

Employees go voting in CEE - what you need to know as HR professional

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Between 23 and 26 May 2019, more than 400 million European citizens will have the right to vote in the European Parliament elections. This is where the similarities between the CEE countries seem to end. Voters in the Czech Republic will be voting on 24 and 25 May 2019, in Slovak Republic on 25 May and, finally, in Poland on 26 May 2019, as elections in Poland are organized on a typically non-working day.

In the 2019 elections, voters in Poland will elect 51 Parliament members, voters in Czech Republic 21 and voters in Slovakia will elect 13 Parliament members. These numbers may increase if the UK leaves the EU.

So what do you need to know about the elections as an HR professional in CEE? We have rounded up the most common questions below. **Can Employees Vote During Working Hours?**

Czech Republic

In the Czech Republic, the elections to the European Parliament will take place on Friday 24 (2 – 10 p.m.) and Saturday 25 May (8 a.m. – 2 p.m.). This should provide most of the employees with enough time to vote outside their working hours. If an employee is required to work during the whole election period, their employer is required to allow the employee to vote. In particular, the employee would be entitled to the necessary time off, without compensation of salary, in order to complete the vote.

Poland

The elections in Poland will take place on Sunday 26 May 2019 between 7 a.m. and 9 p.m. Even though Sunday is a day off for the majority of Poles, it is not a non-working day for everyone. Polish law does not regulate the issue of leave from work to vote. An employee who is in such a situation can apply for a leave to vote, but it will remain at the employer's discretion whether or not to allow the leave.

The Slovak Republic

In the Slovak Republic, the European Parliament elections will take place on Saturday 25 May 2019 between 7 a.m. and 10 p.m. This is a very common time for elections in the Slovak Republic, so most employees vote during their day off. If the employee has to work on the day of the elections and the working hours of such employee coincide with the opening hours of the polling stations, the employee may take unpaid time off for the time necessary for voting.

Can Your Employee Be Summoned to Man a Polling Station?

Czech Republic

Employees may be appointed as members of the polling committees. If appointed, employees are entitled to the necessary time off, with compensation of salary. On top of that, members of the polling committees are entitled



Article By [Hana Gawlasová](#)
[Malgorzata P. Grzelak](#)[Stanislav Ďurica](#)
[Jiří Čejn](#)[Squire Patton Boggs \(US\) LLP](#)
[O-I-CEE!](#)

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to a state contribution for participation in the polling committee.

Poland

The employee may apply to work at a polling station. The employer must exempt the employee from the obligation to work in connection with his service at the polling station. Leave for that purpose is treated as an excusable absence and the employer is obliged to grant the leave. An employee who is a member of the polling station is entitled to up to five days' leave for the performance of his duties. The employee retains the right to social security benefits and rights under the employment contract, with the exception of the right to remuneration. Such employee receives per diems and reimbursement of certain travel and accommodation costs from the state authorities. The employee should inform the employer at least three days in advance of the planned absence.

The Slovak Republic

An employee can be appointed as a member of the election committees upon his/her request. If the appointed employee is scheduled to work on the election day, the employer shall grant leave to such employee for the time necessary to perform this activity. The leave shall be granted by the employer, without wage compensation, unless collective agreement provides otherwise, or the employer and the employee agree otherwise.

What If Your Employee Is a Candidate In the Elections?

Czech Republic

If an employee is a candidate in the elections, they are entitled to time off from work, without compensation of salary, from the day following their registration as a candidate until the day before the elections. The fact that someone is a candidate in the elections must not have an adverse effect on their employment or similar relationship.

If successful and elected to the office, the former candidate/employee may look forward to time off for performance of the public office. While in public office, the employee is entitled to time off, without a salary compensation. Duration of the public office is a protective period during which the employer may not terminate the employee's employment.

Poland

There is no obligation for the employer to obtain information from employees as to whether they intend to stand for elections. The provision of such information is in the employee's interest in order to protect himself against possible termination of the employment relationship and, by law, the employee should behave loyally towards the employer. This means that the employee should inform the employer of any circumstances that may affect the performance of his duties.

The employee may apply for unpaid leave during the election campaign, as well as during the exercise of the mandate.

The Slovak Republic

If the employee is a registered candidate in the elections, he/she is entitled to have the necessary time off, with no wage compensation. If the employee becomes an elected member of the European Parliament, the employer is obliged to grant the employee leave for the time necessary to perform public office. During the performance of the public office, there is no wage compensation for the employee. However, there is a protective period during which the employment may not be terminated with notice by the employer.

Additionally, an employee who performs public office along with his/her obligations emanating from their employment may be granted leave to perform in public office with a length of not more than 30 working days or shifts per calendar year, unless a special regulation provides otherwise.

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