

CONTRACT INTERPRETATION MANUAL

Article 36 LEAVE - ELECTION

Interpretation Guidelines

This entitlement does not extend to municipal elections or referendums.

The Employer may select the time of day best suited to the convenience of the Employer but must ensure the employee has 4 consecutive paid hours free from work on the voting day before the polls close (i.e. before 2000 hours).

All employees eligible to vote shall have four hours “free from work”, depending on their schedule. It doesn't mean that the Employer is required to provide 4 hours of paid leave in order to vote. It depends on the employee's work schedule for that day:

1. An employee scheduled to work from 0700 to 1500 would likely not be eligible for paid leave from the Employer as they would have more than 4 consecutive hours “free from work” after 1500 hours, depending on when the polls close.
2. Or an employee who works 0700-1900 would only need 3 hours paid leave from the Employer, as by leaving work at 1600 hours they would have 4 consecutive hours “free from work” before the polls close at 2000 hours.

It is up to the Employer to ensure the appropriate relief staff are called-in to allow employees to vote.

The Employer can be charged under the Canada Elections Act (covers federal elections) or the Election Act (covers provincial elections), whichever is applicable, for failure to comply with the requirements of either Act.

Additional Resources

Legislation

1. Canada Elections Act, R.S.C. 1985. c. E-2.
2. Election Act, S.B.C. 1995 c.51, s.74

Footnotes

Article	36
Sub-Article	36.0
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