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POLICY BRIEF

# MAKE SCHEDULES WORK: GIVE WORKING PEOPLE MORE CONTROL OVER THEIR WORK HOURS

## THE PROBLEM

Nearly 21 million people work in the lowest-paying jobs in the U.S. and close to **two-thirds of these workers are women**, disproportionately women of color. Many low-paid jobs that are primarily held by women—such as restaurant servers, maids and housekeepers, and cashiers—are marked by work schedules that are often unpredictable, unstable, and inflexible. “Just-in-time” scheduling practices mean employees frequently have little notice of their work schedules, experience last-minute shift cancellations that deprive them of vital income, and are assigned to “on-call” shifts that leave them in limbo, not knowing whether they will be required to report to work. Scheduling challenges are often compounded for **part-time workers**, who frequently face even more erratic work hours—as well as lower wages and fewer benefits—than their full-time counterparts.

Volatile job schedules undermine workers’ efforts to make ends meet and care for their families—especially for women, who still shoulder the bulk of caregiving responsibilities. **Black women and Latinas are particularly likely to be both breadwinners and caregivers for their families**, and also are **more likely to experience scheduling instability** than their white counterparts. Research shows that working conditions that **increase parents’ stress**—including unstable and unpredictable work hours—can **undermine children’s well-being**. At the same time, these scheduling practices make it **hard for families to arrange and afford high-quality child care**, or to secure the care they need to manage a health condition or disability. Volatile work hours also produce volatile incomes, making it difficult for working families to budget for expenses and **increasing their exposure to economic hardship**, including hunger and housing insecurity. Unpredictable schedules can also prevent workers from holding down a second job, or from pursuing education and workforce training that could help them advance in their careers.

Employer practices that produce unstable and unpredictable work hours are problems that pre-date the pandemic and economic fallout caused by COVID-19. But the **harm of these workplace practices was exacerbated** as millions of workers risked their own health and safety at jobs with few protections, volatile schedules, and inadequate hours in an effort to support themselves and their families.

## THE SOLUTION

States should pass laws that provide employees with stability and predictability in their schedules, and input into the hours they work. Such fair scheduling laws can help millions of working people meet their obligations at work while fulfilling responsibilities in the rest of their lives. **Fair workweek laws have already been enacted** in cities like Seattle, New York City, Philadelphia, Chicago, Los Angeles, and San Francisco, as well as the state of Oregon. These policies generally are targeted to combat just-in-time scheduling practices where they are most prevalent, including large employers in food service, retail, hospitality, and other service-sector industries.

## BASIC ELEMENTS OF THE SOLUTION

- Provide all employees with the right to request changes to their work schedules, including flexible working arrangements, without fear of discrimination or retaliation by their employers.
  - Require covered employers to:
    - Provide employees with at least two weeks' advance notice of their work schedule and a good faith estimate of their typical work schedule before they begin employment.
    - Compensate employees for last-minute changes to their schedule, including additions or reductions in hours, cancellations of regular shifts, and on-call shifts.
    - Provide a minimum amount of rest time between shifts to discourage “clopening”—when an employee works a closing shift followed by an opening shift—and pay employees a higher rate when they consent to work without the minimum rest time.
    - Offer additional available work hours to existing qualified employees before hiring new employees to work those shifts. Giving existing employees access to additional hours promotes more adequate pay for part-time employees and full-time work for those who want it.
  - For jobs that require substantially similar skills, responsibilities, and duties, require employers to treat part-time and full-time employees equally, including with regard to wages, ability to accrue benefits, and eligibility for promotions.
- plan transportation, child care, doctor’s appointments, and other obligations so that they can consistently be at and stay at work—which in turn creates a more stable, reliable workforce for businesses and generates [cost savings](#) from [reduced turnover](#).
- Research shows that fair workweek policies are effective. [A study in Emeryville, Calif.](#), found that after the city’s fair workweek policy went into effect, covered workers reported a significant decrease in schedule instability, along with improvements in family well-being. In Seattle, researchers similarly found that workers covered by the Secure Scheduling Ordinance experienced [more predictable schedules and improved well-being](#) and financial security.
  - Fair workweek policies are popular. In a 2022 survey, [80% of people in the United States](#)—including 83% of all women and [77% of Republican women](#)—support a policy that would grant workers the right to request a work schedule change without fear of retaliation and require employers to provide at least two weeks’ notice of work schedules for workers in jobs with variable hours.

## TALKING POINTS ON THE SOLUTION

- Volatile work schedules are all too common: [nearly two-thirds of service sector workers](#), and [more than one-third of all workers](#), report having less than two weeks’ notice of their schedules. Women of color face an especially high risk of experiencing just-in-time scheduling practices.
- Unpredictable work schedules make it [more difficult for people to get the health care they need](#), which can be especially problematic for workers who are managing disabilities and for women, who often coordinate health care for loved ones as well as themselves. Abortion can be particularly hard to access, since workers living in states with bans may need to plan travel—and even in states where abortion is legal, waiting periods and other restrictive laws can still force people to schedule multiple clinic visits.
- New research shows that [unpredictable schedules also can exacerbate the gender pay gap](#), in part due to conflicts with women’s caregiving responsibilities outside of work.
- Predictable work schedules make it easier for employees to