



IN THE PRESS: AB 357 (Chiu and Weber) & FAIR SCHEDULING

What's my work schedule? Employees deserve an answer.

THE LOS ANGELES TIMES EDITORIAL BOARD | April 21, 2015

Over the last few years, many large employers of part-time workers — such as retailers and restaurant chains — have adopted what's known as "just in time" scheduling, which gives workers little or no notice of what days they'll be working. In some cases, workers show up as scheduled, only to be told they have no shift that day. Other times workers are sent home early, before their shifts are done, or they're required to check in on scheduled days to see if they are in fact needed. These systems help businesses reduce labor costs and better match staffing with fluctuating customer demands.

But what's good for business is not always good for workers, who need predictability to manage the rest of their lives, whether that means holding a second part-time job, caring for children or finding time for medical appointments. And it leaves already low-paid workers scrambling to make up for the hours they've lost unexpectedly.

California Assemblyman David Chiu's AB 357 would help workers by requiring retailers and food-service employers with at least 500 employees in California, and at least 10 outlets elsewhere in the country, to set work schedules at least two weeks in advance and stick to them. Some elements of the bill, such as penalties for ending shifts early, are already covered under other laws. But requiring the advance posting of work schedules is new, and welcome. Business advocates complain about government overreach and reduced flexibility, but the greater good here is more predictable work schedules for tens of thousands of Californians trying to balance jobs, family responsibilities and finances.

Given the trend toward just-in-time work shifts, this is a prudent protection for California workers and their families, with only limited negative effects on employers. The Legislature should move this bill, and Gov. Jerry Brown should sign it.

Los Angeles
Times

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Fight over low pay, unpredictable work schedule

THE SACRAMENTO BEE



By Susan Sward | April 11, 2015

Bit by bit, lawmakers and the public are becoming aware of the plight of fast-food and retail employees as workers stage protests across America, venting their anger over unpredictable schedules and low pay.

This shift squeeze . . . is helping trap millions of Americans at or near poverty level, blocking them from climbing upward into the middle class.

“This is a new issue that has taken off like wildfire,” Carrie Gleason, who directs a nationwide Fair Workweek Initiative for the Center for Popular Democracy, said. She added that lawmakers in Oregon, Minnesota, Connecticut and Massachusetts are also actively pushing predictable scheduling legislation.

“The scheduling bill addresses an economic shift that is reconfiguring the nature of work, making retail and service jobs the norm for adults, like Dias, who are relying on shift work – and often multiple jobs – to support families.”

California women's caucus pitches bills on pay equity, child care, poverty

By PATRICK MCGREEVY | MARCH 24, 2015

The caucus members also backed legislation . . . that would require food and retail employers with more than 500 workers to provide work schedules at least two weeks in advance and would require additional pay for last-minute changes. Weber said AB 357 would provide “considerable stability” for workers who have to schedule around other commitments and arrange child care ahead of time.

“Women continue to increase our role and our impact on our economy,” Assembly Speaker Toni Atkins said at a Capitol news conference. “It’s vital we pursue the policies that help ensure opportunity and equality.”

Two weeks’ schedule notice for workers on California labor agenda

BY JEREMY B. WHITE | March 27, 2015

Having already raised one child through the abrupt cancellations, short notice and other challenges of the fast-food industry’s erratic scheduling, Holly Dias anticipates that another on the way will require a similar juggling act.

“A lot of stuff I should have been part of for (my son), I missed,” said Dias, who works at a Sacramento area Burger King. “Either I have to miss the doctor’s appointment or I have to miss hours, which means it’s going to be harder to pay the bills when they’re due.”

“American workers can’t simultaneously be variable costs for business yet live in their own fixed-cost worlds. . . . Not only is a higher minimum wage critical. So are more regular and predictable hours.”

Sometimes, she said she got less than two days’ notice about when she would be working, and arranging child care was “a struggle.”

Working Anything but 9 to 5: Scheduling Technology Leaves Low-Income Parents with Hours of Chaos

By JODI KANTOR | AUGUST 13, 2014

Along with virtually every major retail and restaurant chain, Starbucks relies on software that choreographs workers. Big-box retailers or mall clothing chains are now capable of bringing in more hands . . . and sending workers home when real-time analyses show sales are slowing.

Yet those advances are injecting turbulence into parents' routines and personal relationships, undermining efforts to expand preschool access, driving some mothers out of the work force and redistributing some of the uncertainty of doing business from corporations to families.

Flexibility — an alluring word for white-collar workers, who may desire, say, working from home one day a week — can have a darker meaning for many low-income workers as a euphemism for unstable hours or paychecks.

But those who manufacture and study scheduling software, including Mr. DeWitt of Kronos, advocate a more direct solution: for employers and managers to use the software to build in schedules with more accommodating core hours.

Starbucks to Revise Policies to End Irregular Schedules for Its 130,000 Baristas

BY JODI KANTOR | AUGUST 14, 2014

Starbucks announced revisions on Thursday to the way the company schedules its 130,000 baristas, saying it wanted to improve “stability and consistency” in work hours week to week.

The change comes amid a growing push to curb scheduling practices, enabled by sophisticated software, that can cause havoc in employees' lives: giving only a few days' notice of working hours; sending workers home early when sales are slow; and shifting hours significantly from week to week.

The New York Times

“The same technology could be used to create more stability and predictability,” said Zeynep Ton, a professor at M.I.T. who studies retail operations.



