

# All Hands On Deck: Poll Workers

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Practice Area: County and Municipal Governance & Government Law

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It seems like not a day goes by without a breaking news story about an election issue. Elections can seem as tiring as COVID – and sometimes just as confusing regarding the proper guidance or legal authority to conduct and carry out the election. Election officials and staff must weave through disputes that will seemingly only increase in the current political climate. This *Legal Update* will help you navigate issues involving poll workers.

## **Poll Workers**

First, let's examine the law's fundamental requirements for those individuals that allow people to exercise their right to vote. Poll workers are individuals appointed by local governmental bodies every two years, who meet a basic set of qualifications to work an election.

### **What does a poll worker do?**

The specific job responsibilities of a poll worker depend on which position the poll worker has been appointed to fulfill. There are several positions: election inspector, chief election inspector, greeters or election registration officials, tabulator, and polling place helper. Each municipal position is appointed by municipal clerks.

### **What qualifications must a person possess in order to be a poll worker?**

In order for a person to qualify to be a poll worker, they must be: (1) a United States citizen, (2) at least 18 years old, (3) able to read and write fluently in English, and (4) qualified to vote in the county where the polling place is located. Additionally, a candidate for any office that would be voted on at the polling place at that election, may not be a poll worker.

### **Can a student be a poll worker?**

Yes. Students who wish to become a poll worker must: (1) be at least 16 years old, (2) be enrolled in grades 9-12, (3) have at least a 3.0 GPA, (4) have written approval by their parent or guardian, (5) have the written approval by their school principal certifying that the student is enrolled in the school and has minimum of a 3.0 GPA, and (6) be a resident of the applicable municipality.

### **Are there limitations as to which position a student may hold as a poll worker?**

Yes. A student may only work as an inspector. In order to do so, there must be at least one inspector who is a qualified elector of the municipality working at the same polling place.

### **What does an election inspector do?**

An election inspector helps check voters in at the polling place, helps register them to vote, and helps issue ballots.

### **What does a chief election inspector do?**

The chief election inspector leads election officials at a polling place. They also have additional training requirements.

**What does a greeter or election registration official do?**

A greeter not only welcomes people into the polling place, but may also make sure voters are in the correct line and assist with sanitization efforts. An election registration official helps voters register to vote on Election Day.

**What does a tabulator do?**

A tabulator assists with ballot counting after the polls close on election day.

**What does a polling place helper do?**

A polling place helper assists in keeping the polling place organized. Additionally, they may also help in ensuring that voters are in the correct lines and are complying with social distancing guidelines.

**What is the length of a term for poll workers?**

Poll workers are appointed to two-year terms. Poll workers generally apply or communicate with municipal clerks regarding the appointment process and are nominated by the mayor, president, or board chairperson and confirmed by the governing body. For this reason, a poll worker must commit to at least two years.

**Are poll workers compensated?**

Yes. A poll worker is compensated for working at a polling place. The appropriate municipal governing body determines the rate of payment. Some municipalities also pay their poll workers for mandatory training sessions. Whether a poll worker may be classified as an employee depends on the circumstances; it is encouraged to seek legal counsel for guidance on answering this question and the implications for such a classification.

**Is the compensation earned for being a poll worker taxable?**

Since compensation is considered income, it may be subject to income and FICA taxes. Additionally, it may also be subject to reporting requirements. For more detailed information, you can visit the IRS website [here](#).

**How can a person become a poll worker?**

There are two ways to be nominated: (1) through a nomination from the Democratic or Republican party, or (2) by applying directly to your town, village or city clerk.

**What does the nomination process entail?**

The Mayor, President or Board Chairperson of the municipality nominates poll workers to the governing body. They must do so by the last regular meeting in December of odd years or at a special meeting no later than December 31 of that odd year if no regular meeting is scheduled.

**How do you terminate a poll worker?**

The answer to this question depends on individual facts and circumstances including your county or municipality's classification of poll workers. It is suggested to consult with legal counsel if presented with this situation.

**What location will each poll worker be assigned to?**

In smaller municipalities there is usually only one polling place. However, in municipalities where there is more than one, a poll worker is typically assigned to the polling place in their neighborhood.

This information is provided as a review of the fundamental requirements when it comes to poll workers. Ideally, this information will be available for reference when basic questions or conflicts occur for a quick resolution. Nevertheless, more complicated questions may arise and it is strongly encouraged to reach out to your legal counsel for timely answers as these issues develop.

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