

About Our Work

CLASP develops and advocates for policies at the federal, state, and local levels that improve the lives of low-income people, with a focus on strengthening families and creating pathways to education and work.

CLASP's child care and early education work promotes policies that support child development and the needs of low-income working parents. We conduct research and analysis and provide technical assistance on policies that improve child care and early education programs, including child care subsidies, Head Start and Early Head Start and pre-kindergarten, and encourage more coordinated early childhood systems.

CLASP's job quality work aims to improve working conditions across a range of criteria as a means to reduce poverty and support families. This is particularly pressing as job growth is concentrated in the sectors with the lowest-quality jobs. We focus our research and advocacy on public policies that create universal access to paid leave, promote predictable and responsive schedules, and enable lower-wage workers to advance in their jobs. CLASP also engages with progressive business associations and directly with business owners to promote the business case for improved job quality policies.

By: Liz Ben-Ishai, Hannah Matthews and Jodie Levin-Epstein

Finding affordable, high-quality child care is challenging in the best of circumstances. But for workers whose jobs are marked by volatile or nonstandard work schedules, child care access becomes extraordinarily difficult. These working parents, who often earn low wages and cannot rely on a consistent schedule (or paycheck) or who work nights or weekends, have few child care options available to them. They often scramble to cobble together multiple care arrangements and rely on friends and family to care for their children. Volatile, nonstandard schedules are becoming a characteristic of low-wage employment, increasing the child care challenges of workers who already face significant barriers to accessing affordable, quality child care.

These overlapping challenges risk both the economic wellbeing of families and the early development of children. Not only do these schedules make parenting difficult, but children in low-income families have the most to gain from access to high-quality child care that prepares them for success in school and in life.¹

This brief lays out the challenges many low-income parents face as they navigate the mazes of volatile job schedules and child care simultaneously. It provides an overview of the important but limited research in this area, as well as potential action steps, with the goal of bringing together two often disparate policy and advocacy worlds: job quality and worker fairness; and child care and early education.² Neither can solve these problems alone, but with coordinated policy changes that address both issues, states can begin to address the pressing problems of working families and lay the groundwork for change nationally.

What the Research Shows

Volatile and nonstandard schedules are increasingly the new normal for low-wage workers

- **Scheduling challenges take a variety of forms.** They can be categorized as rigidity (lack of control over and input into scheduled hours), unpredictability (scheduling of shifts or mandatory overtime with little advance notice), and instability (fluctuations in quantity and scheduling of hours from week to week; reduced hours in response to slowdowns at work).³
- **Many people who earn low wages experience these types of volatile challenges.** A 2011 study of low-wage hourly workers found that nearly half experienced rigid scheduling practices; between 20 and 30 percent were required to work overtime with little or no notice; and more than a quarter of part-time and one in five full-time workers experienced reduced hours when work was slow.⁴
- **About half of low-wage hourly workers have nonstandard schedules.** These are schedules that fall outside of Monday-Friday daytime hours.⁵
- **Service sector employment is on the rise and people employed in these jobs are more likely to face scheduling challenges.** The Bureau of Labor Statistics projects continued growth in the service sector, where workers are more likely to have nonstandard schedules and face scheduling challenges.⁶ One-third of workers classified as working poor (those who work more than 27 hours per week but whose income falls below the federal poverty line) are employed in the service sector.⁷

Frances, a single mother from Seattle, began working a 12 p.m. to 8 p.m. shift after losing her daytime schedule. The auto sales company where she worked gave Frances only a week's notice. Consequently, she was forced to withdraw her daughter Fiona from her child care center because it was not open that late. Frances viewed the center's hours as unrealistic: "I don't like their hours. Nobody has a typical 9-to-5 job. . . . Centers should be open until 8 p.m." Although Frances preferred center care, it was impossible to find a center that would accommodate her new schedule, so she ended up moving Fiona to her sister's care.⁸

Child care arrangements are difficult to orchestrate for people with volatile job schedules

