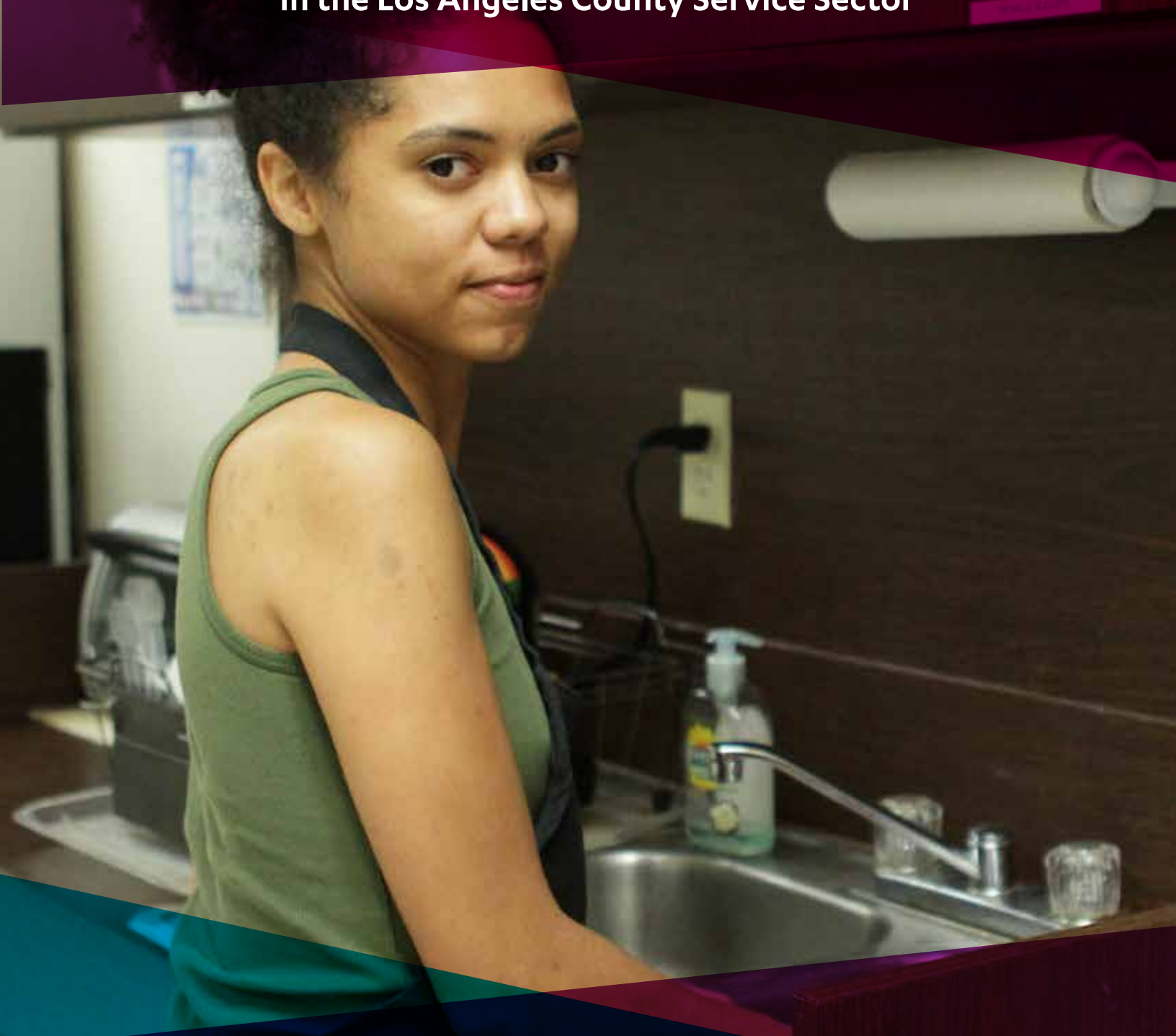


JUGGLING TIME

Young Workers and Scheduling Practices
in the Los Angeles County Service Sector



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About the Young Workers Project

The Young Worker Project uses participatory action research to document and disseminate the experiences of young workers in Los Angeles employed in low-wage industries like restaurant, retail, grocery, health, hotel/hospitality, and customer service. The purpose of this project is to increase the capacity of young workers, students and youth and worker advocates to conduct research and publicly promote findings and recommend best practice strategies based on their experiences in the low-wage service sector economy. Ultimately, our goal is to impact policies that will increase wages and promote equality and mobility among young workers within the current Los Angeles labor market.

Share your story: I am a #youngworker

About the UCLA Labor Center

For almost fifty years, the UCLA Labor Center has created innovative programs that offer a range of educational, research, and public service activities within the university and in the broader community, especially among low-wage and immigrant workers. The Labor Center is a vital resource for research, education, and policy development to help create jobs that are good for workers and their communities, to improve the quality of existing jobs in the low-wage economy, and to strengthen the process of immigrant integration, especially among students and youth.

About the Center for Law and Social Policy (CLASP)

CLASP is a national, nonpartisan, anti-poverty organization that has been advancing policy solutions that work for low-income people for nearly 50 years. CLASP advocates for public policies and programs at the federal, state, and local levels that reduce poverty, improve the lives of poor people, and create ladders to economic security for all. We identify and break down barriers that hold people back due to their race, ethnicity, immigrant status, geography, or low incomes. We look for large-scale opportunities to improve federal and state policy, funding, and service systems, working back and forth between levels of government to achieve maximum impact. CLASP brings state and local innovations to the federal level and translates federal legislation and regulation into ambitious game plans for state and local change.



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Executive Summary

Young workers are a vibrant and critical part of the Los Angeles County service economy. Almost a third of young workers are employed in retail stores or restaurants.¹ They are the faces that greet us in coffee shops, fast food establishments, retail shops, and grocery stores. In the UCLA Labor Center's *I am a #YOUNGWORKER* report (henceforth referred to as "young worker study") of young workers (ages 18–29) in LA County service jobs, respondents cited unstable work schedules as a pressing issue on the job and in daily life.² Erratic scheduling practices, such as unpredictable schedules, lack of advance notice, lack of input, and on-call scheduling, occur in multiple industries; however, they are particularly prevalent in service jobs dominated by young people. National studies show that erratic schedules create significant challenges for low-wage workers, including work-family conflict, poor health outcomes, emotional stress, difficult childcare arrangements, parenting struggles, inconsistent school attendance, and income volatility.³ This report expands on the findings of the *I am a #YOUNGWORKER* report and explores how young workers experience scheduling practices in retail and restaurant jobs.

