



**DEPARTMENT OF MANAGEMENT SERVICES**  
**DIVISION OF STATE HUMAN RESOURCE MANAGEMENT**  
**POLICY GUIDELINE**

**STATE PERSONNEL SYSTEM**

**SUBJECT:**

*Voting Administrative Leave*

**POLICY GUIDELINE:** HRM #2023-005

**EFFECTIVE DATE:** August 22, 2023

**SUPERSEDES:** Rule Interpretation 60L-34-2008-#012: Administrative Leave for the Purpose of Voting

**STATUTES/RULES/REGULATIONS/LAWS:**

*Rule 60L-34.0071, Florida Administrative Code (F.A.C.), Administrative Leave*

**FORMS:** N/A

**ADDITIONAL REFERENCE MATERIALS:** N/A

**BACKGROUND:**

Employees registered to vote are encouraged to exercise their right to do so, and for this purpose Rule 60L-34.0071(3)(d), F.A.C., provides up to one hour of administrative leave. Options to vote are no longer limited to just Election Day, therefore, the need for administrative leave to vote varies among employees. Supervisors should not refuse any reasonable request from an employee to vote during work hours, unless doing so would pose an undue hardship to the work unit.

**QUESTION AND ANSWER:**

**Question 1:**

Is approval to use administrative leave for voting purposes left to the discretion of the supervisor or are all employees automatically entitled to this leave?

**Answer:**

The supervisor may exercise discretion, in accordance with Rule 60L-34.0071(3)(g), F.A.C., which specifically states that the employee **may** be granted up to one hour of leave with pay for voting during normal working hours. It is a supervisor's responsibility to ensure adequate coverage of the work unit for which the supervisor has oversight and it may be necessary for the supervisor to grant this leave on a case-by-case basis, taking into consideration the needs of the work unit, as well as the needs of the employee making the request. When considering an employee's request to vote during the employee's normal work hours, a supervisor should ensure the employee's absence does not cause a disruption of services or negatively impact the work unit. Once the supervisor has taken these factors into consideration, the supervisor may grant up to one hour of administrative leave and any additional time the employee may need to

charge to annual or other personal leave for voting (including reasonable travel time during work hours). If employees exercise their right to vote outside of work hours, they are not eligible for administrative leave.

**Note:** As with all other types of leave (with or without pay), the employee should request approval of administrative leave to vote before taking the leave, except when there is an unforeseen event or emergency. In such cases, the employee should request the leave as soon as reasonably possible. In addition, as with all other types of administrative leave, the employee will only be credited with the amount of administrative leave necessary (up to one hour) to bring the employee to full pay for the workweek or work period. Administrative leave never counts as hours of pay for purposes of overtime or accruing compensatory leave.

**Question 2:**

Does administrative leave for voting apply only to employees working outside of the county where they are registered to vote?

**Answer:**

No. Rule 60L-34.0071(3)(g), F.A.C., does not limit requests to employees whose voting precinct is in another county.

**Question 3:**

Does the use of administrative leave for voting apply to Election Day only?

**Answer:**

No. Rule 60L-34.0071(3)(g), F.A.C., does not limit the use of administrative leave to Election Day only. An employee may be granted up to one hour of administrative leave to vote any time the polls are open during the employee's normal working hours. This includes early voting and voting on Election Day. However, use of administrative leave is not applicable if the employee votes by mail or at a time outside of the employee's normal working hours.

**Question 4:**

What Hours Type do employees record in People First to vote (limited to one hour)? Will People First limit employees to one hour under this Hours Type?

**Answer:**

Employees may record up to one hour to vote using Hours Type 0035 (Admin-Voting). People First will not allow an employee to record more than one hour of this administrative leave type on the same calendar day.

**APPLICABLE STATUTORY AND RULE CITATIONS:**

**Rule 60L-34.0071, F.A.C., Administrative Leave**

(1) Administrative leave counts as hours of pay, but does not count as hours of work for overtime purposes.

(2) Approval of administrative leave, under subsection (3) of this rule or otherwise, is limited to an amount necessary to bring the employee to full pay for forty hours of work in the workweek, the number of approved hours in the extended work period, or the number of hours in the work period. In no case shall the approval of administrative leave cause the employee to exceed forty hours during the workweek, hours in an approved extended work period, or hours in the regular work period for excluded employees.

(3) An agency shall comply with the following provisions when granting administrative leave for the reasons described.

(g) Elections:

Any employee may be granted up to one hour of leave with pay for the purpose of voting during normal working hours. An employee shall not be granted administrative leave to work at the polls during elections.

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