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# Workforce Strategies

## **Irregular Scheduling: Balancing Employers' Flexibility Needs With Employees' Predictability Needs**

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## INTRODUCTION

The stereotype of a 9-to-5 office job persists in popular culture, but the reality differs markedly for a large portion of workers who work irregular hours, particularly in the retail and service industries.

At least 17 percent of the U.S. workforce has an unstable work schedule. For younger workers, the percentage is much higher, with almost half of young adult workers having schedules that change from week to week, often with little advance notice.

Worker advocates assert fluctuating shifts and lack of advance notice wreak havoc with workers' lives, making it harder to arrange child care and transportation. Budgeting becomes difficult, and holding down a second job or taking a class becomes almost impossible.

Managers of stores and restaurants contend they often need to assign workers at the last minute in response to changes in expected customer demand.

As a result, many workers, especially low-wage hourly workers, often receive only a few days notice of their schedule. In the case of on-call workers, the lead time may be only a few hours.

The practice has led to very short hours for many workers, with some even being sent home early if a manager decides there's no reason to keep them until the end of their scheduled shift.

The use of last-minute scheduling—known variously as on-call, on-demand, just-in-time, irregular, precarious and volatile scheduling—has increased in response to economic pressures caused by the recession and the availability of scheduling software. As the practice has increased, so have the complaints.

Several jurisdictions have passed or are considering legislation to curtail such scheduling, and some large companies have announced they will abolish or at least modify their use of it.

This issue of *Workforce Strategies* will offer insights on how to balance the needs of employers for flexibility when establishing schedules for worker hours with the needs of employees to have some predictability in their work schedules.

## THE PREVALENCE OF LAST-MINUTE SCHEDULING

Last-minute scheduling has increased in part because technology enables companies to predict their customer traffic and staffing needs in great detail. “Employers are using more sophisticated scheduling software that allows them to match their labor to the anticipated demands,” Liz Ben-Ishai, senior policy analyst at the Center for Law and Social Policy, told Bloomberg BNA March 9. “The software uses an algorithm to predict the [customer] traffic in the store.”

Financial strains from the recession of 2007 through 2009 also played a part. “There was already a trend” toward part-time employment and cost containment, but “the recession exacerbated practices that were already in place,” Susan Lambert, an associate professor at the University of Chicago’s School of Social Service Administration, told Bloomberg BNA March 8. The number of staff hours available to frontline managers has been cut steadily, she said, and “there’s a lot of pressure on those frontline managers to do more with less.”

Overhiring and understaffing have become common, especially in retail, researchers said. “A lot of employers understaff,” according to Ben-Ishai. “Some employers use a strategy of hiring a lot of workers . . . so they have easy access” to “a ready pool of people to plug in when needed,” Julia Henly, an associate professor at the University of Chicago’s School of Social Service Administration, told Bloomberg BNA March 7.

Retail employers often try to “keep a close link between how many workers are on the [sales] floor and how much is sold,” according to Henly. “With help from a software scheduling package,” scheduling “is often made with very little lead time,” she said, “and even then it’s subject to change.”

Sometimes workers are hired to be on call, and sometimes they’re sent home from a shift “if business isn’t brisk,” Henly said. On-demand scheduling is “an approach to scheduling that provides little predictability about when they’re scheduled to work,” Henly summarized.

At least 17 percent of the U.S. workforce has an unstable work schedule, according to the Economic Policy Institute. Lonnie Golden, an EPI research associate and Pennsylvania State University economics professor, concluded from General Social Survey data that at least 10 percent of the workforce has an irregular or on-call work schedule, and an additional 7 percent work split or rotating shifts. His April 2015 report, “Irregular Work in the U.S. and its Economic Consequences,” said about 15 percent of sales occupations have irregular or on-call schedules.

By industry, irregular scheduling is most prevalent in agriculture, personal services, business/repair services, entertainment/recreation, finance/insurance/real estate, retail trade, and transportation communications, Golden concluded.

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At least 17 percent of the U.S. workforce has an unstable work schedule, according to the Economic Policy Institute.

Young adult workers seem to be much more likely to have fluctuating work schedules, according to research from Lambert and Henly. They based their 2014 report, “Precarious Work Schedules among Early-Career Employees in the U.S.,” on a survey of 3,739 26- to 32-year-olds.

Lambert and Henly found 38 percent of the respondents received their schedules no more than a week in advance and only 45 percent of the respondents knew their work schedule a month or more in advance.

Among part-time hourly workers, 47 percent received their work schedule no more than one week in advance, and 48 percent of service workers received their schedule no more than a week in advance, Lambert and Henly found. Seventy-four percent of hourly workers reported their schedule fluctuated, and 50 percent of the hourly workers and 44 percent of all the workers in the study reported they had no input whatsoever into their work schedules, Lambert and Henly said.