Young Workers Face Volatile and Unpredictable Scheduling Practices

Scheduling practices have a big impact on young workers' personal and work lives—and often not for the better. Our research found that erratic and volatile scheduling practices are very common, leading to instability in workers' lives and incomes:

- Nine in 10 young workers lack a set schedule.
- Among young workers, 88% receive less than two weeks' notice of schedules; more than 40% receive less than one week's notice.
- Work hours fluctuate week by week for 82% of young workers.
- More than half (51%) of young workers say that they have performed on-call work in the past year.
- The vast majority (96%) of workers experience at least one challenging scheduling practice—on-call work, lack of advance notice, or fluctuating schedules—and more than a third (38%) experience all three.
- These challenges are greater for the youngest, newly hired, African American workers and students.

Young Workers Lack Voice and Experience Difficult Scheduling Dynamics

Under existing law, few rules govern employers' scheduling practices. As a result, individual businesses are largely free to determine their scheduling practices and policies. While some employers are accommodating and responsive, too many young workers lack the power to negotiate schedules that meet their needs, have little voice on the job, and risk negative repercussions when they do raise their voices:

- One in four young workers has no input into the scheduling process, and half only sometimes have input into their schedules.
- Nearly 40% have their hours reduced without their input or consent.
- More than one in five find out about canceled shifts on the same day they are scheduled to work.
- More than half (60%) work part time, a majority of whom (79%) would like to work more hours.
- Almost a third of workers (29%) reported that their managers were not understanding when the workers called in sick, while 20% had their hours reduced for calling in sick or taking time off.
- Most (93%) young workers struggle with at least one of five challenging scheduling dynamics—lack of input into schedules, schedule changes without consent, last minute shift cancellations, inadequate work hours and pay, and reduced hours when they called in sick or asked for time off.

Young Workers Want Better Scheduling Practices

We asked young workers what aspects of their jobs they would change. Many young workers highlighted concerns related to volatile schedules and insufficient hours. They recommended the following changes in scheduling practices to improve the workplace:

- Have greater access to full-time hours to make ends meet and qualify for certain employer- provided benefits.
- Gain more control over and input into their schedules.
- Create more responsive scheduling, such as accommodating workers' requests.
- Receive advance notice of schedules and consistent or set schedules.
- Have more respect on the job.
- Increase fairness, such as freedom from retaliation and favoritism, in the scheduling process.

Toward a Fair Scheduling Policy Solution

Based on these findings, there are policy solutions that could address the specific concerns described by young workers in the study:

- Provide three weeks' advance notice and "predictability" pay (i.e., premium pay) for last-minute schedule changes.
- Pay for a minimum number of hours for on-call shifts.
- Provide an estimate of hours per week and schedule at time of hire.
- Offer available hours or shifts to existing part-time workers prior to hiring new staff members.
- Give workers the right to request scheduling changes and accommodations without fear of retaliation.
- Pass and/or strongly enforce paid sick day laws that include protections against retaliation.





Introduction: Impact of Scheduling on Young Workers' Lives

Over a quarter of all Los Angeles workers are young people.⁴ They are a core part of our economy, yet they are concentrated in service sectors, such as retail and restaurant, that have a high proportion of low-wage jobs. Many assume young people work part-time or for pocket money; however, in the young worker study, nearly half (48%) of respondents give part of their income to support their families, and many use their income to pay for rent (65%), household expenses (75%), and tuition (43% of students), among other necessary expenses. The instability and uncertainty that characterize young workers' schedules make it difficult to budget for classes, childcare, or household expenses, can generate work-family conflict, and increase stress.⁵ Conditions of employment early in life play a central role in shaping future earnings and career trajectories, with lasting consequences on economic security and earnings inequality. Instead of treating young workers as disposable or exploitable, we should meet their need for fair schedules: greater control, more predictability, access to more hours, and fair compensation when they are required to be flexible.

In addition to challenging work schedules, many young workers juggle school obligations too. More than one-third of respondents in the young worker survey attend a postsecondary program with over half enrolled at a community college. With higher education costs rising, more than half of all undergraduate students nationally are employed full or part time.⁶ US Census data show that one-third of all LA County young workers (ages 18–29) are either high school or college students.⁷ Low salaries, unpredictable

hours, and unstable wages also push young workers to rely on loans; one-quarter of those surveyed in the young worker study reported an average of almost \$20,000 in educational debt. Faced with the demands of work and school, a growing number of young workers struggle to perform in school; this often delays graduation or leads them to drop out.⁸

In addition to the significant number of young workers with school responsibilities, nearly one in five young workers in LA County is a parent. For working parents, unpredictable schedules, nonstandard work hours, and fluctuating earnings can be particularly stressful.⁹ Unstable hours and income can make quality childcare less affordable and more difficult to find and maintain. Often, childcare providers cannot accommodate workers' shifting childcare needs; many providers cannot afford to forgo payment on days when parents' shifts are canceled or hold spots open when parents' work hours are reduced. For parents who rely on public assistance to cover the high costs of childcare, volatile schedules make it difficult to maintain eligibility.¹⁰ And many parents do not juggle just work and family but also school. Nationwide, 30% of community college students are parents.¹¹

With these challenges in mind, this brief details the erratic scheduling practices young workers in Los Angeles County experience; examines the dynamics between workers and employers that drive unfair scheduling practices, such as favoritism, lack of opportunity to negotiate, and retaliation; and proposes a set of solutions to improve scheduling practices and young workers' lives.

Methodology

Survey and interview data are based on the UCLA Labor Center report and survey *I am a #YOUNGWORKER: Retail and Restaurant Workers in Los Angeles*. A team of UCLA students and young workers from the restaurant and retail sectors collected 559 surveys and conducted 30 interviews between August 2014 and May 2015. The survey and interviews explored workplace conditions, work-life-school balance, scheduling, and finances. While the report included a section on scheduling, this brief delves deeper into the scheduling practices and dynamics experienced by young workers in Los Angeles. In *Juggling Time: Young Workers and Scheduling Practices LA County Service Sector*, we analyzed these interviews and data, expanded the literature review, and conducted an analysis of existing and pending policies on the state and national fronts related to scheduling.



