



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT

Washington, DC 20415

The Director

March 24, 2022
CPM 2022-05

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: KIRAN A. AHUJA
DIRECTOR

Subject: Executive Order on Promoting Access to Voting

The Biden-Harris Administration is committed to supporting and promoting democracy in our nation and protecting the right to vote – core American ideals. One important way to do so is to reduce barriers to voting. That is why the Office of Personnel Management (OPM) is today announcing steps to reduce barriers for Federal employees interested in participating in the democratic process. This guidance advances fundamental goals: to promote democracy, reduce barriers to voting for Federal employees, and to position the Federal government as a model employer. In recent years, more and more private sector employers have provided time off to their employees to vote. With more than 2.1 million civilian employees, the Federal government is the largest employer in the nation. As such, the Federal government has the opportunity to serve as a model employer and set an example for other employers to follow.

OPM is taking these actions today to implement Executive Order (EO) 14019 on Promoting Access to Voting, issued by President Biden on March 7, 2021. Section 6 of E.O. 14019 required OPM to coordinate with the heads of executive agencies to provide recommendations to the President, through the Assistant to the President for Domestic Policy, on (1) strategies to expand the Federal Government's policy of granting employees time off to vote in Federal, State, local (i.e., county and municipal), Tribal, and territorial elections (including strategies on how to ensure Federal employees have opportunities to participate in early voting), and (2) strategies to better support Federal employees who wish to volunteer to serve as non-partisan poll workers or non-partisan observers, particularly during early or extended voting periods. (E.O. 14019 may be found at <https://www.govinfo.gov/content/pkg/DCPD-202100209/pdf/DCPD-202100209.pdf>.)

OPM is now issuing this guidance pursuant to direction from the Administration to implement its recommendations under EO 14019. Accordingly, effective immediately, executive branch agencies (as defined in 5 U.S.C. 105 but excluding the Government Accountability Office) should grant administrative leave for the purpose of voting or serving as a non-partisan poll worker or non-partisan observer, subject to certain conditions and limitations described in the sections below. Delivery of agency missions is the top priority for Federal employees, so agencies should require that employees obtain the approval of their supervisors before using the authorized administrative leave, so that the use of this leave does not significantly disrupt agency operations. At the same time, voting is a civic responsibility and this new policy is intended to

encourage agencies to remove barriers to voting so all Federal employees, regardless of personal circumstance or party affiliation, can lead by example through civic participation.

Policy

Subject to the “additional considerations” listed below, agencies should adhere to the following policy on administrative leave for voting-related activities:

- Agencies should allow employees to use up to 4 hours of administrative leave for voting in connection with each Federal general election day. The administrative leave may be used for voting on the Federal general election day or for *early* voting (i.e., voting prior to Federal general election day, as authorized by their jurisdiction).
- Agencies should allow employees to use up to 4 hours of administrative leave for voting in connection with each election event (including primaries and caucuses) at the Federal, State, local (i.e., county and municipal), Tribal, and territorial level that does not coincide with a Federal general election day. (If an election simultaneously involves more than one level, it is considered to be a single election event.) This administrative leave may be used for voting on the established election day or for early voting, whichever option is used by the employee with respect to an election event.
- For Federal special Congressional elections not held on the date of a Federal general election, agencies should allow employees to use up to 4 hours of administrative leave for voting. This administrative leave may be granted for voting on the established date of a special election or for authorized early voting in connection with that election.
- Agencies should also allow employees to use up to 4 hours of administrative leave *per leave year* to serve as a non-partisan poll worker or to participate in non-partisan observer activities at the Federal, State, local (i.e., county and municipal), Tribal, and territorial level. (A “leave year” begins on the first day of the first pay period commencing on or after January 1 of the given year and ends on the day before the first day of the next leave year.) This leave is in addition to any administrative leave an employee uses to vote.

Additional considerations

- Scheduling of administrative leave for the above-described purposes is subject to a determination by the agency that the employee can be relieved of duty during the specific period of time requested by the employee without significantly impairing mission-essential operations.
- If an employee needs to spend less than 4 hours to vote, only the needed amount of administrative leave should be granted.
- An agency should strive to accommodate employee leave requests by making necessary operational adjustments.

- Agencies should inform all employees of the availability of administrative leave for voting and non-partisan poll worker or non-partisan observer purposes.
- Administrative leave may not be used during a nonworkday or during overtime work hours outside the tour of duty established for leave charging purposes.
- Administrative leave may be used for any travel time to and from the employee's voting poll location.
- An employee may use administrative leave for voting in connection with each covered election event in which the employee participates by voting. However, an employee is limited to 4 hours of administrative leave for voting per election event.
- An employee may use up to 4 hours of administrative leave *per leave year* for the purpose of serving as a non-partisan poll worker or non-partisan observer, including training periods. If those duties require the employee to be absent for a longer period of time, the employee must use annual leave (accrued or advanced), earned compensatory time off, or credit hours earned under a flexible work schedule. An employee may also request leave without pay according to agency internal policies and any applicable collective bargaining agreement.

Additional Information

For additional information, agency headquarters-level human resources offices may contact OPM at pay-leave-policy@opm.gov. Component-level human resources offices must contact their agency headquarters for assistance. Employees must contact their agency human resources offices for further information on this memorandum.

cc: Chief Human Capital Officers (CHCOs), Deputy CHCOs, Human Resources Directors, and Work-Life Coordinators