- **Parents with fluctuating or nontraditional job schedules have difficulty accessing licensed child care.** Child care providers, in particular center-based providers, are typically unable to accommodate last-minute scheduling changes or variable hours of care.⁹ Child care providers have basic business costs they must cover, including rent, utilities, and personnel. Because these costs are fixed, they often cannot accommodate families who enroll children less than full time. . Licensed child care providers are also most likely to operate during regular weekday business hours; evening and weekend options are extremely limited for parents across the country.
- **Parents who face job scheduling challenges often piece together a patchwork of child care arrangements.** Working parents with nonstandard schedules are more likely than

others to use multiple child care arrangements. According to the U.S. Census, 33 percent of young children whose mothers work nonstandard schedules were in multiple child care arrangements.¹⁰ Experts agree that stability in child care arrangements is important for child development. When parents rely on multiple child care arrangements or must change arrangements frequently, children's healthy development may suffer.¹¹

- **When job schedules shift, providers may be unable to accommodate parents' child care needs and parents have difficulty finding alternate arrangements on short notice.** As a result, they sometimes cannot make it to work. A recent study found that among surveyed mothers working in the restaurant industry, two out of five experienced a last-minute shift change that affected child care arrangements. These workers turned to family for help, had to pay fines to providers for being late to pick up their children, and in some cases lost their child care providers. Half of the mothers reported unpredictable and erratic job schedules.¹²
- **Volatile schedules make child care even less affordable. Child care is a major expense for low-income parents, but for those low-wage workers with varying work hours, the fluctuating income that results makes the challenge of paying for child care even greater.** When low-wage parents are sent home early from their jobs or scheduled for fewer hours due to low demand, many find their paychecks varying dramatically from week to week. This makes it hard to plan for child care expenses that comprise significant portions of household budgets. In 2011, families earning incomes of

less than \$1,500 per month spent nearly 40 percent of their income on child care.¹³ Additionally, child care providers typically require parents to pay for care in advance (usually one month prior), which is difficult when monthly income is unpredictable.

Scheduling challenges limit parents' child care options

- **Child care choices are deeply constrained by work schedules.** Myriad factors, including cost and location, constrain the choices low-income parents have in securing care. When faced with scheduling challenges, families' child care decisions are often shaped by their jobs, rather than preferences regarding child care.¹⁴
- **Parents with nontraditional schedules are more likely to use license-exempt or family, friend, and neighbor (FFN) caregivers.** FFN caregivers often provide more flexibility and are able to accommodate nonstandard hours of care better than licensed providers. While the quality of FFN care varies widely, as does licensed care, some evidence suggests that FFN care may be less effective in fostering cognitive development and school readiness than licensed care.¹⁵ FFN caregivers too often lack sufficient access to education, training, and other services that would support them in caring for children.

Work Schedule Volatility May Limit Access to Child Care Assistance

- **Fluctuating schedules make accessing child care assistance difficult for low-income parents.** States set their eligibility and authorization policies for child care assistance to low-income working families within broad federal guidelines. While not a requisite of federal law, some states require parents to show

documentation of work schedules to determine eligibility for child care assistance. If parents are required to resubmit work schedules every time their schedule changes, retaining child care assistance becomes untenable. States may also require parents to report any small changes in income or work in order to retain eligibility. If parents' income is in constant flux due to erratic work schedules, they face a significant burden in reporting changes.

"I used to have a job that was on-call at hotels [working in banquet service]. Usually on evenings; I used to leave [my children] with [my] sister. But sometimes I would get called in, and my sister was not available, so I would suddenly have to leave them with someone else and I never knew if they had been fed, showered." – Teresa, Los Angeles¹⁶

- **Work schedule volatility may affect child care authorizations and interrupt continuity of care for children.** Some states require the hours of authorized care to match actual work hours, which is not required by federal law. This creates a barrier for parents and disrupts the continuity of child care experiences for children; that can have a negative impact on those children's healthy development. The shorter the notice of a change in a work schedule, the more difficulty parents may have adjusting their child care subsidy authorization.
- **Child care subsidy payment policies may be a disincentive to providers accepting children whose parents have volatile work hours.** In the private child care market, parents typically pay for child care each month regardless of the number of hours their children attend. Being paid a regular monthly fee allows providers the stability and predictability necessary to cover fixed costs. However, many states limit child care provider subsidy payments to days when children attend child care. Not reimbursing for absent days may create a disincentive for child care providers to accept children whose parents have volatile work schedules. This is yet another limitation in the child care options available to low-income families.

Action Agenda

On their own, volatile scheduling and lack of access to high-quality, affordable child care are extremely challenging problems. Taken together, these issues may seem daunting. While they will not solve the problems entirely, there are practical steps that advocates and policymakers can take to move the needle in a way that would make real differences in the lives of low-income families. Below are some possibilities that address these overlapping issues.

