2-186(3); Howard County Code § 12.200(II).	Employee required to show proof of voting or attempting to vote, which proof shall be on a form prescribed by the State Board.  Influencing an individual's voting activity through intimidation or bribery is forbidden.  Md. Code Ann., Elec. Law § 16-201(a).  Employers may not include in compensation materials any statements to influence the political opinions or actions of employees or display any notice within 90 days before an election that uses threats to influence employees to support or not support a particular candidate, including threats to close the business or reduce work and/or compensation should a particular candidate get elected.  Md. Code Ann., Elec. Law § 13-602(a).
<b>MA</b>	Yes, but only for manufacturing, mechanical, and	Unpaid time shall be granted for the first two hours during	Notice required; no duration specified.	No specific state law.	Employers may not threaten, discipline, discharge, or reward an employee in an attempt to influence

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	mercantile employees.  Mass. Gen. Laws ch. 149, § 178.	which polls are open.			him or her to give or to withhold his or her vote or to give or withhold a political contribution. Employers may not take any employment action regarding an employee because of the employee's actual vote or contribution to a political party.  Mass. Gen. Laws ch. 56, § 33.  Public employees may not use their official authority to influence or coerce the political actin of another or interfere with an election.  Mass Gen. Laws ch. 56, § 36.
<b>MI</b>	No.	N/A	N/A	No specific state law.	An employer shall not gather or keep a record of an employee's associations, political activities, publications, or communications of non-employment activities, except if the information is submitted in writing by or authorized to be kept or gathered, in writing, by the employee to the employer. This prohibition on records shall not apply to the activities that occur on the employer's premises or during the employee's working hours with that employer that interfere with the

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					<p>performance of the employee's duties or duties of other employees.</p> <p>Mich. Comp. Laws § 423.508(1).</p> <p>A person cannot, either directly or indirectly, discharge or threaten to discharge an employee of the person for the purpose of influencing the employee's vote at an election.</p> <p>Mich. Comp. Laws § 168.931(1)(d).</p>
<b>MN</b>	<p>Yes.</p> <p>Minn. Stat. § 204C.004(1).</p>	<p>Employee may be absent for the time necessary to appear at the employee's polling place, cast a ballot, and return to work on the day of the election, without penalty or deduction from salary or wages because of the absence.</p>	<p>No.</p>	<p>No specific state law.</p>	<p>An employer or other person may not directly or indirectly refuse, abridge, or interfere with this right or any other election right of an employee.</p> <p>Minn. Stat. § 204C.004(1).</p> <p>A person who violates this section is guilty of a misdemeanor, and the county attorney shall prosecute the violation.</p> <p>Minn. Stat. § 204C.04(3).</p> <p>An individual or association must not engage in economic reprisals or threaten loss of employment or physical coercion against an individual or association because of that individual's or</p>

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					association's political contributions or political activity.  Minn. Stat. § 10A.36.
<b>MS</b>	Yes.  Miss. Code Ann. § 23-15-871.	The statute does not address the amount of time. It merely states the employee should have “necessary time to cast his or her vote[.]”	No.	No specific state law.	An employer cannot directly or indirectly discriminate, discharge, threaten or take any adverse action with respect to an employee for the purpose of influencing the employee’s vote at an election. An employer cannot retaliate for an employee’s refusal to take part in campaigning or other political activities.  Miss. Code Ann. § 23-15-871.  Employees may not canvass for or against candidates during working hours. Employees may not take paid vacation or leaves of absence to provide services for candidates.  Miss. Code Ann. § 23-15-871.  However, this prohibition has been construed to allow public employees to use paid vacation time to service a candidate if employees were already entitled to paid vacation and were not coerced by an employer to use the time for political services.

