



HAWAII NATIONAL GUARD
HUMAN RESOURCES OFFICE

BULLETIN



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GRANTING EXCUSED ABSENCE FOR VOTING

1. Reference.

Chief National Guard Bureau Instruction (CNGBI) 1400.25, Vol. 630, 6 August 2018.

2. Applicability. National Guard T32 dual status technicians, National Guard T5 employees, and Active Guard and Reserve (AGR)

3. Background.

a. An excused absence is a period of administratively authorized absence from official duties without loss of pay and without charge to an employee's leave account. Excused absence is synonymous with the term "administrative leave" and is distinct from the absence of an employee who is performing officially sanctioned activities away from the employee's usual worksite or regular duties. (The distinction is that an employee, while on excused absence, is not acting within the employer-employee relationship and not deemed to be subject to the control or responsibility of the Department as an employer).

b. The Federal Government has a longstanding policy of granting employees limited time-off from work (i.e. excused absence) to vote in Federal, State, county or municipal elections. Unless specifically prohibited by law, the TAG has the authority to grant an excused absence that allows applicable employees the opportunity to vote.

c. The granting of an excused absence is not guaranteed or a right of the employee. This provision can only be used when the supervisor deems an excused absence will meet the needs of the organization or when the efficiency of the service is not compromised. Typically, an excused absence for voting is not often needed. Polling places throughout the United States are open for extended periods of time and an increasing number of jurisdictions offer early voting options. However, there are always "exceptions to the rule." With this in mind, the Hawaii National Guard has considered the following guidelines regarding excused absence for voting in Federal, State, County or Municipal elections.

d. Supervisors are responsible for employee management and the implementation of the HING excused absence guidelines for voting. Supervisors will review and process all employee requests for a "period" of excused absence so they can reach their polling

locations to vote. Supervisors can personally verify the hours of operation at an employee's designated polling location if they so desire.

4. General Guidelines.

a. Granting Excused Absence for Voting. In cases where voting places are not open at least 3 hours before, or 3 hours after, an employee's regular work hours, the TAG grants supervisors with the authority to approve an excused absence that allows the employee to report for work no later than 3 hours after the polls open or leave from work no earlier than 3 hours before the polls close, whichever requires the lesser amount of time off.

Example 1: Employee is scheduled to work from 7:00 a.m. to 4:30 p.m. Their designated polling place is open from 7:00 a.m. to 8:00 p.m. The employee should not be granted an excused absence for voting since he/she will have at least 3 hours, after the end of their workday, to vote.

Example 2: Employee is scheduled to work from 6:00 a.m. to 4:30 p.m. Their designated polling place is open from 7:00 a.m. to 7:00 p.m. The employee may be granted up to ½ hour of excused absence from 4:00 p.m. to 4:30 p.m., if required.

b. Early Voting. An increasing number of jurisdictions offer a period of time, prior to Election Day, when voters may cast ballots early. As a general rule, an excused absence for early voting should be granted only when (1) the employee cannot vote by absentee ballot and will be unable to vote on Election Day because of activities directly related to mission requirements; or (2) early voting hours are the same as, or exceed, voting hours on the day of the election. 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 an excused absence because he/she opted to vote at that time.

c. Non-Workday Voting. Lastly an employee should not be granted an excused absence if their non-workday (e.g. alternative work schedule) falls on a day their polling place is open for voting.

5. Employees who request to take time off from their scheduled duty day to participate in electoral activities, such as serving as election officers, precinct inspectors or clerks, or poll workers may not be granted excused absence for their activities. Any time spent during regular duty hours for these activities is to be charged to the employee's accrued annual leave, compensatory time or LWOP.

6. Any questions or concerns regarding technician compatibility may be directed to the HRO Benefits section at: 808-672-1231.