



ELECTIONS IN THE TIME OF COVID

ENOCH
TARVER



What is Today About?

- Recent changes in workplace law
- When, where and how to vote
- Voting security
- New SHRM resources



Your Ever-Changing World

- Unemployment
 - Employer filed claims emergency rule still in effect
 - Federal Pandemic Unemployment Compensation (extra \$600) has ended
 - President signed executive order August 8 to allow states to provide \$400 per week in supplemental unemployment
 - 75% paid for out of FEMA funds, 25% from state funds
 - Georgia announced Monday we are approved to provide \$300 per week
 - Must get at least \$100 in weekly benefits to be eligible
 - Must be COVID-19 related
 - Will be backdated to August 1
 - Implementation in 3-4 weeks



Your Ever-Changing World

- Deferring Payroll Tax Obligations
 - Presidential memorandum to Secretary of the Treasury
 - Defers the collection of employee's portion of the Social Security tax (6.2%)
 - Must make less than \$4,000 bi-weekly
 - In effect from September 1 to December 31
 - Defers, not eliminates, the taxes owed on these wages, but directs the Treasury to explore how to eliminate the uncollected taxes.
 - Raises more questions than answers, no guidance from Treasury so far



Your Ever-Changing World

- SB 359-Georgia COVID-19 Pandemic Business Safety Act
 - Liability protection for negligence claims
 - Creates rebuttable presumption of assumption of the risk
 - Requires notice either on admission ticket or at point of entry
- HB 1090-Charlotte's Law?
 - Effective the day the Governor signed it, which was August 5
 - Requires the employer provide paid break time of "reasonable duration"
 - Requires the employer provide a private location other than a restroom for lactation at the worksite
 - Only applies to employees actually at the worksite, not employees working remotely
 - Employers with less than 50 employees are not subject to any parts of the requirements that cause "undue hardship"
 - No time limit on how long an employee can use this benefit



Voting in Georgia

- Georgia has very progressive voting opportunities
 - Automatic voter registration (motor voter)
 - At least 16 days of early voting
 - No-excuse absentee voting
- Georgia had largest increase in average turnout of any state in the 2018 mid-term election
- Record primary turnout in 2020 with over 1.1M absentee voters and 1.2M in-person voters.



Voting in Georgia

- Overseeing voting in the state is the Secretary of State's job.
- Counties have various mechanisms to run voting registration and balloting in the county
 - Larger counties typically have a Board of Elections
 - In many smaller counties the Probate Judge is in charge



Voting Calendar

| | |
|---------------------|--|
| September 8, 2020 | Last day to file the notice of intention to be a write-in candidate and have notice published in accordance with O.C.G.A. § 21-2-133 |
| September 15, 2020 | Earliest day for a registrar to mail an absentee ballot for the November General Election and Special Election O.C.G.A. § 21-2-384 |
| October 5, 2020 | Last day a person may register and be eligible to vote in the November General Election and Special Election Runoff for Local and State Offices. O.C.G.A. § 21-2-224 |
| October 12, 2020 | Advanced In Person (Early) Voting begins for the November General Election and Special Election. O.C.G.A. § 21-2-385 |
| October 24, 2020 | Mandatory Saturday Voting for the November General Election and Special Election. O.C.G.A. § 21-2-385 |
| As soon as possible | Absentee ballots shall be mailed out as soon as possible prior to the General Election and Special Election Runoffs for Local and State Offices. O.C.G.A. § 21-2-384 Advanced In Person (Early) Voting begin for the General Election and Special Election Runoffs for Local and State Offices. O.C.G.A. § 21-2-385 |
| November 18, 2020 | Earliest day for a registrar to mail an absentee ballot for the General Election Runoff for Federal Offices. O.C.G.A. § 21-2-384 |
| December 14, 2020 | Advanced In Person (Early) Voting begins for the General Election Runoff for Federal Offices. O.C.G.A. § 21-2-385 |





Absentee Voting

- Request for absentee ballot for November election is currently available https://sos.ga.gov/index.php/Elections/absentee_voting_in_georgia
- Absentee ballot requests can be returned by mail, email, fax or in person to your County Board of Registrar's Office (info in link)
- Absentee ballot may be returned by mail, in-person at the Registrar's office or at absentee ballot drop boxes
- SoS has reopened grant applications for counties to request funding for absentee ballot drop boxes https://sos.ga.gov/index.php/elections/secretary_of_state_raffensperger_reopens_grants_for_absentee_ballot_drop_boxes
- Absentee voting page also has link for early voting locations by county
- Check your voting status by clicking on the "Register to Vote" button



Voting Security

- Registrar's office verifies each ballot request and each absentee ballot by comparing the signature to signature on voter registration
- Registrar has 3 business days to send out ballot (by mail) after receipt of absentee request (24 hours for requests received within 11 days of election)
- In anticipation of high demand, Secretary of State has hired third-party firm from Arizona to mail out initial batch of absentee ballots with return postage pre-paid
- Absentee ballots can not be mailed before September 15, so if requested early, expect your ballot in mid to late September



For Whom Are We Voting?

- President (obviously)
- Both Georgia Senate seats
 - Normal election for seat held by David Perdue, will serve 6 year term
 - Special election “jungle primary” for Johnny Isackson’s seat to fulfill remaining term (2 years)
 - Very unusual election because all candidates (Republican and Democratic) are on the ballot
 - Currently 21 candidates in that race
 - 6 Republican
 - 8 Democratic
 - 7 Libertarian, Independent and Other



For Whom Are We Voting?

- To win an election requires a majority of the vote—50% plus 1
- If no one wins a majority, the top two vote getters will run in a run-off election to pick a winner
- Very likely outcome with so many people in the race
- If so, that election will be on January 5, 2021
- All members of Congress
- All members of the Georgia Senate and House of Representatives



Georgia Voting Law

- § 21-2-404. Affording employees time off to vote



Each employee in this state shall, upon reasonable notice to his or her employer, be permitted by his or her employer to take any necessary time off from his or her employment to vote in any municipal, county, state, or federal political party primary or election for which such employee is qualified and registered to vote on the day on which such primary or election is held; provided, however, that such necessary time off shall not exceed two hours; and provided, further, that, if the hours of work of such employee commence at least two hours after the opening of the polls or end at least two hours prior to the closing of the polls, then the time off for voting as provided for in this Code section shall not be available. The employer may specify the hours during which the employee may absent himself or herself as provided in this Code section.



SHRM Resources

- SHRM A-Team Elections Resources
 - https://elections.shrm.org/?_ga=2.59573739.756780499.1598409212-104943457.1594050393
- Together Forward @Work
<https://togetherforwardatwork.shrm.org/>



Take Away

- Stay tuned as the COVID world keeps turning
- There is no reason not to vote in Georgia
- Voting here is safe and secure
- Give your employees time off to vote
- Use the resources SHRM gives us



Questions?

PowerPoint can be downloaded at
www.enochtarver.com

ENOCH
TARVER