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					<i>Straughter v. Collins</i> , 819 So. 2d 1244, 1251 (Miss. 2002).
<b>MO</b>	Yes.  Mo. Ann. Stat. § 115.639(1).	Up to 3 hours between the times the polls open and close; however, the employer may specify the hours an employee may be absent.  Employees that have 3 successive nonworking hours while the polls are open may not take time off.  Employees must be compensated for time off.	Notice by employee or by representative of a group of employees required prior to election day, but no duration specified.  Mo. Ann. Stat. § 115.639(1); Op. Atty. Gen. No. 50, Kostron, 11-13-53.	No specific state law.	Violation of the provision for time off to vote is a class four election offense.  Mo. Ann. Stat. §§ 115.637(6), .639(2).  Employers may not prevent or retaliate an employee from engaging in political activities including serving on a political committee, or soliciting or receiving funds for political purposes.  Mo. Ann. Stat. § 115.637(6).
<b>MT</b>	No.	N/A	N/A	No specific state law.	It is an unlawful discriminatory practice for the state or any of its political subdivisions to refuse employment to a person because of political beliefs.  Mont. Code Ann. § 49-2-308(3).
<b>NE</b>	Yes.	Any registered voter who does not have	If the registered voter applies for such	No specific state law.	Any person who (1) coerces or attempts to coerce any of his or her employees in

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	Neb. Rev. Stat. § 32.922.	two consecutive hours in the period between the time of the opening and closing of the polls during which he or she is not required to be present at work for an employer shall be entitled on election day to be absent from employment for such a period of time as will in addition to his or her nonworking time total two consecutive hours between the time of the opening and closing of the polls.	leave of absence prior to or on election day, the registered voter shall not be liable for any penalty and no deduction shall be made from his or her salary or wages on account of such absence. The employer may specify the hours during which the employee may be absent.		their voting or in any other political action at any caucus, convention, or election held or to be held in this state or (2) attempts to influence the political action of his or her employees by threatening to discharge them because of their political action or by threats on the part of such person to close his or her place of business in the event of the passage or defeat of any issue on the ballot, in the event of the election or defeat of any candidate for public office, or in the event of the success or defeat of any political party at any election shall be guilty of a Class IV felony.  Neb. Rev. Stat. § 32-1537.
<b>NV</b>	Yes, if it is impracticable for the voter to vote before or after his or her hours of employment.  Nev. Rev. Stat. § 293.463	Paid.  Employees may absent themselves from employment to vote, as follows:  Any registered voter may be absent from his or her place of	Application for leave of absence to vote shall be made to the employer or person authorized to grant such leave prior to the day of the election.	No specific state law.	Any employer or person authorized to grant a leave of absence to vote who denies any registered voter any right granted under this section, or who otherwise violates the provisions of this section, is guilty of a misdemeanor.  Nev. Rev. Stat. § 293.463.

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		<p>employment at a time to be designated by the employer for a “sufficient time” to vote, if it is impracticable for the voter to vote before or after his or her hours of employment.</p> <p>A “sufficient time” to vote shall be determined as follows: (a) If the distance between the place of such voter’s employment and the polling place where such person votes is 2 miles or less, 1 hour; (b) If the distance is more than 2 miles but not more than 10 miles, 2 hours; or (c) If the distance is more than 10 miles, 3 hours.</p> <p>Such voter may not, because of such</p>	<p>Nev. Rev. Stat. § 293.463.</p>		<p>It shall be unlawful for any person, firm, or corporation doing business or employing labor in the State of Nevada to make any rule or regulation prohibiting or preventing any employee from engaging in politics or becoming a candidate for any public office in this state.</p> <p>Nev. Rev. Stat. § 613.040.</p> <p>For employees of the State of Nevada (subject to the State Personnel System), civil leave with pay must be granted to allow an employee time off to vote subject to the conditions established in Nev. Rev. Stat. § 293.463. If an employee determines he or she will need time off to vote, he or she must submit a request for civil leave with pay to the person authorized to grant such leave before the day of the election.</p> <p>Nev. Admin. Code § 284.586.</p>

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		<p>absence, be discharged, disciplined or penalized, nor shall any deduction be made from his or her usual salary or wages by reason of such absence.</p> <p>Nev. Rev. Stat. § 293.463.</p>			
<b>NH</b>	No.	N/A	N/A	No specific state law.	None.
<b>NJ<sup>3</sup></b>	No.	N/A	N/A	No specific state law.	<p>It is a crime of the 3rd degree for an employer to improperly influence or intimate employees (threaten with injury or loss) to compel them to vote or refrain from voting for any particular candidate at any election or otherwise hinder the free exercise of voting rights.</p> <p>N.J. Stat. Ann. § 19:34-27.</p> <p>Employers may not include on “pay envelopes” the name of a candidate or any political motto or other express or</p>

<sup>3</sup> NJ Assembly Bill 4759 and Senate Bill 3385 (pending) would require annual paid leave for the purpose of voting at a general election.



