



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT  
Washington, DC 20415

The Director

Tuesday, September 29, 2020

CPM 2020-14

**MEMORANDUM FOR: HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES**

FROM: MICHAEL J. RIGAS, ACTING DIRECTOR

Subject: Flexibilities during the 2020 Election

Voting is a fundamental right and privilege of the American people. As a result, this memorandum provides agencies with information on the Federal Government's longstanding policy of granting employees limited time off from work (i.e., excused absence) to vote in Federal, State, county, or municipal elections, or in referendums on any civic matter in their community. This memorandum also encourages agencies to permit Federal employees to use available workplace flexibilities to volunteer to serve as a nonpartisan poll worker.

**Granting Excused Absence for Voting**

The head of each agency (or his or her designee) has discretion to grant excused absence in limited circumstances under his or her broad management authority, unless otherwise prohibited by law. Agencies have discretionary authority to grant excused absence to the extent that such time off does not interfere with agency operations, including the ability to adjust policies to circumstances as they unfold. Typically, polling places throughout the United States are open for extended periods of time, and an increasing number of jurisdictions are offering early voting options. Therefore, excused absence should rarely be needed. Agencies should consider the following guidelines when creating their policies on excused absence for voting in the upcoming election.

Generally, the U.S. Office of Personnel Management (OPM) has advised agencies that where the polls are not open at least 3 hours either before or after an employee's regular work hours, an agency may grant a limited amount of excused absence to permit the employee to report for work 3 hours after the polls open or leave from work 3 hours before the polls close, whichever requires the lesser amount of time off. An employee's "regular work hours" should be determined by reference to the time of day the employee normally begins and ends his or her workday.

For example, if an employee normally works from 8:00 a.m. to 4:30 p.m. and the employee's polling place is open from 7:00 a.m. to 8:00 p.m., the employee should not be granted excused absence for voting, since the employee would still have at least 3 hours after the end of his or her workday to vote. However, if an employee normally works from 8:00 a.m. to 4:30 p.m. and the employee's polling place is open from 7:00 a.m. to 7:00 p.m., the employee may be granted ½ hour of excused absence from 4:00 p.m. to 4:30 p.m., if requested.

Employees on alternative work schedules whose regular day off is scheduled for the day polls are open should not be permitted to change their regular day off solely for the purpose of gaining excused absence for voting.

### **Extended Commuting Distance**

If an employee's voting place is beyond normal commuting distance and vote by absentee ballot is not permitted, the agency may grant excused absence (not to exceed 1 day) to allow the employee to make the trip to the voting place to cast a ballot. If more than 1 day is needed, the employee may request annual leave or leave without pay for the additional period of absence.

### **Early Voting**

An increasing number of jurisdictions offer a period prior to the day of the election during which voters may cast ballots early. Some employees may find it necessary to vote during this early period because of work requirements on the day of the election. Others, such as those on alternative work schedules, may find it convenient to vote during these early voting periods.

Agencies should grant excused absence for early voting on a scheduled workday only when (1) the employee will be unable to vote on the day of the election because of activities directly related to the agency's mission (such as Temporary Duty (TDY) travel) and cannot vote by absentee ballot, or (2) early voting hours are the same as, or exceed, voting hours on the day of the election, in which case the information provided under "Granting Excused Absence for Voting" applies. If an employee chooses to vote earlier, but the hours in which polling places are open are shorter than on Election Day, the employee is not eligible for excused absence because the employee has opted to vote at that time.

### **Nonpartisan Volunteer**

Any employee who requests time off to train and serve as a non-partisan election official to assist in the proper and orderly voting and procedures at polling stations shall be granted excused absence to the maximum extent possible while accounting for the responsibilities and duties to carry out the agency mission. This is an encouragement by management that if employees want to volunteer to be a non-partisan election official on November 3, 2020, managers will try to accommodate the excused absence request where there are not negative impacts to critical missions.

Federal employees have a history of generously giving their time and talents to make positive contributions to their local communities and through their direct involvement in local community activities, Federal employees have become an invaluable resource to our country. Historically, Federal employees have been encouraged to make maximum use of the existing wide range of leave and work scheduling flexibilities available to them to perform community service, which may include service as poll workers. The attached "[Guidance on Scheduling Work and Granting Time Off to Permit Federal Employees to Participate in Volunteer Activities](#)" provides information on these flexibilities.

Where local jurisdictions are in need, the expertise of Federal employees in interacting with citizens and dutifully carry out non-partisan activity can be a welcome resource. Additional

support from Federal employees who volunteer as non-partisan poll workers could support expanded capacity and to reduce waiting times and lines for citizens as they vote on Election Day, and support strengthened election security.

### **Additional Information**

Agency headquarters-level human resources offices may contact OPM at [pay-leave-policy@opm.gov](mailto:pay-leave-policy@opm.gov) with additional questions or clarifications. Agency field offices should contact their appropriate headquarters-level agency human resources office. Individual employees should contact their agency human resources office.

Attachment: [Guidance on Scheduling Work and Granting Time Off to Permit Federal Employees to Participate in Volunteer Activities](#)

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, and Human Resources Directors