1. Scheduling Practices: Young Workers Experience Volatility and Instability

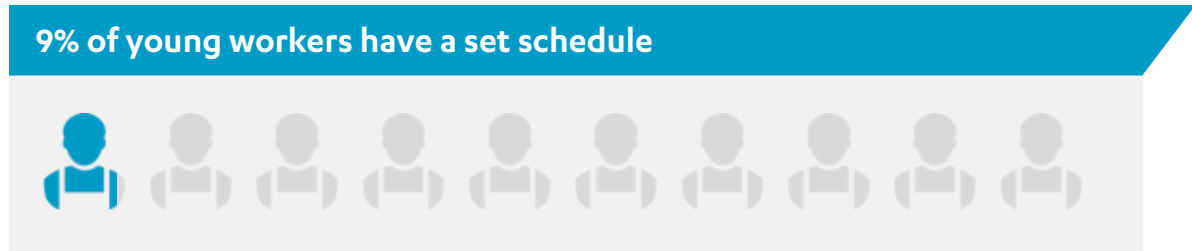
Some common scheduling practices that wreak havoc on workers' lives include lack of advance notice, fluctuating hours, and on-call shifts. Below, we describe survey findings for each of these practices and analyze how the experience of one or more of them affects workers with varying characteristics.

a. Lack of advance notice of work schedules

In the young worker study, only 9% have a set schedule. Only 12% of workers receive more than two weeks' notice, and 43% of respondents receive their schedules less than one week in advance. Very few workers can count on stable, predictable hours from week to week.

Many workers are also expected to clear their schedules for any potential shifts or to maintain what is referred to as "open availability." A 26-year-old female grocery worker described having to be "open to whatever [shifts her employers] need, any days they need to be filled."¹² Those who cannot maintain open availability face negative consequences, like this 21-year-old male retail worker recalls that not having "open availability" resulted in his demotion: "I also got demoted for not having an open availability. So that really takes effect on my work because if they don't like my availability, they have the power to demote me to a regular worker instead of a manager."

Figure 1: Workers with Set Schedules



Source: I am a #YOUNGWORKER report 2015

Figure 2: Schedule Notification for Those without a Set Schedule



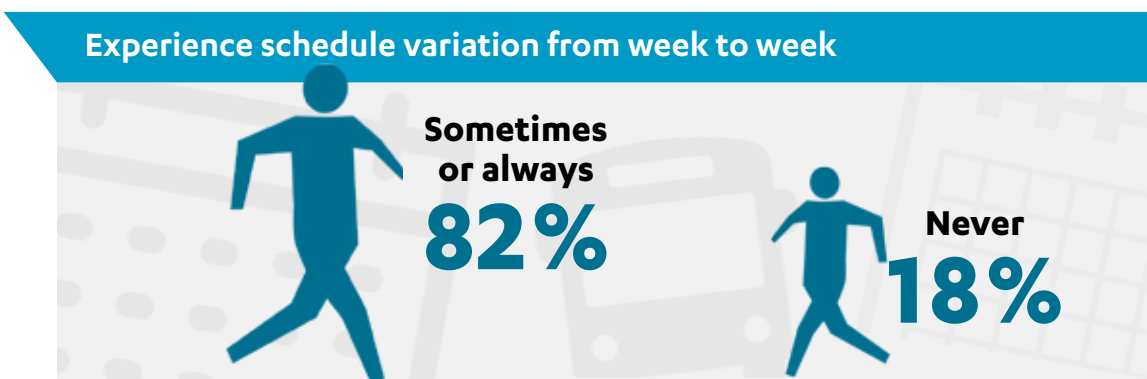
Source: I am a #YOUNGWORKER report 2015

b. Fluctuating hours week by week

Inadequate advanced notice is particularly challenging, and many workers have little expectation that their hours will be consistent from one week to the next. A national study of early-career workers found that among part-time hourly workers, 83% experience hours that fluctuate by an average of 11 hours per week. Among this group of workers, hours range between a mean of 17 hours on the low end and a mean of 28 hours on the high end.¹³

Our survey bore out the national trend: 8 out of 10 young workers reported that some or all of the time, their total hours vary from week to week. A 23-year-old male grocery worker described his schedule: “It’s never the same . . . [It’s] always different. You never get too used to it because when you are used to it, that’s when they change [it].”

Figure 3: Frequency of Schedule Variation Week by Week



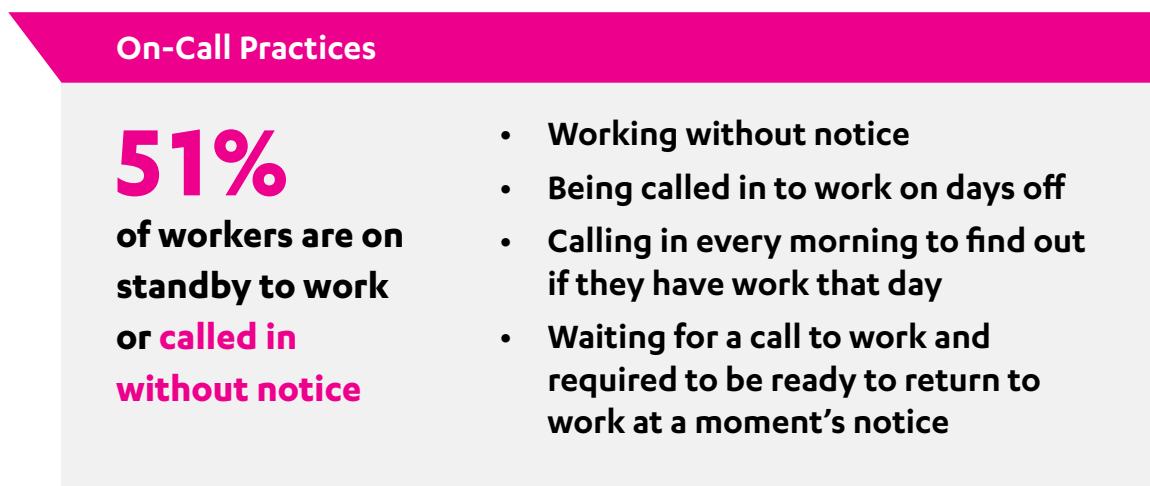
Source: I am a #YOUNGWORKER report 2015

c. The practice of on-call work

Workers who are on call are required to be on standby—ready to work or cover a shift with very little notice. Growth in on-call work is attributable in part to the growing use of scheduling software, technology that can adjust workers’ schedules week by week or hour by hour to match customer flows.¹⁴ When used well, scheduling software can facilitate worker input into scheduling and increase stability for workers.¹⁵ Yet too often, employers misuse this software, resulting in erratic schedules and earnings for workers who have little say in the timing of their shifts.