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					<p>implied threat to influence employees' political opinions or choices.</p> <p>N.J. Stat. Ann. § 19:34-30.</p> <p>Within 90 days of an election, an employer may not make any posting intended to influence employees.</p> <p>N.J. Stat. Ann. § 19:34-30.</p> <p>Employers (other than political organizations or parties) may not require employees to attend meetings or participate in communications regarding the employers' opinions on political matters. Employers may invite employees to voluntarily attend such meetings or accept communications so long as employees are informed they may refuse without reprisal.</p> <p>N.J. Stat. Ann. § 34:19-10.</p>
<b>NM</b>	<p>Yes.</p> <p>N.M. Stat. Ann. § 1-12-42.</p> <p>Enrolled members of an Indian</p>	<p>Up to two paid hours between the time of opening and the time of closing of the polls, but the employer may specify the hours during which the employee is absent.</p>	<p>No.</p>	<p>No specific state law.</p>	<p>Violation of this statute is a misdemeanor and punishable by a fine of \$50 to \$100.</p> <p>N.M. Stat. Ann § 1-12-42(D).</p> <p>A <u>public</u> officer or employee may not: (A) directly or indirectly coerce or attempt to coerce another public officer</p>

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	<p>nation, tribe, or pueblo are entitled to this same time off to vote in Indian nation, tribal, and pueblo elections.</p> <p>N.M. Stat. Ann. § 1-12-42(C).</p>	<p>N.M. Stat. Ann. § 1-12-42(A); <i>see also State v. Kenneth P. Thompson Co.</i>, 708 P.2d 1054 (N.M. Ct. App. 1985) (statute “requir[es] employers to allow their employees to absent themselves from their place of work in order to vote, <i>without penalty or deduction in pay.</i>”)</p> <p>Employees whose workday begins more than two hours after polls open, or whose workday ends more than three hours before the polls close, are not entitled time off during the workday to vote.</p> <p>N.M. Stat. Ann. § 1-12-42(B).</p>			<p>or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for a political purpose; (B) threaten to deny a promotion or pay increase to employee who does or does not vote for certain candidates, require employee to contribute pay to a political fund, influence a subordinate employee to purchase a political fundraising ticket, advise an employee to take part in political activity; or (C) violate duty not to use state/government property, or allow its use, for other than authorized purposes.</p> <p>N.M. Stat. Ann. § 10-16-3.1.</p> <p>No employer (or officer or agent) may directly or indirectly discharge or threaten to discharge an employee entitled to vote because of employee's political opinions, or because of employee's intention to vote or refrain from voting for any candidate, party, proposition, question or constitutional amendment. Violation is a fourth-degree felony.</p>

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					N.M. Stat. Ann. § 1-20-13.
<b>NY</b>	Yes.  N.Y. Elec. Law § 3-110.	A registered voter may, without loss of pay for up to three hours, take off so much working time as will enable him or her to vote at any election.  N.Y. Elec. Law § 3-110(1).  The employee shall be allowed time off for voting only at the beginning or end of his or her working shift, as the employer may designate, unless otherwise mutually agreed.  N.Y. Elec. Law § 3-110(2).	If the employee requires working time off to vote, the employee shall notify his or her employer not less than two working days before the day of the election that he or she requires time off to vote. N.Y. Elec. Law 3-110(3).  Not less than ten working days before every election, every employer shall post conspicuously in the place of work where it can be seen as employees come or go to their place of work, a notice setting forth the provisions of Section 3-110 of the New York Election Law. Such notice shall be kept	No specific state law.	Violation of time-off requirement is a misdemeanor subject to fine between \$100-\$500, imprisonment up to 1 year, or both.  N.Y. Elec. Law §§ 17-118, 17-122, 17-150(3), 17-166.  Employer may not discriminate against employees for lawful, off-duty conduct, including political activities. The employee's activity must be off-premise, during non-working hours, and may not use the employer's equipment or property. There is an exception for activity that poses a material conflict of interest with the employer's proprietary or business interests.  N.Y. Labor Law § 201(d)(2)(a).

