

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

S

4

SENATE BILL 716
Judiciary I Committee Substitute Adopted 4/24/01
House Committee Substitute Favorable 5/3/01
Fourth Edition Engrossed 5/16/01

Short Title: Poll Worker Discharge.

(Public)

Sponsors:

Referred to:

March 28, 2001

A BILL TO BE ENTITLED

1 AN ACT TO GIVE PRECINCT ELECTION OFFICIALS (CHIEF JUDGES, JUDGES,
2 AND ASSISTANTS) THE SAME PROTECTION FROM DISCHARGE AS
3 JURORS.
4

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Article 5 of Chapter 163 of the General Statutes is amended by
7 adding a new section to read:

8 "**§ 163-41.2. Discharge of precinct official unlawful.**

9 (a) No employer may discharge or demote any employee because the employee
10 has been appointed as a precinct official and is serving as a precinct official on election
11 day or canvass day.

12 (b) An employee discharged or demoted in violation of this section shall be
13 entitled to be reinstated to that employee's former position. The burden of proof shall be
14 upon the employee.

15 (c) The statute of limitations for actions under this section shall be one year
16 pursuant to G.S. 1-54.

17 (d) This section does not apply unless the employee provides the employer with
18 not less than 30 days written notice, before the date the leave is to begin, of the
19 employee's intention to take leave to serve as a precinct official.

20 (e) As used in this section, 'precinct official' has the same meaning as in G.S.
21 163-41(a)."

22 **SECTION 2.** This act is effective when it becomes law.