



## Another Study Urges Restricting Employers' Scheduling Options

Insights

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As we anticipated, another report – this one from DC Jobs With Justice, the Jobs With Justice Education Fund, the DC Fiscal Policy Institute, and the Georgetown University Department of Government – asserts that District of Columbia employers are imposing "erratic and unpredictable hours" for their workers in an effort to "boost corporate profits and keep labor costs low."

"Unpredictable, Unsustainable: The Impact of Employers' Scheduling Practices in D.C." focused mainly upon what the report described as the "retail and restaurant/food-services industries." The contents were said to be based upon a 361-person sample of responses to a survey (that did not accompany the release) conducted by unidentified canvassers earlier this year.

### "Just-In-Time" Scheduling Decried

The problem (the report says) is that employees' schedules are "changed frequently in an attempt to match customer foot traffic, reservations, or sales volumes." Among the ills the authors perceive in this are that:

- Employees do not get enough advance notice of their schedules;
- Schedules might change on short notice or might be cancelled, or employees might be sent home early;
- Employees might have to work a split-shift, or be on-call or in call-in status, or "stick around" after shift's-end if things are busy.

Interestingly, it is apparently a bad thing that employees hired as part-timers might be expected to work full-time hours on occasion, but on the other hand it is also a bad thing that part-time employees have "limit[ed] options" to "get full-time hours."

### Unsurprising Conclusions, Recommendations

Predictably, the authors conclude that "too many" employees' "lives must be planned day to day, week to week around unpredictable work schedules that provide too few hours for jobs that pay too little." Sprinkled-in among soothing terms like "common-sense", "fair", and "encourage" is the policy prescription that the D.C. Council should pass requirements ensuring advance notice of schedules and schedule stability that, presumably, will be satisfactory to the authors.

Such measures can be adopted "without burdening employers," says the study. For one thing, "it is not clear that erratic, unpredictable schedules are a business necessity." The study does not say how "business necessity" became the standard or why a local government is able to, or even should, make this judgment.

And, in any event, "[e]mployers will simply need to use their sophisticated scheduling software in a more responsible manner - an adjustment, according to scheduling software makers, that is already possible." Problem solved!

### **The Bottom Line**

Employers in many other states and localities should expect to see similar initiatives and supporting viewpoints in coming months.

Furthermore, industries outside of retailing, restaurants, and food-service should understand that new laws and regulations along these lines are also likely to affect *their* operations.