More than half (51%) of young workers say they have performed on-call work in the past year, dramatically more than the California average of just 19% for workers of all ages and industries.¹⁶ On-call work places stress on workers because they cannot make plans, must change plans with little notice, or need to say no to their employers and risk retaliation. According to recent analyses, strain from irregular and on-call work increases work-family conflict.¹⁷ A 20-year-old male fast food young worker summarizes the family disruptions on-call scheduling causes and his lack of recourse: “If [the employer] need[s] help, they usually call you. Sometimes it’s hard when you are already doing something family related.” The worker explained that refusing a last-minute call-in shift would not necessarily lead to termination, but he was wary of the impression it would make: “It gives them a bad taste listening to that.”

Figure 4: On-Call and Last-Minute Scheduling Requests



Source: I am a #YOUNGWORKER report 2015

d. Multiple challenging scheduling practices

Volatile scheduling practices lead to instability in workers’ lives and incomes. Based on existing research and this survey, we have categorized certain scheduling practices as better and others as challenging.

- **Challenging scheduling practices:** less than two weeks’ notice, on-call shifts, and schedules that fluctuate from week to week.
- **Better scheduling practices:** two weeks’ or more notice or a set schedule, no on-call shifts, schedules that do not fluctuate from week to week.

The vast majority (96%) of workers experience at least one challenging scheduling practice and more than a third experience all three. More than 40% of young workers experience two challenging scheduling practices, while just 16% experience only one.

Figure 5: Young Worker Experiences of Challenging Scheduling Practices

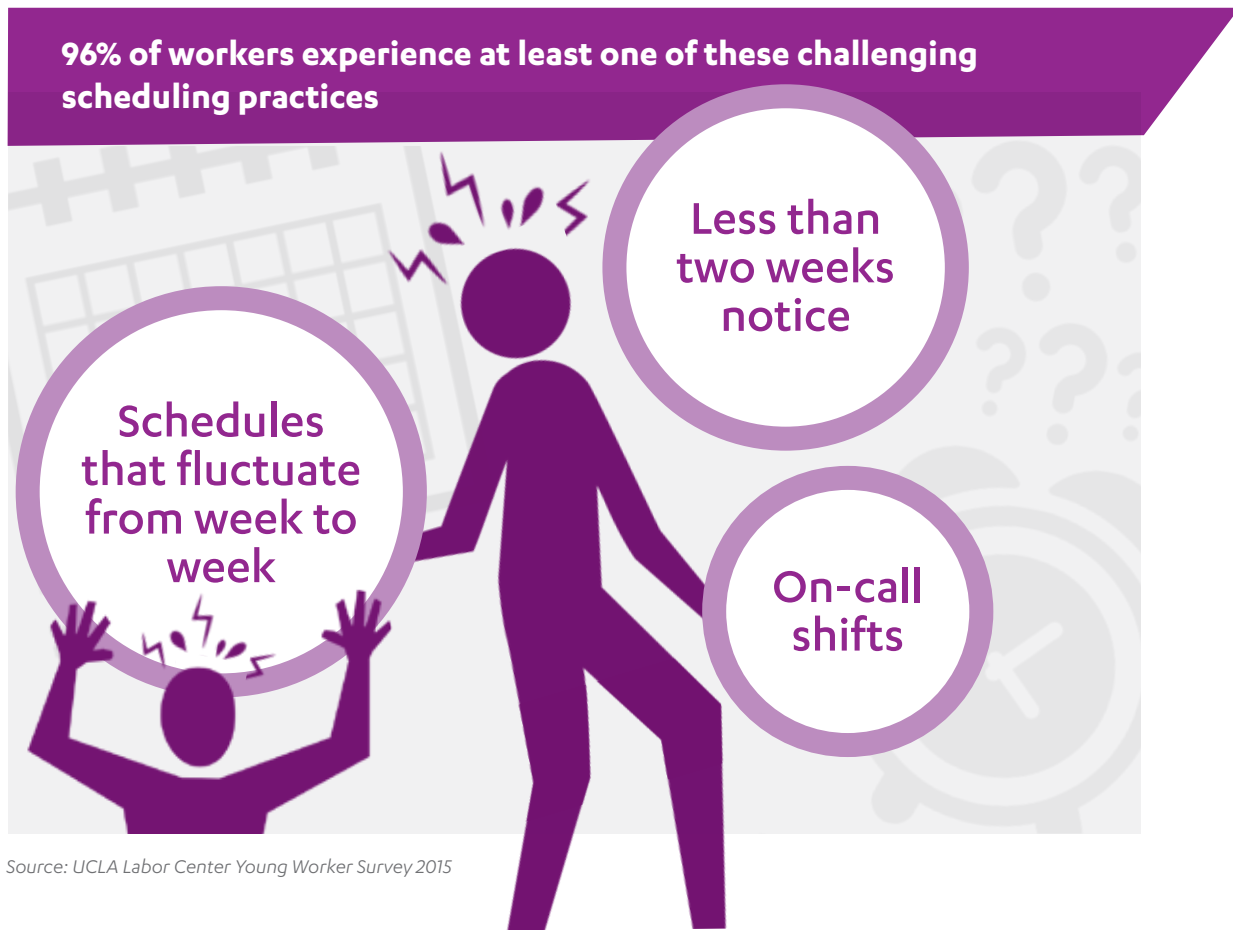


Table 1: Number of Challenging Scheduling Practices Experienced

3 challenging scheduling practices	38%
2 challenging scheduling practices	42%
1 challenging scheduling practices	16%
None of the challenging practices	4%

Source: UCLA Labor Center Young Worker Survey, 2015

While nearly all young workers in our survey experience some of these challenging scheduling practices, workers’ experiences vary depending on their characteristics. A young worker’s age and years in a given job appear to have the greatest effect on the likelihood of experiencing scheduling challenges.¹⁸ Four in 10 employees who have been at their jobs for three years or less experience all of the challenging practices; a quarter of those who have been at their jobs longer continue to confront these practices. Furthermore, almost half of the youngest workers (ages 18–22) experience all three challenges, compared with less than a third of other young workers.

There are correlations between other worker characteristics and challenging practices worth noting, though they are not statistically significant. For example, half of fast food workers experience all three

challenging scheduling practices, and grocery workers experience one or two of these practices at higher rates. While both full- and part-time workers are likely to experience at least one challenging practice, full-time employees are less likely to experience all three destabilizing practices. There are also differences based on race and ethnicity. Nearly half of African American young workers experience all three challenging scheduling practices, compared to 38% of white young workers.

