

Secure Scheduling

National policy overview

Center for Popular Democracy

Center for Popular Democracy and the Fair Workweek Initiative

- CPD is a 501(c)(3) organization founded in 2012, with approximately to 60 staff, offices in New York City and Washington, DC, and staff in Minnesota, Boston, Philadelphia, Los Angeles, Oakland and Chicago.
- CPD promotes equity, opportunity and a dynamic democracy in partnership with more than 43 organizations in 30 states across the country.
- The Fair Workweek Initiative, anchored by CPD, supports efforts to restore a workweek that enables working families to thrive.
- We are nationally recognized for our policy and research expertise, as well as building capacity for partner organizations to elevate the voices of working people in shaping the solutions to our country's most pressing economic and social challenges.

Development of model policy

- CPD collaborated with leading national advocacy groups to develop policy ideas for a fair workweek, including the National Employment Law Project (NELP), A Better Balance (ABB), the National Women's Law Center (NWLC), and the Center on Law and Social Policy (CLASP).
- The policy concepts developed by this coalition were the starting place for the San Francisco Retail Workers Bill of Rights (RWBOR), enacted in 2014.
- CPD refined the model policy to incorporate lessons learned through our involvement in the implementation and rulemaking process for RWBOR, engagement with technology vendors, large and small businesses, and hourly workers - again with input from NELP, ABB, NWLC and CLASP.

Research underlying the model ordinance

- Professor Susan Lambert's data from a national survey: significant proportions of early career hourly workers have unpredictable, unstable and inflexible work schedules.
- CPD's research: trends in low-wage, part-time work in fast-growing sectors like retail and food service disproportionately impact women.
- Professors in retail operations: data shows that providing stable, predictable schedules and access to full-time work is profitable for businesses.
- Research on impacts of unpredictable, unstable schedules on health, family relationships, and child development.
- Feasibility analysis from leading scheduling technology firms.
- In-depth surveys of thousands of hourly workers.

Key elements of the model ordinance

- Establish work hours standards for hourly workers at large retail and food service establishments, who are the most vulnerable to unstable, unpredictable scheduling practices.
- Preserve the flexibility employers and employees need in making work schedules, while promoting stability for hourly workers.
 - Incentivize adequate notice of work schedules and compensating employees for being flexible for accommodating short-notice changes.
 - Promote adequate hours and full-time work for people who want it.
 - Advance healthy schedules with adequate rest.
 - Protect workers' right to provide input into schedules.

Notice of work schedules and compensation for changes

- Require employers to provide advance notice of work schedules.
- Discourage changes to the work schedule by requiring 1 hour of predictability pay for all employer-initiated changes to the schedule.
- Allow employees to rely on the posted schedule by protecting their right to decline hours not included on the schedule.
- Up to 4 hours of reporting pay when a shift is cancelled or reduced with less than 24 hours' notice.

Promoting adequate hours

- Require employers to offer hours of work to existing qualified part-time staff before hiring new staff or temporary workers.
- Employers hire as they normally would if existing staff are uninterested in or unqualified for the available work.

Healthy rest between shifts

- Empower employees to decline shifts that provide less than 11 hours of nightly rest, without retaliation
- Premium pay for employees when they accept such shifts.

Flexibility and input

- Protect workers' right to request a scheduling accommodation without retaliation.

National context

- Existing law
 - San Francisco Retail Workers Bill of Rights
 - Vermont Right to Request law
 - Reporting pay exists in many states: MA, NH, RI, DC, CT, NY, CA, OR, NJ
- Legislation under consideration using CPD's model policy
 - Washington DC
 - Portland, OR
 - Emeryville, CA
 - San Jose, CA
 - Minneapolis, MN
 - Several states including RI, CA, NJ, NH, MD, MA