

December 6, 2017

Dear Members of Congress:

The National Women's Law Center strongly opposes the Workflex in the 21st Century Act (H.R. 4219). The misnamed “Workflex in the 21st Century Act” would harm families by allowing employers to circumvent state and local laws designed to protect working people. Around the country, states and localities have enacted laws to prevent abusive scheduling practices and provide workers with paid sick days. H.R. 4219 would allow corporations to make their own rules—allowing them to avoid complying with laws around the country that provide protections for workers as long as they create a “qualified flexible workplace arrangement plan.”

H.R. 4219 weakens rather than strengthens worker flexibility. Fair scheduling laws can allow working people to count on more dependable hours, to receive their schedules at least two weeks in advance, and to request changes in their schedules to accommodate caring for loved ones without retaliation. Paid sick days laws make it financially feasible for workers to take the time they need to recover from illness or care for loved ones. Provisions like these provide true flexibility. H.R. 4219 sets out to weaken these laws to provide sham “flexibility” instead.

H.R. 4219 would allow employers to decide when and whether workers would be allowed to use paid time off to care for themselves or family members, and to decide what constitutes a “predictable” or “flexible” schedule. In short, working people gain nothing from this bill, and they would lose the certainty and stability that fair work scheduling and paid sick time laws provide. Employers are the only ones who receive flexibility under this bill—the flexibility to prevent employees from using their paid leave or from receiving reliable information about their work schedules.

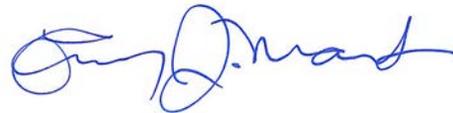
There are many legislative solutions to provide economic security for working people – and H.R. 4219 is not one of them. If members are truly interested in improving workplace flexibility and providing economic security for working people, we urge them to support fair work schedules legislation like the Schedules that Work Act (H.R. 2942), and paid sick days legislation like the Healthy Families Act (H.R. 1516) instead. These proposals provide protections to workers, unlike H.R. 4219, which only serves to remove state and local workplace protections.

Corporations should not be allowed to decide when and if they comply with state and local laws. Multi-city and multi-state employers already comply with different rules and different wage requirements in different locations, including wage and hour and zoning laws as well as paid sick days and fair scheduling laws. Employers seeking to simplify compliance should create company-wide policies that adhere to the strongest workplace standards across the board. And Congress should respect the ability of voters and their elected representatives to pass state and local laws that protect working people in their communities—not create ways for corporations to evade those laws, as H.R. 4219 would do.

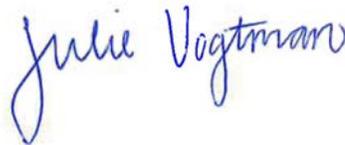
For all of these reasons, we urge you to **reject H.R. 4219**.

If you have any questions, please contact Julie Vogtman at the National Women’s Law Center (jvogtman@nwlc.org). Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Emily Martin".

Emily Martin
General Counsel and Vice President of
Workplace Justice

A handwritten signature in blue ink, appearing to read "Julie Vogtman".

Julie Vogtman
Director of Job Quality and Senior
Counsel