Student workers also face considerable challenges, struggling to meet academic demands while their employers afford them few accommodations. Almost half of the students in our study experience all three challenging scheduling practices. As a result, many student workers engage in a constant tug of war between school and work, and school often forego needed sleep to make both aspects of their lives work. For example, 21-year-old female fast food worker: “To go to school, we need to pay for our books and classes and if we work, we don’t get enough hours, but we still go because we need the money. While we know that school is a priority, work isn’t flexible, and we have to take what we get.” A 23-year-old female restaurant worker says the need to earn more money can inadvertently divert her attention from what she feels matters most: “Sometimes [it] makes me forget that I’m still a student . . . I’m dedicating hours to work when it really isn’t my priority at all.” A 21-year-old male student retail worker also knows this struggle, explaining, “I would work more to pay [tuition] but also I would take away time from my studies, which affected me and my first quarter’s GPA.”



Table 2: Challenging Scheduling Practices by Select Job and Worker Characteristics

		No challenging scheduling practices	1 or 2 challenging scheduling practices	3 challenging scheduling practices
All Workers		4%	58%	38%
	Retail	7%	59%	33%
	Grocery	0%	64%	36%
	Restaurant	2%	58%	40%
	Fast food	2%	46%	52%
Tenure at job	Less than 3 years	3%	55%	42%
	More than 3 years	27%	65%	27%
Work hours	Less than 35 hours	4%	55%	41%
	35 hours or more	4%	64%	32%
Age	18–22	3%	48%	49%
	23–29	5%	65%	30%
Gender	Female	4%	57%	39%
	Male	5%	59%	36%
Race	White	1%	61%	38%
	Black	3%	50%	47%
	Latino	6%	57%	37%
	Asian	2%	66%	32%
	Other	0%	43%	57%
Student	Student	4%	50%	46%
	Not a Student	4%	63%	33%

Source: UCLA Labor Center Young Worker Survey 2015



2. Scheduling Dynamics: Young Workers Lack Voice and Power on the Job

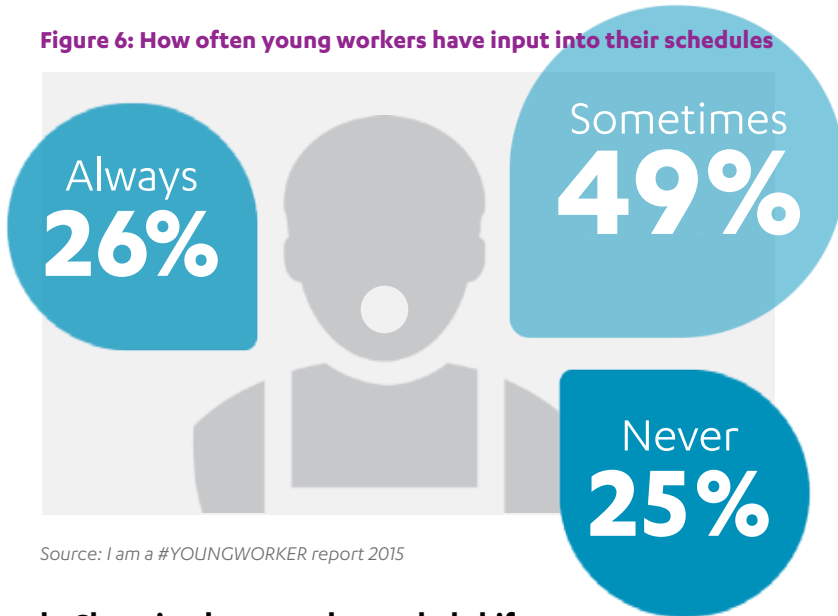
With few regulations governing employers' scheduling practices, workers' experiences of scheduling depend almost entirely on individual business practices and policies. While in some cases employers are accommodating and responsive, too often young workers find they lack power to negotiate schedules that meet their needs, have little voice on the job, and risk negative repercussions when they do raise their voices. Young workers in our survey report that rather than adopting fair and consistent policies, many employers allow favoritism and retaliation to shape their scheduling practices.

a. Lack of input into schedules

One in four young workers is entirely without a voice in the scheduling process, while half of young workers only sometimes have input into their schedules. In interviews, workers recounted their managers' arbitrary lack of regard for their scheduling needs. A 29-year-old male retail worker explained that his manager "just did not like me" and as a result, "he would always schedule me out of availability, say[ing] that company needs versus my availability didn't match or meet. It was bogus because I had [my availability] in line with what the company was asking."

Lack of input into scheduling can be particularly challenging for workers with multiple obligations outside of their jobs. For example, student workers often feel like they have to accept their assigned work schedules and sacrifice their commitment to school because their supervisors leave no room for input into their schedules. A 23-year-old female grocery worker explained, “I don’t want to keep working the night shift because it is very hard to then go to school the next day but my manager wouldn’t understand that.” She continued, “I had no other option because I wasn’t getting any other days . . . The only days [my supervisor] was giving me were the night shifts . . . I needed the money because I needed to pay my rent.”

Figure 6: How often young workers have input into their schedules

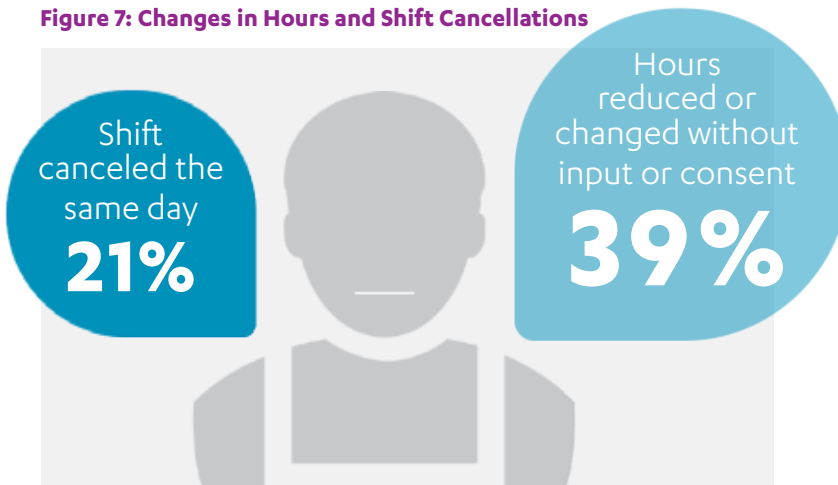


Source: I am a #YOUNGWORKER report 2015

b. Changing hours and canceled shifts

Roughly 4 in 10 young workers report that their managers change or reduce their hours without asking for their input. Many workers are given virtually no notice that they will not be working as planned. Indeed, 21% of young workers report having a shift canceled on the same day they were scheduled to work.