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			posted until the close of the polls on election day. N.Y. Elec. Law 3-110(4).		
<b>NC</b>	No.	N/A	N/A	No specific state law.	It is unlawful “to discharge or threaten to discharge from employment, or otherwise intimidate or oppose any legally qualified voter on account of any vote such voter may cast.”  N.C. Gen. Stat. § 163-274(a).  “No employer may discharge or demote any employee because the employee . . . is serving as a precinct official on election day.” However, the employee must provide not less than 30 days’ written notice.  N.C. Gen. Stat. § 163-41.2.
<b>ND</b>	No.	N/A	N/A	No specific state law.	While employers are not required to give time off for voting, they are encouraged to establish programs and policies that allow all employees to vote.
<b>OH</b>	Yes.  Ohio Rev. Code Ann. § 3599.06.	“Reasonable amount of time” to vote on election day.	No.	No specific state law.	The law prohibits employers from: discharging or threatening to discharge an employee for taking reasonable time to vote; requiring the employee to be

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		<p>The law is silent on compensation, but the Ohio Attorney General has opined that only salaried employees must be compensated.</p> <p>1950 OAG No. 2691 (1950).</p>			<p>accompanied by the employer to the voting location on election day; refusing to allow the employee to serve as an election official on any registration or election day; inflicting or threatening to inflict any injury, harm, or loss against an employee to induce an employee to vote or refrain from voting for or against any person, issue or question submitted to the voters. Employer violations are punishable by a \$50-\$500 fine.</p> <p>Ohio Rev. Code Ann. § 3599.06.</p> <p>A related law prohibits employers from printing on pay envelopes or posting in the workplace statements intending to influence the political action, opinions, or votes of employees, including any threats, notices, or information that work will cease if any particular candidate is elected or defeated. Employer violations are punishable by a \$500-\$1,000 fine.</p> <p>Ohio Rev. Code Ann. § 3599.05.</p>
<b>OK</b>	<p>Yes.</p> <p>26 Okla. Stat. § 7-101</p>	<p>2 hours of leave (or sufficient time to vote if employee is located a distance from the polling place) on the</p>	<p>An employee must notify the employee (orally or in writing) of the employee's intention</p>	<p>No specific state law.</p>	<p>Violation of the time-off requirement is a misdemeanor subject to fine between \$50 and \$100.</p> <p>26 Okla. Stat. § 7-101</p>

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		<p>day of an election or a day on which in-person absentee voting is allowed by law.</p> <p>Employers are entitled to designate the time employees will be allowed to vote during work hours.</p> <p>If employee provides proof of voting, employee shall not be subjected to any loss of compensation or other penalty.</p> <p>This provision does not apply to any employee whose workday begins 3 hours or more after the polls open or whose workday ends 3 hours or more before the polls close. An employer may change the work</p>	<p>to be absent at least 3 days preceding the day of the election or the day of in-person absentee voting</p> <p>26 Okla. Stat. § 7-101</p>		<p>No employer or supervisor may demand or require an employee to share an image of the employee’s voted ballot. A violation of this provision is a misdemeanor.</p> <p>26 Okla. Stat. § 16-125</p> <p>Voter intimidation is a misdemeanor.</p> <p>26 Okla. Stat. § 16-113</p>

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		hours to allow such 3 hours before the beginning of work or after work hours.  26 Okla. Stat. § 7-101			
<b>OR</b>	No	N/A	N/A	No specific state law	An employer or the employer’s agent, representative, or designee may not discharge, discipline or otherwise penalize or threaten to discharge, discipline, or otherwise penalize or take any adverse employment action against an employee: (a) Because the employee declines to attend or participate in an employer-sponsored meeting or communication with the employer or the agent, representative or designee of the employer if the primary purpose of the meeting or communication is to communicate the opinion of the employer about religious or political matters; (b) As a means of requiring an employee to attend a meeting or participate in communications described in paragraph (a) of this subsection; or (c) Because the employee, or a person acting on behalf of the employee, makes a good faith report, orally or in writing, of a violation or a suspected violation of this section. This paragraph does not apply if

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					<p>the employee knows that the report is false.</p> <p>An aggrieved employee may bring a civil action to enforce this section no later than 90 days after the date of the alleged violation in the circuit court of the judicial district where the violation is alleged to have occurred or where the principal office of the employer is located...</p> <p>An employer subject to this section shall post a notice of employee rights under this section in a place normally reserved for employment-related notices and in a place commonly frequented by employees.</p> <p>Or. Rev. Stat. § 659.785.</p> <p>A person, acting either alone or with or through any other person, may not directly or indirectly subject any person to undue influence with the intent to induce any person to: (a) Register to vote; (b) Refrain from registering or voting; (c) Register or vote in any particular manner; (d) Be or refrain from or cease being a candidate; (e) Contribute or refrain from</p>