- **Begin to forge partnerships.** The first step to addressing these challenges is to bring together the community of advocates and policy experts working on related issues. Start a conversation between those in the early childhood, worker fairness, job quality, and women's movements. Begin to document problems and assess policy solutions that make sense for your community or state.
- **Conduct further research.** To better understand the interactions between scheduling challenges and access to quality child care, analysis of existing data, additional data collection, and revisions to questions in existing government surveys are needed. Potential areas of study include job loss and barriers to unemployment insurance due to volatile job scheduling and child care challenges.

- **Invest in realistic child care options.** Investments in programs for low-income families should take into account the schedules of working families who confront erratic and nontraditional hours on the job. Expanding the capacity of high-quality child care through investments in Head Start, Early Head Start, and the Child Care and Development Block Grant (CCDBG) is essential to help these programs meet the needs of workers with volatile or nonstandard hours. States should consider new subsidy payment policies, including the use of bonus payments and direct contracts with licensed child care providers to incentivize offering care at night or on the weekends to accommodate the needs of working parents.
- **Invest in support for family, friend, and neighbor (FFN) caregivers.** Families facing scheduling challenges will continue to rely on FFN caregivers. States should ensure that these providers can best meet the needs of young children by providing them the assistance they need, including training, education, and family support strategies such as home visiting.¹⁷
- **Create more flexible child care subsidy policies.** States can design child care subsidy programs to be less burdensome and to facilitate access for parents with challenging schedules. Removing work schedule verification requirements and allowing for broader authorizations can make child care assistance more usable for parents with work schedule challenges. This includes authorizing full-time care regardless of work hours, not requiring work hours and care hours to match, and eliminating requirements for minimum numbers of hours worked.¹⁸

Karen is a part-time package delivery person with a one-year-old. She is generally assigned four days of work a week for one of two different daytime shifts. The particular days that she works change from week to week. She gets notice of the shifts and days she will work only a week ahead of time. Each week, after she receives notice of her work schedule, she calls friends and family to arrange her child care for the coming week. In the past year, she has been “written up” at work by her supervisor several times—at least once for missing work and a couple of times for being fifteen minutes late—all due to child care problems. [...] Karen would love to work full-time, with a predictable set schedule. She has been in her “temporary” position for over one year; she believes she is being overlooked for full-time employment because of her child. Having more notice of her schedule would allow Karen to line up her child care much further in advance, decreasing the likelihood of being unable to find child care at the last minute. Having more stable child care would allow her to get to work on time and reduce the chance of disciplinary action against her for being absent from or late to work.¹⁹

- **Support continuity of care through provider payment practices.** Paying providers for days when children are absent or paying based on enrollment rather than attendance can help low-income families access more child care and does not penalize providers caring for children whose

parents experience volatility in their work schedules.

- **Support labor policies that help working families.** Pass local, state, and federal legislation creating programs that support working families, including earned sick days and paid family and medical leave.²⁰ While these policies may not directly address scheduling issues, they provide increased stability and security to workers. Without paid time off to address family health needs, many workers risk losing wages and even jobs.
- **Give workers advance notice of scheduling.** Use legislation or collective bargaining agreements to require employers to provide advance notice of scheduling. Some unions have successfully negotiated such provisions. The process of envisioning legislative solutions is in the early stages in a few jurisdictions. In New York City, the Retail Action Project has launched a “Sustainable Scheduling” campaign that includes legislative elements.²¹ In San Francisco, the board of supervisors has charged a Predictable Scheduling Task Force with exploring potential policy solutions.²²
- **Establish minimum hours and reporting pay policies.** Require employers to provide workers with a minimum number of hours per week and/or compensate workers for a minimum number of hours when they report to work as requested, even if sent home by employers.²³ Reporting pay laws exist in at least ten states, though they are often under-enforced. Additionally, some collective bargaining agreements include reporting pay provisions. Some corporations, such as Costco, have adopted minimum hours policies, but no legal requirements yet exist.²⁴

- **Grant workers the “right to request.” Pass legislation granting workers the “right to request” flexible work arrangements and/or predictable scheduling.** Vermont and San Francisco recently passed right to request legislation. Numerous other countries also have such laws in place.²⁵

Conclusion

Business trends and the ongoing economic recovery make it unlikely that volatile scheduling issues will dissipate on their own. Indeed, it seems likely that these challenges will continue, if not worsen. Given this outlook, there is an urgent need to address the issues parents with volatile schedules face in accessing and sustaining stable child care. The problem must be addressed on both fronts: we need better child care options and more flexible child care subsidy policies, as well as policies that reverse the trend toward low-quality jobs with unmanageable schedules. Together, policy experts and advocates from the handful of fields that are touched by these issues can work towards improved policies that better support families’ economic advancement and children’s healthy development.