Figure 7: Changes in Hours and Shift Cancellations



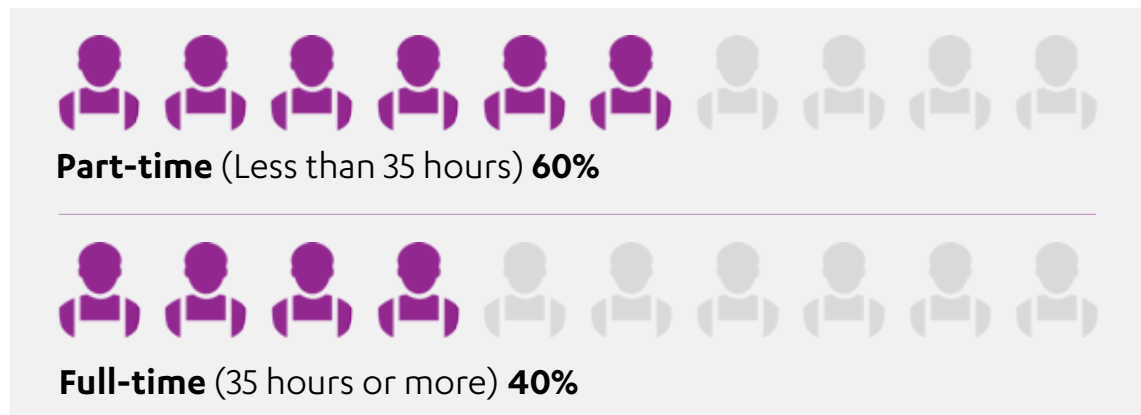
Source: I am a #YOUNGWORKER report 2015

c. Insufficient hours

Nationwide, involuntary part-time work—when workers are employed part-time despite wanting full-time work—is a significant challenge. Nearly 6 million workers were working part time involuntarily in September 2016.¹⁹ The number of involuntary part-time workers peaked around 9 million during the “Great Recession” from 2007–2009. Though the number has declined during the recovery, it remains elevated.²⁰

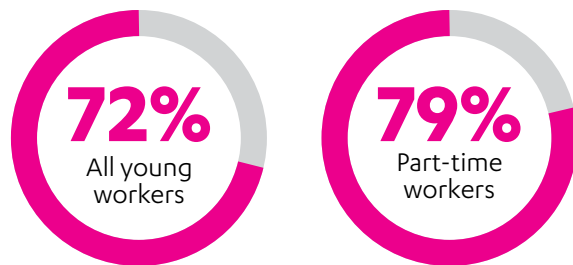
About 60% of young workers in our survey work part time. Some young people want to work part time, but many need more hours either as part-time or full-time employees. In our survey, nearly three-quarters of young workers report wanting to work more hours to earn more money.

Figure 8: Full-time and Part-Time Work Status



Source: I am a #YOUNGWORKER report 2015

Figure 9: Young Workers Who Want More Hours



Source: I am a #YOUNGWORKER report 2015 / Source: UCLA Labor Center Young Worker Survey 2015

Too often, employers hire additional part-time employees instead of giving existing workers the additional hours they need. A 19-year-old male fast food worker lamented, “Employees need more hours. When employees quit, the employer doesn’t share the hours with the employees, she just hires more employees. Last month two people quit and instead of hiring two people, [the manager] hired three. I had to work for five days, but she cut my hours to two days. Now everybody has one day less. We do delegations to ask for hours back.”

Inadequate access to hours can also mean fewer benefits. A 23-year-old female grocery worker described missing out on health insurance, paid vacation, and other employer-provided benefits because these were reserved for full-time workers. She also noted that in some instances, “we are [classified as] part

time . . . even though we work 39 hours, and at the same time, you can be [classified as] full time and still be working part-time [hours]. It depends on what they have you down [as on] paper.”

Pressure on managers to reduce workers’ hours may lead to chronic understaffing in some retail and restaurant settings. In a study of one major retailer’s scheduling practices, 44% of managers said that labor budgets were difficult to reconcile with minimum staffing needs in their stores, compromising customer service.²¹ One effect of this pressure may be that workers do not receive the breaks they need—and have a legal right to receive.

In interviews, many young workers report not getting their breaks or getting them late. A 29-year-old male retail worker said that when he asked for a break because business was slow, the response was, “Do you really need to take a break today?” The worker said the response left her feeling bad for even asking for a break. Another 24-year-old female retail worker was told by management to clock in and out for a break, “but I wouldn’t really have gone on my break; I would get it later. But because of the regulations they have to follow so they don’t get in trouble, I have to do that.”

d. Retaliation for sick time or other time off

All workers get sick eventually, and many workers have children, partners, elders, or other family members that require care when they become ill. Yet until recently, many Los Angeles workers lacked access to even a single paid sick day.²² At the time of our survey, nearly half of all workers in Los Angeles did not have access to paid sick days.²³ Without a law requiring employers to provide sick days and making it illegal for employers to retaliate against workers who take sick days, even workers with access to sick days are vulnerable to backlash when they make use of this basic right.

