



VOTING

PM-46-07

Section: 46-00, LEAVE WITH PAY

City of Memphis Government abides by all federal and state statutes relevant to voting rights. Interpretations of the statutes are made by the Office of the Director of Human Resources, in conjunction with the Office of the City Attorney. All questions concerning voting rights should initially be directed to the Office of the Director of Human Resources.

Strict compliance with Tennessee state law as stated in T.C.A. Sec. 2-1-106, set forth as follows is required regardless of scheduling, work shortages, etc.:

2-1-106. Absenteeism for voting. –

(a) Any person entitled to vote in an election held in this state may be absent from any service or employment on the day of the election for a reasonable period of time, not to exceed three (3) hours, necessary to vote during the time the polls are open in the county where the person is a resident.

(b) A voter who is absent from work to vote in compliance with this section may not be subjected to any penalty or reduction in pay for such absence.

(c) If the tour of duty of an employee begins three (3) or more hours after the opening of the polls or ends three (3) or more hours before the closing of the polls of the county where the employee is a resident, the employee may not take time off under this section.

(d) The employer may specify the hours during which the employee may be absent. Application for such absence shall be made to the employer before twelve o'clock (12:00) noon of the day before the election. (a) Any person entitled to vote in an election held in this state may be absent from any service or employment on the day of the election for a reasonable period of time, not to exceed three (3) hours, necessary to vote during the time the polls are open in the county where the person is a resident. [Acts 1972, ch. 740, Section 1; formerly T.C.A., 2-106.]

This statute applies to all appointed and civil service employees regardless of status and includes all contingent employees in City of Memphis Government. Leave authorized under this statute shall be deemed leave with pay.