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Parliamentary Election – November 14,2024

Provision of leave for public and private sector employees to cast their votes in national elections without loss of pay or personal leave.

In terms of Section 122 of the Parliamentary Elections Act No. 1 of 1981, the following is the extract regarding the granting of leave at an election.

122 (1) By any other person who is the employer of any person entitled to vote in person at an election, according to a written request made by the other person, leave in writing, shall be granted for such continuous period (not less than four hours) as the other may consider sufficient to enable such person to vote in person at such election, without reduction of pay.

(1a) Every employer shall—

(a) the names of the persons applying for leave under sub-section (1);

and

(b) the names of the persons to whom leave is granted under that sub-section and the periods for which such leave was granted to such persons;

A statement indicating this should be prepared and the statement should be made to be prominently displayed at the workplace.

" Any person who contravenes or fails to comply with the provisions of sub-section (2)(1) or sub-section (1a) commits an offence and if convicted after a trial held before a Magistrate, he shall be liable to a fine not exceeding two lakh rupees or to imprisonment for a term not exceeding one month, or to both such fine and imprisonment."

02. Leave shall be granted to every employee who requests leave in writing for the purpose of voting in accordance with the provisions of the above section. The period of leave so granted shall be treated as special leave with pay in respect of all employees including casual employees and shall be in addition to the ordinary leave entitlement of the employees.

03. The aforementioned parliamentary election will be held on Thursday, November 14, 2024 from 7:00 am to 4:00 pm.

04. As stated in Section 12.3 of the Chapter XII of the Establishment Code, regarding Special Leave of Officials in Public Sector a special leave of minimum time 4 hours or continuous period deemed necessary to go to the polls should be granted for a parliamentary election, without salary reduction.

05. As there is no written provision for providing such special leave to employees in the private sector, many employers do not provide election leave to their employees, however, according to the agreement reached with the Sri Lanka Human Rights Commission, the Secretary of the Ministry of Labor and Labor Relations, the Commissioner General of Labor and the Commissioner General of Election during the previous national elections regarding the complaints received and pursuant to the notification by the Human Rights Commission to establish a link between distance and time for private sector employees to travel to and from polling stations to vote in national elections, it was recommended that the relevant employers arrange to provide leave for the employees working in the private sector to cast their vote, in accordance with the following table.

06. The period of leave granted to an employee for this purpose shall be determined by the employer based on the distance between the employee's place of work and the polling station. Here, under the seventh paragraph below, the heads of institutions should consider using public transport services and decide on the granting of leave.

The distance one has to travel from the place of work to the polling station to vote	Minimum period of leave to be granted
If 40 km or less	Half day
If between 40 km and 100 km	One day
If between 100 km and 150 km	1 1/2 days
If more than 150 km	2 days


07. While the above note suggests the minimum time to be given it should be noted that there are a significant number of cases where some voters in the island need three days to go to the polling station and leave for three days on occasion. But when the employer manages the time by providing special transport facilities to the polling area (no transport facility should be provided to the polling station) and using highways, it can be taken into account in calculating the minimum leave time subject to the 4-hour limit.

08. Here, the employees must apply for leave through a written request, and every employer must prepare a document showing the persons who have applied for special leave and the period for which the leave will be granted and display it at the workplace.

09. As complaints have been received from the employees in the previous polls regarding taking leave as per law, I request all employers, both public and private, to give their employees who are entitled to vote in this parliamentary election, the leave they are legally entitled to.

10. In compliance with the aforementioned recommendations made as per the agreement reached between the Secretary of the Ministry of Labor and Trade Union Relations, the Commissioner General of Labor and the Election Commission and having regard to the guidelines of the Human Rights Commission, all employers are kindly requested to provide sufficient leave for their employees to go and vote in their establishments.

11. I am extremely grateful for the support from all employers in this regard.


Saman Sri Rathnayake
Commissioner General of Elections