

The Schedules That Work Act of 2015

Unstable, unpredictable, and rigid scheduling practices like placing workers “on-call” with no guarantee of work hours, scheduling them for “split shifts” of non-consecutive hours, sending workers home early without pay when demand is low, and punishing workers who request schedule changes make it all but impossible for workers to balance professional responsibilities with individual and family needs.

Unstable, unpredictable, and rigid scheduling practices disproportionately affect low-wage workers. Roughly half of low-wage workers reported having very little or no say over the specific hours they were scheduled to work, and 20 to 30 percent struggled with being required to work extra hours with little or no notice. Data show that unpredictable and unstable schedules are particularly common in retail, food service, and cleaning occupations: 40 to 64 percent of early career workers in these occupations receive their schedules less than one week in advance, with average hours fluctuating between 40 and 70 percent during a single month.

Difficult scheduling practices negatively impact workers and families. Unstable, unpredictable, and rigid schedules make it difficult for workers to maintain stable child care, care for other family members, pursue career development or other education, get or keep a second job, or take care of their own health. Fluctuations in income make it more difficult for families to manage their household budgets or to qualify for and maintain eligibility for supportive services such as child care subsidies. These precarious scheduling practices have also been shown to lead to higher rates of employee turnover and increased stress and family conflict at home.

Major media outlets, including the Los Angeles Times, the Wall Street Journal, Salon, the Atlantic, and the Washington Post have reported on the toll difficult work schedules take on families. According to a new CBS/New York Times poll, 72 percent of Americans favor requiring chain stores and fast food outlets to either give workers two weeks’ notice of schedule changes or extra pay.

How Schedules That Work Will Help

Protects Workers who Ask for Schedule Changes

All employees of companies with 15 or more workers will have the right to request changes in their schedules without fear of retaliation. Employers would be required to consider and respond to all schedule requests, and, when a worker’s request is made because of a health condition, child or elder care, a second job, continued education, or job training, the employer would be required to grant the request unless a legitimate business reason precludes it.

Incentivizes Predictable and Stable Schedules in Occupations with Known Scheduling Abuses

Employees in food service, cleaning, and retail occupations – as well as additional occupations with documented scheduling abuses designated by the Secretary of Labor– will now get their work schedules two weeks in advance and will receive additional pay when they are put “on-call” without any guarantee that work will be available; report to work only to be sent home early; are scheduled for a “split shift;” or receive changes to their schedule with less than 24 hours’ notice. This provision applies to employers with 15 or more employees.