

July 22, 2014

**Re: Schedules That Work Act**

Dear Members of Congress:

As organizations dedicated to promoting a voice in the workplace and economic security for all workers, we write to urge you to support the Schedules That Work Act. Today's work scheduling practices often undermine workers' best efforts to meet their obligations at work while addressing the most critical responsibilities in the rest of their lives – including caregiving, holding down a second part-time job to make ends meet, going to school, or addressing one's own medical needs. The Schedules That Work Act gives workers a say in their work schedules, and curbs the abusive scheduling practices that have become particularly rampant in many of the fastest-growing, low-wage industries.

**The American workforce has changed dramatically in recent decades, but workplace policies have not kept pace.** Women now make up nearly half the workforce, and nationally, 70.5% of all mothers with children under the age of 18 are in the labor force, but our workplaces have not adequately responded to the needs of working families across the economic spectrum for work schedules that make it possible for workers to provide both financial support and necessary care for their families. But working families have no choice but to attempt to juggle these demands, because the contribution of women's wages to their families' economic security is essential. Women are primary breadwinners in 40% of families and contribute between one-quarter and one-half of the family income in another 23% of families.

In addition, education is more important than ever to workers' financial security, but for workers who are going to school to make a better life for themselves and their families, having very little say in when they work means they are often unable to attend the courses needed to complete a degree or certificate program. Increases in involuntary part-time work mean that some workers must seek out a second job to make ends meet, juggling two work schedules. And when workers are unable to adjust their schedules to take time needed to address their own medical conditions, this has a profound impact on their health and well-being.

Despite the clear need to ensure that all Americans can both work and attend to these critical needs and obligations, workers have very little ability to make changes to their work schedules. For example, only 27 percent of employers allow all or most of their employees to periodically change their starting and quitting times.

**Low-wage jobs are often characterized by particularly egregious scheduling practices.** Common practices include routinely getting schedules with only one or two days' notice, being required to call in the day of a potential shift to find out whether or not to come into work, being sent home early without being paid for the hours in a scheduled shift, having work hours – and consequently, incomes, that vary unpredictably from week to week, and being retaliated against for placing any limits on availability for work.

These unpredictable and unstable scheduling practices and workers' lack of say in their schedules are especially challenging for low-wage workers – two-thirds of whom are women -- shouldering both breadwinning and caregiving responsibilities. For the nearly one in five working moms of very young children working in low-wage jobs, more than half of whom are raising children on their own, the fallout from these challenging work schedules can be devastating. For example, arranging child care and transportation can be difficult to impossible when workers are told to report to work at the last minute. When workers are required to call in only to find they are not needed, it is too late to find other work for the day. Unpredictable schedules and uncertain incomes make it difficult to impossible to keep a slot in a child care center. Maintaining child care subsidies is profoundly complicated by fluctuations in income and work hours.

These scheduling practices are not only bad for workers, they are bad for the bottom line. They result in greater workforce turnover, more absenteeism and a less productive workforce. Employers that have implemented fair work scheduling policies have experienced significant benefits, including reductions in absenteeism and workforce turnover, and increased employee morale and engagement.

**The Schedules That Work Act will improve work scheduling practices for workers across the income spectrum.** The Act provides all workers with the right to request a schedule change without fear of retaliation. And it creates a presumption that workers who need a schedule change due to caregiving responsibilities, educational needs, to work a second job, or for one's own medical needs will receive those changes unless there is a bona fide business reason for denying their request. The legislation also takes a first step toward addressing the needs of low-wage workers for more predictable and stable schedules, by providing workers in retail, restaurant, food service, and building cleaning jobs with advance notice of their schedules and minimum shift pay when they are sent home from work without working their scheduled shift.

Abusive scheduling practices are well-documented in retail sales, restaurant, food service, and building cleaning jobs. These jobs are also among the lowest-paid and fastest-growing, accounting for 18 percent of workers in the economy--some 23.5 million workers, the majority of whom are women. These workers urgently need protections from abusive scheduling protections that deprive them of a fair shot at financial security for themselves and their families.

The Schedules That Work Act is intended to provide workers with a say in their work schedules and begin to curb the most abusive unpredictable and unstable scheduling practices that threaten working families' financial security.

Passage of the Schedules That Work Act is crucial to the health and well-being of America's workforce and a strong economy. We urge your support for this important legislation.

Sincerely,

40 Percent and Rising  
**9to5**

9to5 Atlanta  
9to5 California  
9to5 Colorado  
9to5 Wisconsin

A Better Balance

AFL-CIO

African American Ministers In Action

Amalgamated Transit Union, AFL-CIO/CLC

American Federation of Government Employees

American Federation of School Administrators

American Federation of Teachers

Bakery, Confectionary, Tobacco Workers and Grain Millers International Union

California School Employees Association

Campaign for America's Future

Catalyst

Center for Community Change Action

Center for Effective Government

Center for Frontline Retail

Center for Law and Social Policy

Child Care Resources, Inc.

