

## Fair Schedules for Workers

Unpredictable and unfair scheduling practices work against women's economic advancement and ability to balance work and personal life. Low-wage workers are most often impacted by these practices. Women and people of color are over-represented in jobs that lack basic workplace protections. Unfair scheduling makes it difficult for low-wage workers to plan for and afford child care, transportation, and other monthly expenses. Furthermore, these workers struggle to progress professionally and increase their wages because unpredictable schedules make it nearly impossible to pursue educational opportunities or supplemental employment. Unfair schedules often result in fluctuating earnings and varied work hours, making financial planning very difficult, if not impossible, because workers cannot anticipate their earnings.

### **YWCA Position**

YWCA USA supports women's economic empowerment. The YWCA is committed to closing the wage gap for women and communities of color. In order to do so, we must create fair working conditions for all workers.

YWCA USA supports legislative measures that will improve scheduling practices such as the Schedules that Work Act (H.R. 5159/S. 2642), introduced for the first time in the 113<sup>th</sup> Congress. This legislation would ensure that employers do not retaliate against workers who make scheduling requests and that those scheduling requests be heeded for certain priority reasons such as dependent care, health reasons, or an additional job. Additionally, workers would receive more predictable and stable schedules overall. If passed, workers would no longer be penalized for being an on-call worker by being sent home due to overstaffing by the employer, or losing wages when working a split shift. The legislation ensures that some level of compensation would be required for each of these instances. Additionally, employers would be required to set clear expectations about scheduling for the employee at the time of hiring and on an on-going basis.

### **Fair Scheduling Facts**

- According to a Retail Action Project Survey, approximately one fifth of workers receive their schedules only three days in advance. <sup>[1]</sup>
- The CitiSales study of 6,085 workers employed by a major retailer in 388 stores across the country revealed that, on average, workers receive their work schedules only seven days in advance. <sup>[2]</sup>
- Almost half of low-wage workers report having limited control over the timing of their work hours. <sup>[3]</sup>
- Women comprise two-thirds of the nearly 20 million workers in the low-

wage workforce. Among women in the low-wage workforce, nearly half are women of color. Women in low-wage occupations often face unpredictable, inflexible and unstable work schedules.

- 1 in 4 women are now the sole or primary breadwinners for their families.<sup>[5]</sup> An overwhelming majority of mothers with children under 18 years old are working.<sup>[6]</sup> Fair scheduling practices will enable women to better balance work and family while providing for the economic needs of their families.
- Difficult work schedules make it nearly impossible to pursue education or training opportunities. Workers frequently cite inability to balance work and school as a core barrier to completing a college degree.<sup>[7]</sup>
- Women working part-time involuntarily are more likely to live in poverty than full-time and voluntarily employed part-time workers.<sup>[8]</sup>
- Workers who report to work only to be sent home experience an additional financial burden if they have arranged for paid child care or paid for transportation. Workers may spend time and money arranging for child care and transportation as well as commuting only to be sent home unexpectedly.<sup>[9]</sup>
- Conversely, fair schedules lead to better outcomes for both workers and employers by lessening employee turnover, increasing productivity, and fostering economic advancement.<sup>[10]</sup>

[1] Stephanie Luce & Naoki Fujita, Discounted Jobs: How Retailers Sell Workers Short (Retail Action Project 2012), retrieved from [http://retailactionproject.org/wp-content/uploads/2012/03/7-75\\_RAP+cover\\_lowres.pdf](http://retailactionproject.org/wp-content/uploads/2012/03/7-75_RAP+cover_lowres.pdf)

[2] Jennifer Swanberg et al., Introduction to the CitiSales Study 4 (2009), available at <http://www.uky.edu/Centers/iwin/citisales/pdfs/IB1-HourlyWorkers.pdf>. See also Lambert, supra note 20, at 1217.

[3] Liz Watson & Jennifer Swanberg, Flexible Workplace Solutions for Low-Wage Hourly Workers: A Framework for a National Conversation (Workplace Flexibility 2010, May 2011), available at <http://workplaceflexibility2010.org/images/uploads/whatsnew/Flexible%20Workplace%20Solutions%20for%20Low-Wage%20Hourly%20Workers.pdf>.

[4] The National Women's Law Center. Underpaid & Overloaded: Women in Low-Wage Jobs. (2014), available at [http://www.nwlc.org/sites/default/files/pdfs/final\\_nwlc\\_lowwagereport2014.pdf](http://www.nwlc.org/sites/default/files/pdfs/final_nwlc_lowwagereport2014.pdf)

[5] Wendy Wang, Kim Parker & Paul Taylor, Breadwinner Moms (May 29, 2013), available at <http://www.pewsocialtrends.org/2013/05/29/breadwinner-moms/>

[6] Department of Labor, Latest Annual Data: Women of Working Age, available at <http://www.dol.gov/wb/stats/recentfacts.htm#rates>

[7] Executive Office of the President, Council of Economic Advisers, Work-Life Balance and the Economics of Workplace Flexibility (Mar. 2010), available at <http://www.whitehouse.gov/files/documents/100331-cea-economics-workplace-flexibility.pdf>

[8] Rebecca Glauber, Wanting More but Working Less: Involuntary Part-Time Employment and Economic Vulnerability, Issue Brief No. 64 Carsey Institute 2-3 (Summer 2013), retrieved from <http://scholars.unh.edu/cgi/viewcontent.cgi?article=1198&context=carsey>

[9] Liz Watson, Lauren Frohlich, & Elizabeth Johnston, Collateral Damage: Scheduling Challenges for Workers in Low-Wage Jobs and Their Consequences (April 2014), retrieved from [http://www.nwlc.org/sites/default/files/pdfs/collateral\\_damage\\_scheduling\\_fact\\_sheet.pdf](http://www.nwlc.org/sites/default/files/pdfs/collateral_damage_scheduling_fact_sheet.pdf)

[10] Nancy C. Cauthen, Scheduling Hourly Works: How Last Minute, Just-In-Time Scheduling Practices are Bad for Workers, Families and Business (2011), available at [http://www.demos.org/sites/default/files/publications/Scheduling\\_Hourly\\_Workers\\_Demos.pdf](http://www.demos.org/sites/default/files/publications/Scheduling_Hourly_Workers_Demos.pdf)