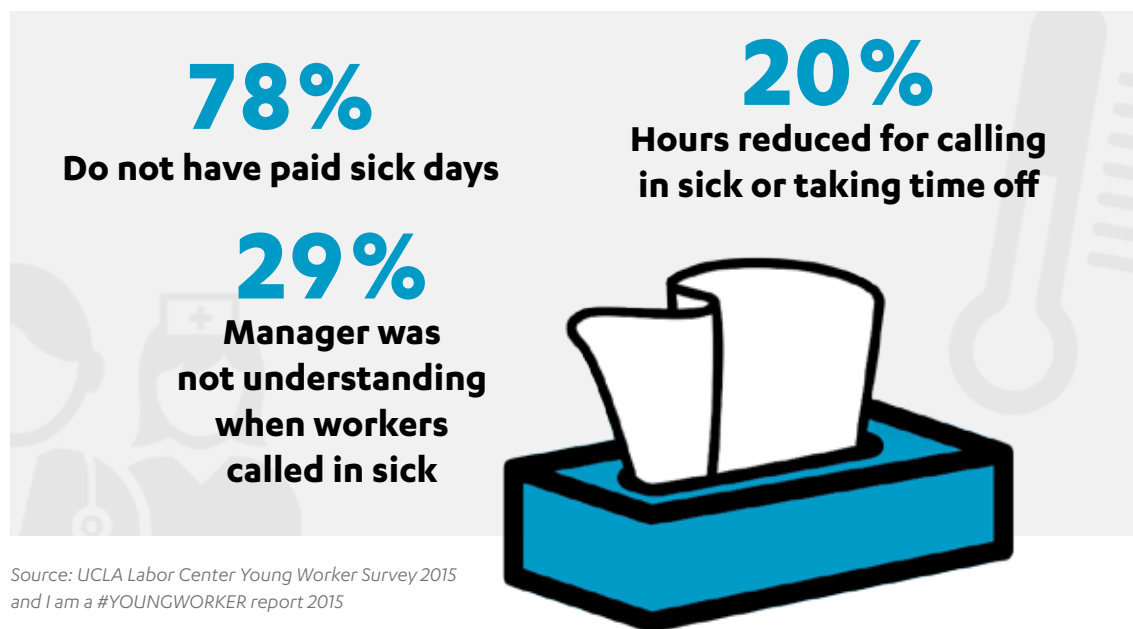
Respondents in our survey indicate that nearly 30% of the time, managers or owners are not understanding when employees call in sick or need time off for other reasons. A 20-year-old male fast food worker describes his manager’s lack of regard for not only the employee’s health but also the health of the restaurant’s customers. When the worker was sick with a sore throat, the manager said, “You work in the kitchen . . . You work with your hands, not with your mouth.” A 22-year-old female fast food worker said, “I just wanted [my manager’s] help getting my shift covered and he was just really hostile and not very responsive.” Also facing pressure to find someone to take her shift, a 26-year-old female grocery worker was ultimately reprimanded because the worker who had agreed to cover her shift did not show up.

Many workers face direct adverse consequences as a result of taking sick time or other forms of time away from work. Nearly 20% of young workers have had their hours reduced for calling in sick or taking time off. In interviews, young workers also described being “written up” for taking a sick day. Retaliation for taking time to recover from illness and or care for a sick family member is all too common nationwide. A national survey of low-wage workers found that one in seven has lost a job in the past four years for being sick or caring for sick family members.²⁴

Nearly one in five young workers in LA County is a parent. For working parents, unpredictable schedules, nonstandard work hours, and fluctuating earnings already pose obstacles to securing childcare, even on the best of days.²⁵ When a child gets sick, working parents must find (and pay for) emergency childcare or stay home and suffer loss of income or employment. Among low-wage working mothers in the same survey, one in five reported job loss due to illness or caring for a sick child.²⁶ Young working parents who are also enrolled in school face a particularly uphill battle when their kids get sick. A 24-year-old male

grocery worker explains: “I didn’t have a babysitter for that day, so I had to switch it or give the day away . . . so it was kinda hard for me to work, [go to] school, and have a kid.” Furthermore, even when he made an effort to find another co-worker to cover his shift there was fear of retaliation, he said: “[I]t’s unfair . . . because I have a kid I feel like I try to do what I can to get shifts covered . . . I try to change my schedule here and there . . . to make myself available as possible for them if they need help but I felt that it wasn’t appreciated and I feel that they saw it as a negative.”

Figure 10: Sick Days and Consequences of Requesting Time off



e. Scheduling and organizing challenges

Historically, collective bargaining through membership in labor unions has been central to workers’ ability to have a voice in the workplace. Yet today, only 7% of private sector workers in the United States are represented by unions.²⁷ Relative to the rest of the country, California has greater union density; however, only 15% of Los Angeles workers are organized, and just 9% of workers under 30 are in a union.²⁸ In our survey, only 1 in 10 respondents said they belonged to a union or worker center. (Worker centers are community-based, community-led organizations that engage in a combination of service, advocacy, and organizing to provide support to low-wage workers.²⁹) However, a strong majority said they would like to join one.

Some workers in our survey report that employers use their power over schedules to discourage organizing. A 22-year-old male fast food worker who joined the campaign to form a union in her workplace was warned by coworkers that management would “start cutting your hours, and a lot of times, they don’t even tell you. A lot of times, it just shows up in your schedule. They start cutting your hours or change your shift.” A 23-year-old male grocery worker said his hours had been cut when he complained about problems in the workplace. “It wasn’t worth it [because] economically, I’m not stable.” He says he and his coworkers are “scared to talk . . . They all need their hours.”

Without the power of collective bargaining—and with few other ways to have an influence on working conditions—a growing number of workers have little input into their schedules and often fear the consequences of simply asking for better working conditions.

f. Multiple challenging scheduling dynamics

Many young workers lack power in the workplace and control over their schedules, leaving them struggling to balance work and nonwork obligations and make ends meet. Based on existing research and this survey, we have categorized certain scheduling dynamics as “better” and others as “challenging.”