Children's Defense Fund

Children's Village

Clearinghouse on Women's Issues

Coalition for Social Justice

**Coalition of Labor Union Women (CLUW)**

Chicago Chapter Coalition of Labor Union Women

Coalition of Labor Union Women (CLUW) NM chapter

Greater Kansas City CLUW

Lorain County CLUW

Metro-Detroit Chapter of the Coalition of Labor Union Women

New Jersey Coalition of Labor Union Women (NJ CLUW)

PA CLUW

Southwestern PA CLUW

State of CA Coalition of Labor Union Women

Colorado Center on Law and Policy

**Communication Workers of America**

Communications Workers of America, District 9 AFL-CIO

Communities Creating Opportunity

Connecticut Association for Human Services

Demos

Department for Professional Employees, AFL-CIO (DPE)

ECM Executive Consulting

Employment Instability and Social Policy Scholars Network (EINet) at the University of Chicago

Epilepsy Foundation

Equal Pay Coalition NYC

Equal Rights Advocates  
Family Values @ Work Coalition  
Feminist Majority  
Gamaliel  
Gender Justice  
Good Jobs Nation, CTW  
Greater Boston Legal Services  
Half in Ten  
Institute for Science and Human Values  
Interfaith Worker Justice  
International Association of Machinists and Aerospace Workers  
International Brotherhood of Boilermakers  
International Brotherhood of Teamsters  
International Organization of Masters, Mates & Pilots  
International Union of Bricklayers and Allied Craftworkers  
International Union, United Automobile, Aerospace & Agricultural Implement Workers of America  
Jalsa  
Jobs With Justice  
    DC Jobs With Justice  
Labor Project for Working Families  
Legal Aid Society-Employment Law Center  
Legal Voice  
Los Angeles Alliance for a New Economy  
Maine Women's Lobby  
Making Change At Walmart  
Massachusetts Communities Action Network  
Metal Trades Department, AFL-CIO  
Michigan League for Public Policy  
Mississippi Low Income Child Care Initiative  
Missourians Organizing for Reform and Empowerment  
MN Business Women MBW  
MN Neighborhoods Organizing for Change  
MomsRising.Org  
Mothering Justice  
Mt. Child Care Assoc.  
National Advocacy Center of the Sisters of the Good Shepherd  
National Alliance for Partnerships in Equity  
National Association of Mothers' Centers  
National Center for Lesbian Rights  
National Consumers League  
National Council for Women's Organizations  
National Council of Jewish Women  
National Employment Law Project  
National Latina Institute for Reproductive Health  
National Network to End Domestic Violence

## **National Organization for Women**

Minnesota Chapter of the National Organization for Women  
National Partnership for Women & Families  
National Women's Health Network  
National Women's Law Center  
National Disability Rights Network  
Neighbor to Neighbor Massachusetts  
New Jersey Citizen Action  
New Jersey Time to Care Coalition  
New York Communities for Change  
New York Union Child Care Coalition  
North Carolina Justice Center  
Organization United for Respect at Walmart (OUR Walmart)  
OWL-The Voice of Women 40+  
ParentsWork  
Partnership for Working Families  
PICO National Network  
Policy Matters Ohio  
Pro-Choice Resources  
Puget Sound Sage  
Rachel Rodgers Law Office P.C.

## **Restaurant Opportunities Centers United**

Restaurant Opportunities Center, Bay Area  
Restaurant Opportunities Center, Boston  
Restaurant Opportunities Center, Chicago  
Restaurant Opportunities Center, Houston  
Restaurant Opportunities Center, Los Angeles  
Restaurant Opportunities Center, Miami  
Restaurant Opportunities Center, Michigan  
Restaurant Opportunities Center, New Orleans  
Restaurant Opportunities Center, New York  
Restaurant Opportunities Center, Philadelphia  
Restaurant Opportunities Center, Washington, D.C.

## **RESULTS**

Retail Action Project  
Retail Wholesale, and Department Store Union  
Solomon Project  
South Florida Voices for Working Families  
Susan Jones Knape  
Taskforce on Older Women's Economic Security  
TakeAction Minnesota  
The Fair Workweek Initiative, Center for Popular Democracy (CPD)  
Transport Worker Union, Local 100  
Transportation Communications International Union/IAM  
Tubman  
UNITE HERE

United Food and Commercial Workers International Union  
USAction  
Voices for Vermont's Children  
Washington Metro Disabled Students Collective  
Wider Opportunities for Women  
Wisconsin Jobs Now  
Women AdvaNCe  
Women Employed  
Women's Institute for a Secure Retirement  
Women's Law Project  
Women's Media Center  
Working America  
Working Partnerships USA  
YWCA USA