Endnotes

¹ Eric Dearing, Kathleen McCartney, and Beck A. Taylor. “Does higher quality early child care promote low-income children’s math and reading achievement in middle childhood?” *Child Development* 80, no. 5 (2009): 1329-49. Janet Currie. “Early childhood education programs,” *Journal of Economic Perspectives* 15, no 2 (2001): 213-238.

² See forthcoming report from National Women’s Law Center and the Retail Action Project on the challenges facing working parents in the retail industry that will particularly highlight the intersecting challenges of child care and scheduling.

³ Liz Watson and Jennifer E. Swanberg. “Flexible Workplace Solutions for Low-Wage Hourly Workers: A Framework for a National Conversation,” *Georgetown Law and University of Kentucky*, 2011, <http://workplaceflexibility2010.org/images/uploads/whatsnew/Flexible%20Workplace%20Solutions%20for%20Low-Wage%20Hourly%20Workers.pdf>. See also, Susan Lambert and Julia Henly. “Work Scheduling Study,” *University of Chicago*, September 20, 2011, <http://ssascholars.uchicago.edu/work-scheduling-study/announcements/work-scheduling-study-papers>.

⁴ Ibid. See pg. 6.

⁵ Ibid.

⁶ Richard Henderson. “Industry employment and output projections to 2020,” *United States Department of Labor Bureau of Labor Statistics*, 2012, <http://www.bls.gov/opub/mlr/2012/01/art4full.pdf>. Harriet B. Presser. “Working in a 24/7 economy: Challenges for American families,” *Russell Sage Foundation*, 2003.

⁷ U.S. Bureau of Labor Statistics. “A Profile of the Working Poor, 2011,” *United States Department of Labor*, 2013, <http://www.bls.gov/cps/cpswp2011.pdf>.

⁸ Ajay Chaudry, Juan Pedroza, and Heather Sandstrom. “How Employment Constraints Affect Low-Income Working Parents’ Child Care Decisions,” *Urban Institute*, 2012, <http://www.urban.org/UploadedPDF/412513-How-Employment-Constraints-Affect-Low-Income-Working-Parents-Child-Care-Decisions.pdf>.

⁹ Julia R. Henly, Elizabeth O. Ananat, and Sandra K. Danziger. “Nonstandard Work Schedules, Child Care Subsidies, and Child Care Arrangements,” 2006,

http://www.fordschool.umich.edu/research/poverty/pdf/HenDanzAna_Mar2006.pdf.

¹⁰ Lynda Laughlin. “Who’s Minding the Kids? Child Care Arrangements: Spring 2011,” *United States Census Bureau*, 2013, <http://www.census.gov/prod/2013pubs/p70-135.pdf>.

¹¹ Gina Adams and Monica Rohacek. “Child Care Instability: Definitions, Context, and Policy Implications,” *Urban Institute*, 2010, <http://www.urban.org/UploadedPDF/412278-child-care-instability.pdf>.

¹² The Restaurant Opportunities Centers United. “The Third Shift: Child Care Needs and Access for Working Mothers in Restaurants,” *The Restaurant Opportunities Centers United*, 2012, http://rocunited.org/wp-content/uploads/2013/11/reports_third-shift-final-mm.pdf.

¹³ Lynda Laughlin. “Who’s Minding the Kids? Child Care Arrangements: Spring 2011,” *United States Census Bureau*, 2013, <http://www.census.gov/prod/2013pubs/p70-135.pdf>.

¹⁴ Ajay Chaudry, Juan Pedroza, and Heather Sandstrom. “How Employment Constraints Affect Low-Income Working Parents’ Child Care Decisions,” *Urban Institute*, 2012, <http://www.urban.org/UploadedPDF/412513-How-Employment-Constraints-Affect-Low-Income-Working-Parents-Child-Care-Decisions.pdf>.

