

SENATE No. 1174

The Commonwealth of Massachusetts

PRESENTED BY:

Brendan P. Crighton

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act Protecting the Right to Time Off for Voting.

PETITION OF:

NAME:

Brendan P. Crighton

DISTRICT/ADDRESS:

Third Essex

SENATE No. 1174

By Mr. Crighton, a petition (accompanied by bill, Senate, No. 1174) of Brendan P. Crighton for legislation to protect the right to time off for voting. Labor and Workforce Development.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act Protecting the Right to Time Off for Voting.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 178 of Chapter 149 of the General Laws, as so appearing, is
2 amended by striking said section and inserting in place thereof the following: -

3 Section 178. Every employer shall allow sufficient time for a person under his or her
4 employ to exercise their right to vote in an election in the Commonwealth. If a voter does not
5 have sufficient time outside of working hours to vote at an election, the voter may, without loss
6 of pay, take off enough working time that, when added to the voting time available outside of
7 working hours, will enable the voter to vote.

8 The time off for voting shall be only at the beginning or end of the regular working shift,
9 whichever allows the most free time for voting and the least time off from the regular working
10 shift, unless otherwise mutually agreed.

11 If said election includes a period of in-person early voting, each voter shall be allowed
12 one period of time off for voting in the eligible election, by notification to his or her employer in
13 accordance with this section.

14 If a voter intends to exercise said right to vote and will require time off as provided in this
15 section, he or she shall give the employer at least three working days' notice that time off for
16 voting is desired. Said notice shall be in writing via electronic or other means agreeable to the
17 employer or designee.

18 SECTION 2. Said Chapter 149 is further amended by adding the following new sections:

19 -

20 Section 178(a). Any employer who refuses to comply with the provisions of section one
21 hundred seventy-eight regarding time off to vote shall be punished by providing an aggrieved
22 voter under his or her employ a full day's pay.

23 Enforcement of this section will be under the purview and supervision of the Fair Labor
24 Division of the Attorney General's Office.

25 Section 178(b). Every employer subject to this section shall post in a conspicuous place
26 or places on his or her premises, and via electronic communication when practicable in advance
27 of each statewide election, a notice prepared and disseminated by the Secretary of the
28 Commonwealth, which shall set forth excerpts of section one hundred seventy-eight and such
29 other relevant information which the Secretary deems necessary to explain the section. Any
30 employer who refuses to comply with the provisions of this section regarding notification shall
31 be punished by a fine of not less than ten dollars nor more than one hundred dollars.