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					<p>contributing to any candidate, political party or political committee; (f) Render or refrain from rendering services to any candidate, political party or political committee; (g) Challenge or refrain from challenging a person offering to vote; (h) Apply or refrain from applying for a ballot as an absent elector; or (i) Sign or refrain from signing a prospective petition or an initiative, referendum, recall or candidate nominating petition.</p> <p>Or. Rev. Stat § 260.665.</p>
<b>PA</b>	No.	N/A	N/A	No specific state law.	<p>Employers may not influence, threaten or intimate workers to affect how employees vote.</p> <p>25 Pa. Cons. Stat. § 3547.</p>
<b>RI</b>	No.	N/A	N/A	No specific state law.	<p>Every person being an employer who, within ninety (90) days of a general election, pays any of his or her employees the salary or wages due them in "pay envelopes" upon which there is written or printed, or in which there is inserted: (1) a notice or information, to the effect that if any particular ticket or candidate is elected or defeated, work in the employer's place or establishment will cease, in whole or in part, or the employer's establishment will be closed,</p>

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					<p>or the wages of the employer's employees will be reduced, or (2) any political motto, device, or argument containing threats, expressed or implied, intended or calculated to influence the political actions or opinions of the employees, or who puts up or otherwise exhibits, in the employer's establishment or place where the employer's employees are engaged in labor, any handbill or placard containing any such notice or information or threat, shall be guilty of a felony. Any person, after conviction of this offense, shall forfeit that person's right to vote in any election or upon any proposition before the people, or to hold any public office, except that a corporation shall forfeit its charter; and no evidence given by any witness testifying in the trial of any charge of violation of this section shall be used against the person giving the evidence.</p> <p>R.I. Gen. Laws § 17-23-6.</p>
SC	No.	N/A	N/A	No specific state law.	<p>It is a felony to threaten a voter with the purpose of influencing her/his vote.</p> <p>S.C. Code Ann. § 7-25-80.</p>

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					<p>Employers cannot terminate an employee because of political opinions or the exercise of political rights and privileges.</p> <p>S.C. Code Ann. § 16-17-560.</p>
<b>SD</b>	<p>Yes.</p> <p>S.D. Codified Laws Ann. § 12-3-5.</p>	<p>Two (2) consecutive hours between the time of opening and the time of closing the polls, if person does not have a period of two consecutive hours during the time the polls are open and he/she is not required to be present at work or place of employment; employer may specify the hours an employee can be off.</p> <p>Covers “any person entitled to vote at</p>	<p>No, but employer may specify the hours employee may be absent for voting purposes.</p>	<p>No specific state law.</p>	<p>An employer in South Dakota that fails to provide an employee paid voting leave as required commits a Class 2 misdemeanor.</p> <p>S.D. Codified Laws Ann. § 12-3-5.</p>

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		<p>any election held” in the state, including a primary election.</p> <p>Employee may not be penalized or have any deduction in salary for this absence (<i>i.e.</i>, the time off is paid).</p> <p>S.D. Codified Laws Ann. § 12-3-5.</p>			
<b>TN</b>	<p>Yes.</p> <p>Tenn. Code Ann. § 2-1-106(a).</p>	<p>Any employee who is eligible to vote is entitled to be absent from work on the day of an election for a reasonable period of time, not to exceed three hours, to vote.</p> <p>Tenn. Code Ann. § 2-1-106(a).</p> <p>A voter who is absent from work to vote in compliance with this section may not be</p>	<p>An employee must apply for time off from work to vote before noon on the day before the election. The law permits an employer to dictate the hours during which the employee may be absent.</p> <p>Tenn. Code Ann. § 2-1-106(d).</p>	<p>No specific state law.</p>	<p>To be eligible for voting leave, an employee must be entitled to vote.</p> <p>Tenn. Code Ann. § 2-1-106(a).</p>