¹⁵ Amy Susman-Stillman and Patti Banghart. “Quality in Family, Friend, and neighbor Child Care Settings,” *Research Connections*, May, 2011, http://www.nccp.org/publications/pdf/text_1010.pdf.

¹⁶ The Restaurant Opportunities Centers United. “The Third Shift: Child Care Needs and Access for Working Mothers in Restaurants,” *The Restaurant Opportunities Centers United*, 2012, http://rocunited.org/wp-content/uploads/2013/11/reports_third-shift-final-mm.pdf.

¹⁷ Christine Johnson-Staub and Stephanie Schmit. “Home Away From Home” *Center for Law and Social Policy*, June, 2012, <http://www.clasp.org/resources-and-publications/files/Home-Away-from-Home.pdf>.

¹⁸ For a complete review of simplifying child care eligibility policies, see Gina Adams and Hannah Matthews. “Confronting the Child Care Eligibility Maze: Simplifying and Aligning with Other Work Supports,” *Urban Institute and CLASP*, December,

2013, <http://www.clasp.org/resources-and-publications/publication-1/WSS-CC-Paper.pdf>.

¹⁹ Example from the Work & Family Transitions Project, University of Massachusetts-Amherst, Principal Investigator: Dr. Maureen Perry-Jenkins as cited in: Liz Watson and Jennifer E. Swanberg. "Flexible Workplace Solutions for Low-Wage Hourly Workers: A Framework for a National Conversation," *Georgetown Law and University of Kentucky*, 2011, <http://workplaceflexibility2010.org/images/uploads/whatsnew/Flexible%20Workplace%20Solutions%20for%20Low-Wage%20Hourly%20Workers.pdf>

²⁰ See for example, Eileen Appelbaum and Ruth Milkman. "Leaves that pay: Employer and worker experiences with paid family leave in California," *Center for Economic and Policy Research*, 2011, <http://www.cepr.net/documents/publications/paid-family-leave-1-2011.pdf>. Elise Gould, Kai Filion, and Andrew Green. "The Need For Paid Sick Days," *Economic Policy Institute*, 2011, http://www.epi.org/publication/the_need_for_paid_sick_days/.

²¹ Retail Action Project. "Retail Action Project Launches Sustainable Scheduling Campaign," October 10, 2012, <http://retailactionproject.org/2012/10/retail-workers-fight-for-the-40-hour-work-week-retail-action-project-launches-sustainable-scheduling-campaign/>.

²² Liz Ben-Ishai. "San Francisco's New Workplace Law Signals a Shift." *Women's eNews*, 2013, <http://womensenews.org/story/equal-payfair-wage/131022/san-franciscos-new-workplace-law-signals-shift>.

²³ See Liz Watson and Jennifer E. Swanberg. "Flexible Workplace Solutions for Low-Wage Hourly Workers: A Framework for a National Conversation," *Georgetown Law and University of Kentucky*, 2011, <http://workplaceflexibility2010.org/images/uploads/whatsnew/Flexible%20Workplace%20Solutions%20for%20Low-Wage%20Hourly%20Workers.pdf>.

²⁴ See Center for Law and Social Policy, Retail Action Project, and Women Employed. "Tackling Unstable and Unpredictable Work Schedules: A Policy Brief on Guaranteed Minimum Hours and Reporting Pay Policies," *Center for Law and Social Policy*, <http://www.clasp.org/resources-and-publications/publication-1/Tackling-Unstable-and-Unpredictable-Work-Schedules-3-7-2014-FINAL-1.pdf>

²⁵ Ariane Hegewisch and Janet C. Gornick. "Statutory routes to workplace flexibility in cross-national perspective," *Institute for Women's Policy Research*, 2008,

<http://www.iwpr.org/pdf/B258workplaceflex.pdf>. Jodie Levin-Epstein. "How to Exercise Flexible Work: Take Steps with a "Soft Touch" Law." *Center for Law and Social Policy*, 2005, <http://www.clasp.org/admin/site/publications/files/0229.pdf>. Liz Ben-Ishai. "State, Local Policies Make Important Steps Forward for Workplace Flexibility," *Center for Law and Social Policy*, 2013, http://www.clasp.org/issues/pages?type=work_life_and_job_quality&id=0036#right-to-request.