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Testimony in Support of HB 2193: Fair Scheduling Practices
Submitted by Kate Newhall, Family Forward Oregon

Thank you for the opportunity to provide testimony in support of HB 2193, which would protect many employees from unfair scheduling practices that undermine their ability to provide for themselves and their families. These protections are particularly important to women, who make up nearly 65% of the 271,200 workers in Oregon's low-wage workforce¹ – where these scheduling practices are most common.

Unpredictable scheduling happens in a number of ways. It happens when employers give their employees a work schedule with just a few days, or hours, notice. It can also mean receiving a work schedule that is subject to frequent changes with little notice, disrupting an employee's out-of-work responsibilities and, often, childcare. When workers don't have access to work arrangements that allow them to care for themselves and their family, many get pushed out of the labor market or into jobs that are below their skill level. This is particularly true for women who are more likely to be in part-time, low-wage work, in part because unfair scheduling has forced them to choose between work that meets their full earning potential or that meets their family caregiving responsibilities. Flexible working also allows individual employees to find practical solutions to work-family balance issues while taking into account employers' business needs.

Unfortunately, many low wage and hourly workers in our state are unable to predict when they will work, how many hours they will get per week and what kind of paycheck they can expect. This is, in part, because large employers have increased the use of "just in time" scheduling and other mechanisms to reduce staffing at the cost of employee's well-being and financial stability. Unfair scheduling causes pay and scheduling instability for employees that has far reaching effects on short and long-term economic security, health and children's outcomes - it prevents employees from being able to predict their earnings, it makes it difficult for employees to schedule health and other needed appointments for themselves and loved ones, it prevents employees from holding a second job or pursuing education goals, and it prevents parents from planning for consistent and quality child care, meaning children are often put in irregular and unpredictable care situations.

Oregonians are not just workers but also family members, caregivers, and contributing members of their communities who need to be able to rely on regular schedules, have the opportunity to arrange work schedules around some caregiving responsibilities, and to predict their paychecks. For some families that might be the ability to have a flexible

¹ National Women's Law Center in the Low-Wage Workforce by State. 2014. Retrieved February 23, 2017 from: http://www.nwlc.org/sites/default/files/pdfs/final_nwlc_lowwagereport2014.pdf

schedule, so that they are able to meet caregiving needs at home. For other families, it may mean that they need a predictable schedule, so that they are able to keep their child in regular and consistent childcare. Oregon employees currently have no job protection for requesting a more flexible schedule or an alternate work schedule. All too often they never even make the request for fear of retaliation. No employee should fear this type of retaliation, especially when it's possible that the employer and employee could agree to a mutually acceptable work schedule.

We believe HB 2193 is a reasonable approach to addressing some of the worst types of scheduling practices. While the main provisions only apply to large employers in specific industries (retail, hospitality and food service), we think it's a targeted approach that will have a direct and positive impact on thousands of workers who struggle most with unfair scheduling practices. Low wage, hourly workers struggle with a range of pay and time management barriers that directly impact their economic security and ability to meet their basic family caregiving responsibilities. Family Forward Oregon believes that workers should have adequate advance notice of their schedules, be guaranteed some measure of predictability in their schedules and be protected from retaliation for requesting an alternate work schedule. We support HB 2193 because it will improve how employee schedules are managed with the goal of making it possible for employees to reasonably predict their pay and plan their lives.