

HR Insights

Brought to you by: National Insurance Services

Preparing for the 2024 Election

Federal, state and local elections are scheduled for Tuesday, Nov. 5, this year. Employers should be aware of the number of ways elections impact the workplace. For instance, some employers are subject to voting leave requirements, and elections can lead to employee behavior challenges.

As voting approaches, savvy employers can prepare by taking steps to establish clear workplace conduct expectations, comply with applicable voting leave requirements, and bolster employee engagement through voting initiatives and strategic communications.

Workplace Conduct

In recent election years, politically charged environments have created conflict in the workplace. Employers have found themselves in the middle of inappropriate workplace behavior, social media activism, free speech disputes, dress code controversies, among other conflicts regarding conduct. With the 2024 election around the corner, workplace conduct challenges will likely return—if they have not already. A well-planned approach can help deter inappropriate behavior and allow employers to use the election cycle to engage employees.

A recent survey from Glassdoor found that 61% of employees have discussed politics with a colleague over the past year. Many employees who discuss politics are well-intentioned, but these conversations may cause friction within teams. Employers who establish clear expectations for appropriate workplace behavior may get ahead of potential issues; however, organizations are required to comply with all applicable laws, such as the National Labor Relations Act, which protects

employees right to engage in protected concerted activity.

To set clear expectations for employee behavior, employers may consider revisiting the following employee handbook policies:

- Code of conduct
- Social media
- Dress code

These policies aren't specific to elections but establish clear expectations for employee behavior in general. Fairly enforced policies set clear expectations for employees and clarify what type of behavior is allowed. For example, some employers may implement a dress code that allows for a higher degree of political expression; others could enforce a stricter dress code. It's important to keep in mind that employers may create potential legal risks if these policies aren't enforced equally among employees.

Voting Leave

When election time draws near, employers should be prepared to handle employee requests for time off from work to vote. Federal law does not require employers to provide their employees with time off to vote. Yet, many states have voting leave laws that allow employees to take time off to vote in certain circumstances; over 30 states [have some provision](#) for voting leave. The specifics vary by state, including variations as to whether:

- The leave must be paid
- Notice is required
- Employers may designate the hours during which employees may be absent to vote

Employers should be aware of the voting leave laws that apply to their organizations and be prepared to comply with any applicable requirements.

Not all employers are subject to state and local voting leave laws, but organizations may voluntarily offer voting leave to workers. Employers in states without formal voting requirements often choose to offer lenient voter leave options or adopt a policy to allow employees time to vote.

Employee Voting Initiatives

Employers can play a key role in voter participation through voting initiatives. These types of initiatives are intended to encourage voter participation and build goodwill with employees and the general public. In fact, a 2021 report from the Civic Responsibility Project found that 82% of Americans would feel more favorably toward a company if it supported policies to make it easier for Americans to vote and register to vote.

Common employee voting initiatives include:

- **Providing employees with accurate voting information and resources**—Employers can help bridge voter knowledge gaps by giving employees voting information. These efforts can include providing:
 - Voter registration resources
 - Voter registration deadlines
 - Voter location resources
- **Promoting absentee or early voting**—Employers can choose to encourage employees to vote absentee or early and suggest appropriate resources to do so.

- **Sending out communications to employees**—Ahead of Election Day, employers can send employees reminders via email and employee intranets.
- **Offer flexibility and resources**—In addition to formal voting leave policies or paid time off to vote, employers may offer flexibility to employees or provide resources to help them get out and vote. For Election Day, employers can consider:
 - Offering scheduling flexibility and avoiding events, including meetings
 - Closing the workplace for the day
 - Reducing work hours
 - Offering transportation resources for getting to the polls
 - Providing child care resources

This list highlights examples of voting initiatives, but every workplace is different; what is feasible for one workplace may not be realistic for another. As such, employers should carefully consider whether voting initiatives are right for their organizations and, if so, which specific voting initiatives make sense.

For additional information on voting, check out these federal resources: [Voting and Elections in the United States](#) and the [U.S. Election Assistance Commission](#).

Summary

Taking measures ahead of the election cycle may allow employers to mitigate potential issues and provide an opportunity to engage employees. Organizations should ensure compliance with all applicable rules and regulations. Employers should consult with local legal counsel for assistance with compliance.

Reach out today for more election resources.