



Georgia

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Sent Via Electronic Mail

Re: Affording employees time off to vote

Dear General Counsel and Other Staff,

2026 is an important election year in Georgia. On March 10th and March 17th, several counties and municipalities will host special elections, with potential runoff elections to follow. Then, in May and November, voters across the state will cast their ballots in local, state, and federal races. We write to ensure you are aware of changes to Georgia's voting laws that require employers to enable their employees' participation in the civic process by providing time off to vote.

Georgia law requires that employers permit their employees to take **up to two hours** off to vote, as long as they give reasonable notice. This requirement applies to any municipal, county, state, or federal primary or special or general election in which the employee is qualified and registered to vote.

Effective July 1, 2023, Senate Bill 129 amended O.C.G.A. § 21-2-404, expanding employers' obligation to afford time off to vote in two ways:

First, Georgia law now requires that employers allow time off to vote not only on Election Day itself but also on **any advance in-person voting day**.

Second, employers must now allow all employees to take necessary time off to vote, regardless of their specific work hours. Previously, the time off to vote did not apply to employees for whom the polls are open at least two hours before or after their work shift. This meant that Georgia law did not require employers to permit employees who work a standard 9am-5pm job to take time off to vote. Senate Bill 129 removed that limitation.

In summary: No matter an employee's work hours, if they give an employer reasonable notice, you must permit them to take any necessary time off—up to two hours—to vote, whether on an early voting day or on Election Day.

Thank you for your commitment to meeting your obligations under Georgia law and ensuring your employees' rights and access to the ballot are valued and affirmed. If you would like to discuss Georgia's voting leave law in greater detail, please contact rashrawi@acluga.org.

Respectfully,

Raneem Ashrawi

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Staff Attorney

American Civil Liberties Union of Georgia