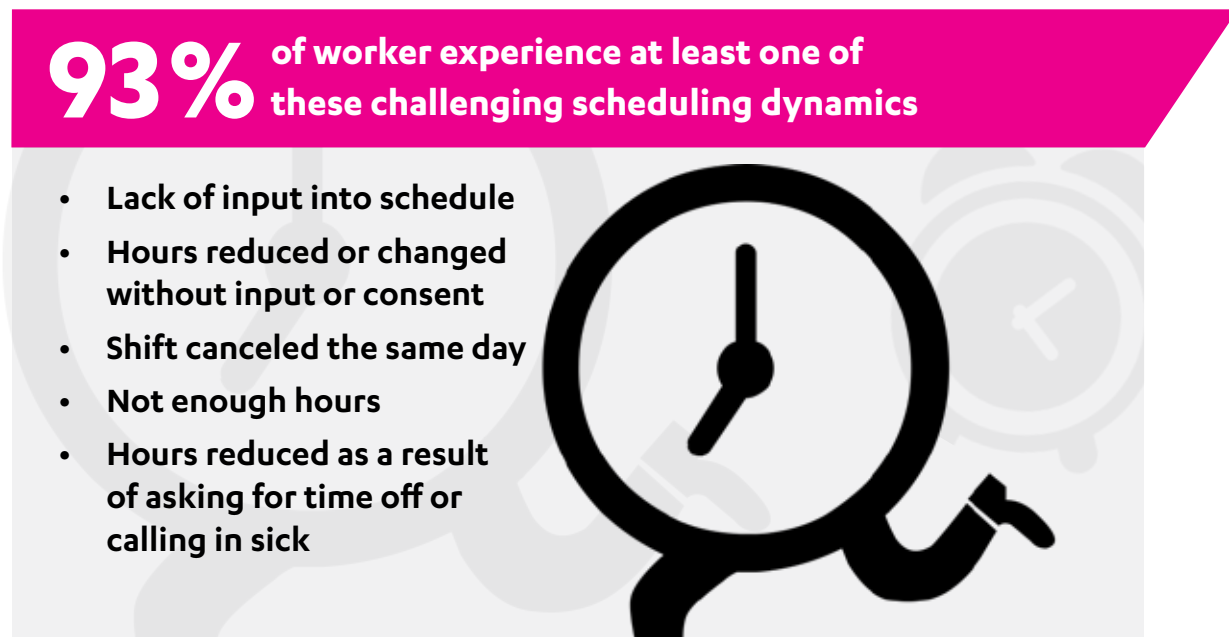
Table 3: Worker Control Over Schedule

	Better Practices	Challenging Practices
Allows input into schedule	Always	Sometimes or never
Reduces or changes hours without worker input or consent	No	Yes
Cancels shifts the same day	No	Yes
Provides inadequate work hours and pay	No	Yes
Reduces hours when workers ask for time off or call in sick	No	Yes

Source: UCLA Labor Center Young Worker Survey 2015

Many young workers face multiple challenging scheduling dynamics in their jobs; taken together, they create an incredible burden. Ninety-three percent experienced at least one of the above challenging dynamics in scheduling. More than half of young workers experience two or three challenges.

Figure 11: Experience of Challenging Dynamics



Source: UCLA Labor Center Young Worker Survey 2015

Table 4: Experience of Scheduling Control Dynamics

4–5 challenges	17%
2–3 challenges	56%
0–1 challenges	27%

Source: UCLA Labor Center Young Worker Survey 2015



3. What Young Workers Want—and the Policies to Get There

When asked what aspects of their jobs they would change, many young workers highlight concerns about volatile schedules and insufficient hours. Respondents in our survey say they want greater access to full-time hours (to make ends meet and qualify for certain benefits), more control over and input into their schedules, more flexibility, more consistent or set schedules, more respect on the job, and greater fairness in the scheduling process. For example, workers wanted respite from favoritism in the scheduling process, which leaves some workers with fewer or less desirable hours. Some workers found it particularly upsetting when schedules were manipulated as a means of retaliation. Other workers wanted managers to stop cutting their shifts short and sending them home early.

While some employers voluntarily improve their scheduling practices in response to public outcry and worker organizing, public policy ensures that all workers have access to jobs with decent schedules.³⁰ That is why workers and advocates nationwide push for local, state, and federal policy proposals that prevent or minimize many of the scheduling challenges described by young workers in our survey. In 2015, San Francisco became the first jurisdiction to pass comprehensive fair scheduling legislation for some retail workers, the Retail Workers' Bill of Rights.³¹ In September 2016, Seattle followed suit, passing its own Secure Scheduling bill, which covers retail and restaurant workers.³² Most recently, in October 2016, Emeryville, California, became the third US city to pass a law protecting retail workers from unfair scheduling.³³ More than a dozen other jurisdictions are considering or have recently considered similar legislation.

Below, we describe policy solutions to address specific concerns described by young workers in our survey. Emeryville, San Francisco, and Seattle's scheduling laws include most of these recommendations.

A recently passed ballot measure in San José will address involuntary part-time work.³⁴ Vermont,³⁵ New Hampshire,³⁶ and Washington, D.C.³⁷ have also passed legislation to address scheduling challenges implementing some of these provisions, and two federal,³⁸ more than a dozen state³⁹ and three municipal⁴⁰ proposals would implement still others. In addition to establishing these standards by passing new laws, workers can also negotiate fair schedules through collective bargaining.

For more on scheduling policy, laws, and legislation, visit CLASP’s website, www.clasp.org/issues/work-life-and-job-quality/scheduling-resources.

Table 5: Policy Solutions to Scheduling Problems

Problem	Policy Solution
Young workers receive too little notice of their work schedules	Require employers to provide three weeks’ advance notice of workers’ schedules. Employers must compensate employees (“predictability pay”) for last-minute changes with compensation increasing as notice decreases. While three weeks’ notice is the “gold standard,” advocates in some jurisdictions are moving legislation that requires less notice.
Young workers are often scheduled for on-call shifts or called in to work at the last minute	In addition to predictability pay requirements (above), require employers to pay workers for a minimum number of hours if they are scheduled for on-call shifts but not called into work. In some states, employers are subject to “reporting time pay” rules, which require that they pay workers for a minimum number of hours when they are required to report to work but are sent home early. In California, reporting time pay applies to a limited set of workers. Litigation over whether such rules apply to on-call shifts is ongoing.
Young workers’ hours fluctuate from week to week	Require employers to provide workers with an estimated number of hours per week and schedule at time of hire. While this may not prevent employers from making changes later on, it can protect workers who are forced to leave their jobs because of fluctuating schedules from being disqualified for unemployment insurance benefits. Advance notice and predictability pay requirements may also reduce fluctuating hours.
Young workers want to work more hours	Require employers to offer available hours or shifts to existing part-time workers prior to hiring new staff members.
Young workers don’t receive required meal and rest breaks	Enforce existing laws that require employers to provide 10-minute paid rest breaks for every 2 hours worked and 30-minute unpaid meal breaks for every 4 hours worked.
Young workers have little input into their schedules and when they do make requests, they experience retaliation simply for asking	Give workers the right to request scheduling changes and accommodations without fear of retaliation. Such provisions require employers to set up an interactive process enabling workers to make scheduling requests and ensuring that employers consider the requests. For example, an employer may require an employee to fill out a specific request form and then schedule an in-person meeting to discuss the request. Retaliation for such requests is prohibited. Legislation may also include the “right to receive scheduling accommodations,” which requires employers to accommodate the worker. Such provisions may apply to specific groups of workers (e.g., workers with child or dependent care obligations) and may allow for exceptions in the case of “bona fide business reasons” or for other reasons.
Young workers’ managers manipulate schedules to show favoritism or to retaliate	The right to request time off, advance notice of schedules, and predictability pay requirements could all reduce managers’ ability to use scheduling as a retaliatory tool.
Young workers experience retaliation when they take sick days or time off	Where no law exists, pass paid sick-day laws that include strong enforcement provisions and protections against retaliation. Where laws exist, enforcement agencies should prioritize retaliation complaints. “Right to request” provisions would also add protection when workers request and take time off.



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