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		<p>subjected to any penalty or reduction in pay for such absence.</p> <p>Tenn. Code Ann. § 2-1-106(b).</p> <p>If an employee's shift begins three or more hours after the polls open or ends three or more hours before the polls close, the employee is not entitled to take time off from work to vote.</p> <p>Tenn. Code Ann. § 2-1-106(c).</p> <p>A state employee must receive paid leave if he or she takes time off from work to vote.</p> <p>Tenn. Comp. R. &amp; Regs. R. 1120-06-.25(2).</p>			

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<b>TX</b>	Yes.  Tex. Elec. Code § 276.004	Employees are entitled to paid time off to vote, unless the polls are open on election day for voting for two consecutive hours outside of the employee's working hours.  Tex. Elec. Code § 276.004	No.	No specific state law.	Violation of the time-off requirement is a Class C misdemeanor.  Tex. Elec. Code § 276.004  An employer/supervisor commits a 3rd degree felony if, in retaliation against a vote who has voted for or against a candidate or measure or a voter who has refused to reveal how the voter voted, the employer/supervisor knowingly subjects or threatens to subject the voter to a loss or reduction of wages or another benefit of employer.  Tex. Elec. Code § 276.001  Employers must allow employees to take leave to attend a local or state political convention and cannot threaten or retaliate against the employee for such attendance.  Tex. Elec. Code § 161.007
<b>UT</b>	Yes.  Utah Code Ann. § 20A-3-103.	Employees who do not have 3 consecutive hours when not required to be at work when polls are open are entitled	Employee must request leave before election day.  Utah Code Ann. § 20A-3-103.	No specific state law.	Employer may not use improper means to attempt to influence an employee to vote, refrain from voting, or vote for a particular person or measure.

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		<p>to up to 2 paid hours leave to vote.</p> <p>Utah Code Ann. § 20A-3-103.</p> <p>Employer can set time for leave, but employee requests for leave at beginning or end of work hours shall be granted</p> <p>Utah Code Ann. § 20A-3-103.</p>			<p>Employer may not enclose include political propaganda in salary or wage envelopes.</p> <p>Employer may not, within 90 days of an election, post signs or notices in the workplace threatening that employment will be affected if a particular candidate is or is not elected.</p> <p>Employer may not influence or induce a vote for or against any issue by force, violence, restraint or threat thereof.</p> <p>Utah Code Ann. §§ 20A-3-502, 20A-3-503.</p>
<b>VT</b>	No.	N/A	N/A	No specific state law.	None.
<b>VA</b>	No.	N/A	N/A	No specific state law.	<p>The use of threats or bribery to influence how individuals vote is a Class 1 misdemeanor.</p> <p>Va. Code Ann. § 24.2-1005.</p>
<b>WA</b>	No.	N/A	N/A	No specific state law.	(1) No employer or labor organization may increase the salary of an officer or employee, or compensate an officer, employee, or other person or entity, with the intention that the increase in salary, or the compensation, or a part of it, be

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					<p>contributed or spent to support or oppose a candidate, state official against whom recall charges have been filed, political party, or political committee. (2) No employer or labor organization may discriminate against an officer or employee in the terms or conditions of employment for (a) the failure to contribute to, (b) the failure in any way to support or oppose, or (c) in any way supporting or opposing a candidate, ballot proposition, political party, or political committee. At least annually, an employee from whom wages or salary are withheld under subsection (3) of this section shall be notified of the provisions of this subsection. (3) No employer or other person or entity responsible for the disbursement of funds in payment of wages or salaries may withhold or divert a portion of an employee's wages or salaries for contributions to political committees or for use as political contributions except upon the written request of the employee. The request must be made on a form prescribed by the commission informing the employee of the prohibition against employer and labor organization discrimination described in subsection (2) of this</p>



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					<p>section. The employee may revoke the request at any time. At least annually, the employee shall be notified about the right to revoke the request.</p> <p>Wash. Rev. Code Ann. § 42.17A.495.</p> <p>It is unfair employment practice within the City for any: Employer, employment agency, or labor organization to print, circulate, or cause to be printed, published or circulated, any statement, advertisement, or publication relating to employment or membership, or to use any form of application therefor, which indicates any preference, limitation, specification, or discrimination based upon . . . political ideology . . . provided that, nothing in this chapter shall prevent an employer from ascertaining and recording data as to . . . political ideology . . . for the purpose of making reports specifically required by agencies of federal, state or local government for the purpose of eliminating and preventing discrimination or overcoming its effects, or for other purposes authorized by law or the rules and regulations of Washington State Human Rights Commission, the Equal</p>