“This has given us a real opportunity to hear partners' voices . . . Encouraging managers not to rely entirely on the automated software is the best thing they can do.”

Shift Change: "Just-in-Time" Scheduling Creates Chaos for Workers

BY SETH FREED WESSLER / MAY 2, 2014

This "just-in-time scheduling" helps employers piece together a jigsaw puzzle of part-time workers. But the needs of the workers themselves—for a stable paycheck and reliable hours around which to arrange child care, a second job, and other family and life commitments—are rarely entered into the calculus, experts say. One study that looked at 17 corporate firms, found that only three posted schedules more than a week in advance.

... Retail employers are over-hiring ... bringing on far more workers than they need to ensure a ready labor force managers can call when the software says there's a need. In some cases, retail employees are scheduled for "on-call" shifts, forced to phone in the morning to see if they'll be needed on the register or sales floor that day. While just-in-time scheduling practices are intended to drive up profitability, there are indications that they may be backfiring on companies.



"Companies can actually benefit when they use the software to meet both staffing needs and pay attention to employees' work-life balance."

New York Investigates Retailers For Unpredictable Work Schedules

APRIL 13, 2015

... New York attorney general is investigating the way some of the country's biggest retailers handle scheduling. "That type of predictable scheduling is an effective workplace strategy that can ultimately contribute to employee retention, improved employee morale, better customer service, and even increased productivity"



Two-Week Notice: CA Bill would Force Employers to Honor Schedules

FEBRUARY 19, 2015

California is considering a historic change in the workplace. A new bill called the Fair Scheduling Act would require food and retail businesses with 500 or more workers to give at least two weeks notice when making staff schedules. New York Times reporter Jodi Kantor joins "CBS This Morning" to discuss what the new bill would mean for employers and employees.



The next labor fight is over when you work, not how much you make

The Washington Post

Bills are in the works all over the country -- including Washington D.C. -- to give workers more control over their schedules.

MAY 11, 2015

That practice, nicknamed “just-in-time” scheduling, can wreak havoc on the lives of workers who can’t plan around work obligations that might pop up at any time.

When a proposal reaches the D.C. Council in the coming months, Washington won’t be the first: Following the passage of [landmark legislation in San Francisco](#), bills have [been offered](#) in Indiana, Maryland, Massachusetts, Minnesota, Illinois, Connecticut, California, New York, Michigan and Oregon.

“These scheduling reforms are getting really popular, because it makes no sense that for example you’re required to be available to work by your employer and you’re not picked for that time.”

“If you don’t count that cost, it disappears. The idea is to generate the kind of rigorous data that will be needed to persuade people to change their financial models,” says Williams. “Our hypothesis is that if you provide people with more stable schedules, you’ll see lower turnover [and] absenteeism and higher worker engagement.”

Report: Women unduly harmed by unpredictable scheduling

Analysis finds more than 6 million women forced to work part-time because of family, child care and other obligations

NED RESNIKOFF | MAY 12, 2015

“Women working more hours are likely to experience the stressful effects of overwork and may often have no choice but to work overtime hours or lose their job,” the report says. “However, the over 12 million women working part time in hourly jobs are at greatest risk of both highly erratic schedules and of extreme income fluctuation.”

... long-term changes in family structure have created a “double-edged sword” for some workers ... more single mothers have been forced to negotiate child care on top of their work schedules.

That’s beginning to change in some parts of the country ... 11 states “have introduced some form of work hours legislation, and this is an issue that was basically not on the map last year.”

“There's a strong role to be played there, but we probably need some minimum, national standards about this as well.”



ALJAZEERA

“Erratic hours can be particularly hard on women, who tend to spend more time than men performing household chores and caring for children. . . .”

The Very Real Hardship of Unpredictable Work Schedules

The 17 percent of workers who deal with erratic scheduling tend to be those who can afford instability the least.

GILLIAN B. WHITE | APRIL 15, 2015

In some cases, the differentiation in weekly work hours or varying start times may reflect a move toward increasingly flexible work places, but that's not likely the case for low-income, part-time workers, who make up such a large portion of those working with unpredictable schedules. . .

Additionally, the phenomenon may be contributing to the growing economic inequality in the country. . . For example, a lack of predictable hours can lead to difficulty obtaining or keeping government benefits for some workers.

. . . These policies—along with a slew of proposed legislation at both the state and federal level are certainly important.

There are additional efforts at the firm level as well, the report notes. For some Macy's employees in and around New York City who work at unionized stores, shift schedules are set months in advance. And Walmart's Access to Open Hours program, which gives employees more opportunities to work additional hours came about with the help of heavy lobbying by the United Food and Commercial Workers union for better schedule practices.

the Atlantic

“People who don't suffer these abuses already understand what it's like to juggle work and family, so people really identify with that as being a problem.”

When retail workers don't have predictable schedules, it makes it **HARD TO PLAN:**

- Child care
- Schooling
- Transportation
- Doctor's appointments

Schedule FAIRNESS

Among hourly workers with children age 12 or under:

- 46% of fathers
- 32% of mothers

receive schedules one week or less in advance.

Schedule FAIRNESS

SCHEDULE UNCERTAINTY is a big problem for service workers.

- 48% of workers get less than a week's notice
- 65% get less than two week's notice

Schedule FAIRNESS

For more information on The Fair Scheduling Act of 2015, AB 357 (Chiu & Weber)
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