

Legal Update

Labour recent developments

May 2018

Labor benefits during an election year

Law 403, 1997 and the Electoral Code established labor benefits for the employees who served as jury in the elections and employees that voted, such right is mandatory.

Next May 27, 2018 are the presidential elections. Colombian electoral law and several communications from the National Civil Registry Office established that employees who served as jury in the elections are entitled to one (1) business day off work. Also employees that vote during the elections are entitled to half day off (1/2) if they submit the voting certificate to the HR department. The employees have forty five (45) calendar days (if they act as jury) and thirty (30) calendar days (if the vote) to claim the benefit to the employer. In the event that the employer denies the permit, the employee could claim before the labor authorities (Ministry of Labor and Labor Court) since such right is mandatory.

However, the benefit may not affect the functioning of the employer so we recommend to established the date by mutual consent between the parties, when the employee requests the extralegal benefit of time off.

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