

Article 36

Article 36 - Leave - Election

Related Articles:

Interpretation Guidelines:

1. This entitlement does not extend to municipal elections or referendums.
2. 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).

Note: The operative words are "free from work" and 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.

For example: 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.

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.

3. It is up to the Employer to ensure the appropriate relief staff are called-in to allow employees to vote.
4. The Employer can be charged under the Canada Elections Act (covers federal elections) or the Elections Act (covers provincial elections), whichever is applicable, for failure to comply with the requirements of either Act.

Additional References:

Legislation:

Canada Elections Act, R.S.C. 1985. c. E-2

Elections Act, S.B.C. 1995 c.51, s.74