

## Legislative Update JUNE 2019\*

*Disclaimer: This Legislative Update contains general information compiled as a service for MVSHRM members. MVSHRM cannot accept responsibility for any errors or omissions or any liability resulting from the use or misuse of any such information. For specific legal advice, please contact counsel. Thank you for your understanding.*

### **NEW YORK ISSUES NEW ELECTION LAW REQUIREMENTS AND NOTICE FORM**

The newly amended Election Law § 3-110 as well as the newly issued Notice form to employees can be located at <https://www.elections.ny.gov/NYSBOE/elections/AttentionEmployees.pdf>.

For comparison purposes below, the amended language of § 3-110, entitled “Time Allowed Employees to Vote,” is underlined in bold, and the superseded language is bracketed in italics:

1. *[If a] **A** registered voter [does not have sufficient time outside of his working hours, within which to vote at any election, he] may, without loss of pay for up to [two] **three** hours, take off so much working time as will [, when added to his voting time outside his working hours,] enable him **or her** to vote **at any election**.*

2. *[If an employee has four consecutive hours either between the opening of the polls and the beginning of his working shift, or between the end of his working shift and the closing of the polls, he shall be deemed to have sufficient time outside his working hours within which to vote. If he has less than four consecutive hours he may take off so much working time as will when added to his voting time outside his working hours enable him to vote, but not more than two hours of which shall be without loss of pay, provided that he] **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.*

3. If the employee requires working time off to vote [*he*] **the employee** shall notify his **or her** employer not [*more than ten nor*] less than two working days before the day of the election that he **or she** requires time off to vote in accordance with the provisions of this section.

4. 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 this section. Such notice shall be kept posted until the close of the polls on election day.

Editor’s Note: Because an election will be occurring on June 25, 2019, employers are encouraged to post the new Notice form as soon as possible, and to follow the new requirements of this law.

---

\* MVSHRM’s June 2019 Legislative Update is edited by Joseph A. DeTraglia, Esq., a labor and employment attorney with the Utica, New York law firm Joseph A. DeTraglia, Esq., P.C., who serves as MVSHRM’s Legislative Committee Chairperson and as a Past President of the Oneida County Bar Association. He can be reached at 315-790-8822 or at JD@DeTragliaLawFirm.com.