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					<p>Employment Opportunities Commission or the Department.</p> <p>Seattle, Wash. Mun. Code § 14.04.040.</p>
<b>WV</b>	<p>Yes.</p> <p>W. Va. Code § 3-1-42.</p>	<p>If necessary, employees may have up to 3 hours to vote without pay deductions.</p> <p><u>Exception:</u> If the employee has at least three hours “of his own time” between the opening and closing of the polls to vote but does not vote during that free time, then the employee may be subject to wage or salary deductions for time absent from work for voting.</p> <p>Employers may specify the hours if the employee works in specifically identified industries such as government,</p>	<p>Employee must provide written notice at least 3 days prior to the election.</p> <p>W. Va. Code § 3-1-42.</p>	<p>No specific state law.</p>	<p>Employer may not directly or indirectly distribute any statement intended or calculated to influence an employee to vote for any candidate for public office. Employers may not post signs or notices in the workplace threatening that employment will be affected if a particular candidate is elected or defeated.</p> <p>Employer may not enclose or include political propaganda in salary or wage envelopes.</p> <p>W. Va. Code § 3-9-15.</p> <p>It is a crime to disseminate Information "containing any threat, either express or implied, intended or calculated to influence the political view or actions of the workmen or employees."</p> <p>W. Va. Code § 3-8-11.</p>

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		health, hospital, transportation and communication services, or in an industry requiring continuous operations.  W. Va. Code § 3-1-42.			
<b>WI</b>	Yes.  Wis. Stat. § 6.76.	Leave is for period of three hours or less.  An employer may designate the time of day for the leave.  Wis. Stat. § 6.76(1).  Leave is to vote in any election for which an employee is “entitled to vote.”  Wis. Stat. §§ 6.76, 12.07, 12.60.  Unpaid.	An employee must notify the employer of the need for voting leave before the election day.	Employers may not discriminate against employees because of their use of lawful products, which can be broadly defined as things such as blogging software, Twitter, political signs, and other products used to speak.  Wis. Stat. Ann. §§ 111.321, 111.322(1).	A person may not refuse an employee the privilege of voting leave or subject an employee to a penalty for it.  Wis. Stat. § 12.07(1).  The maximum penalty for a violation is six months’ imprisonment and/or a \$1,000 fine.  Wis. Stat. § 12.60(1)(b).  No person shall, by threatening to discharge a person from his or her employment or threatening to reduce the wages of a person or by promising to give employment at higher wages to a person, attempt to influence a qualified voter to give or withhold the voter’s vote at an election.

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					Wis. Stat. § 103.18.
WY	Yes.  Wyo. Stat. Ann. § 22-2-111.	Employees who do not have 3 consecutive, nonworking hours while the polls are open are entitled to 1 paid hour of leave (other than meal hour) to vote, “providing he actually casts his legal vote.”	None.  Paid hour for voting “at the convenience of the employer.”  Wyo. Stat. Ann. § 22-2-111.	No specific state law.	Employer cannot interfere with the political rights of employees, cannot accept or expend any money or incur any obligation on behalf of any candidate for nomination or election to office without such candidate’s prior written approval, cannot discharge an employee because of nomination for or election to political office, cannot cause or attempt to cause a candidate to

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		Wyo. Stat. Ann. § 22-2-111.			<p>withdraw or refuse nomination or election.</p> <p>Wyo. Stat. Ann. § 22-26-112(a)(iv)–(vii).</p>
<b>D.C.</b>	No.	N/A	N/A	No specific state law.	<p>Under the District of Columbia Human Rights Act, employers may not terminate, refuse to hire, or otherwise discriminate against any individual based on their affiliation with or support for any political party.</p> <p>D.C. Code § 2-1402.11(a).</p> <p>Political affiliation is defined as the state of belonging to or endorsing a political party.</p> <p>D.C. Code § 2-1401.02(25).</p> <p>An employer is prohibited from threatening or intimidating an employee from signing any initiative, referendum, or recall petition, or to vote for or against or abstain from voting on any initiative, referendum, or recall.</p> <p>D.C. Code § 1-1001.14(b)(3).</p>