**Share of workers with various shift types, by pay status, income, occupation, and industry**

	Irregular	Split/ rotating	Regular	Test
All (n=4,641)	10%	7%	83%	
Pay status (and share of total)				***
Salaried (37%)	8	4	88	
Hourly (53%)	6	10	84	
Other (10%)	30	6	64	
Respondent income (share of total)				***
<\$22,500 (37%)	11	9	80	
\$22,500–\$39,999 (31%)	7	6	87	
\$40,000–\$49,999 (10%)	8	4	88	
\$50,000–\$59,999 (9%)	6	6	88	
Over \$60,000 (13%)	9	7	84	
Types of occupation (share of total)				***
Executive/admin/management (15%)	9	4	87	
Professional specialty (19%)	11	5	84	
Technicians (4%)	8	11	81	
Sales occupations (11%)	15	10	75	
Admin support (clerical) (13%)	4	5	91	
Service occupations (16%)	10	14	76	
Farming/precision production (11%)	8	3	89	

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**WORKFORCE STRATEGIES**

	<b>Irregular</b>	<b>Split/ rotating</b>	<b>Regular</b>	<b>Test</b>
Operators/laborers (11%)	10	9	81	
Types of industry (share of total)				
Agriculture/forestry	19	4	70	
Mining	6	6	88	
Construction	9	1	90	
Manufacturing-nondurables	4	8	88	
Manufacturing-durables	4	4	92	
Transportation/communications	12	7	81	
Wholesale trade	8	4	88	
Retail trade	12	15	73	
Finance/insurance/real estate	12	3	85	
Business/repair services	15	6	80	
Personal services	17	13	70	
Entertainment/recreation	15	14	71	
Professional services	7	5	88	
Public administration	7	12	81	
Working hours (mean)	43	43.4 <sup>a</sup>	41.2 <sup>a</sup>	**
Work family conflict (mean) (1: Never to 4: Often)	2.6 <sup>b</sup>	2.5 <sup>a</sup>	2.2 <sup>ab</sup>	
Work stress (mean) (1: Never to 5: Always)	3.2	3.1	3.1	

**Note:** Asterisks denote tested significant at \*\*\* $p < .001$ , \*\* $p < .01$ , \* $p < .05$ . “Regular” shift includes day, afternoon, and night shifts. Chi-square was conducted to test group differences across categorical variables; ANOVA was conducted to examine group differences across continuous variables (work-family conflict and work stress). Based on post-hoc ANOVA test, work-family conflict is more frequent for both those on irregular and split-rotating shifts, while workers on regular schedules have shorter hours than those on split-rotating shifts and less work-family conflict than both those on irregular and split-rotating schedules. The GSS occupational classification is OCC80 and the industry classification is IND80. Respondent income is in inflation-adjusted constant (year 2000) dollars.

**Source:** General Social Survey Quality of Worklife Supplement (NIOSH), pooled years 2002, 2006, and 2010

From Golden, Lonnie; Economic Policy Institute, EPI Briefing Paper #394; “Irregular Work Scheduling And Its Consequences” (April 9, 2015); <http://www.epi.org/publication/irregular-work-scheduling-and-its-consequences/>.



**Precarious Work Schedules Among Early-Career Employees in the U.S. (Aug. 27, 2014)**  
**By Susan J. Lambert, Peter J. Fugiel, Julia R. Henly (Univ. of Chicago)**

**Table 3: Advance notice (percent of hourly, non-hourly, and combined total)\***

	1 week or less			between 1 and 2			between 3 and 4			4 or more		
	Hrly	Non	Tot	Hrly	Non	Tot	Hrly	Non	Tot	Hrly	Non	Tot
All employees	41%	33%	38%	13%	9%	12%	6%	4%	5%	39%	54%	45%
Full-time (35+)	39	29	35	12	8	11	5	4	5	44	58	50
Part-time	47	52	48	17	15	16	10	4	8	27	29	28
Men	48	41	45	12	11	12	4	4	4	35	45	39
Women	34	25	31	14	8	12	8	5	7	43	63	51
White	39	30	35	12	8	11	7	4	6	42	57	48
Black	49	33	44	15	13	15	5	5	5	31	50	36
Hispanic	46	43	45	15	8	13	4	4	4	35	45	38

**Precarious Work Schedules Among Early-Career Employees in the U.S. (Aug. 27, 2014)**  
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**Table 8. Schedule control\* (percent of hourly, non-hourly, and combined total)**

	Employer decides			Employer decides with some input			Employee decides within limits			Employee decides freely		
	Hrly	Non	Tot	Hrly	Non	Tot	Hrly	Non	Tot	Hrly	Non	Tot
All employees	50%	35%	44%	32%	25%	29%	13%	29%	19%	3%	7%	5%
Full-time (35+)	55	36	47	29	24	27	13	29	20	1	6	3
Part-time	39	25	36	37	31	36	13	26	17	7	13	8
Men	54	33	46	29	24	27	12	29	19	2	9	5
Women	46	36	42	34	26	31	13	29	19	4	5	5
White	47	34	42	32	25	29	15	29	21	3	8	5
Black	55	42	51	30	26	29	9	21	13	3	6	4
Hispanic	58	42	53	29	26	28	8	24	13	2	6	3

## HARMFUL EFFECTS OF HAPHAZARD SCHEDULES

“In retail, many workers’ schedules change from week to week, with little to no advance notice. The result is instability that has detrimental effects on everything from work performance and turnover to family economic security and the well-being of workers and their children,” Lambert said.

“If you don’t know when you have to work, you don’t know if you need to get child care,” Henly said. “Parents can really wear out their social network ties” if they constantly ask friends and family for child care help at the last minute. Even if parents can cobble together a hodgepodge of babysitters, she said, “It’s not good for kids to not have a regular, consistent predictable child care arrangement.”

Furthermore, on-demand work shifts often have “hours that aren’t consistent with family routines and practices,” Henly said. Children whose parents have nonstandard work hours are less likely to attend preschool, in part because their parents can’t arrange transportation for them or fulfill parental participation requirements.

Also, in many states, child care subsidies must be used during hours that aren’t compatible with nonstandard parental work hours, according to Henly.

Ever-changing work schedules also can play havoc with employees’ ability to advance economically. “It’s a real challenge to stay on top of the bills” for workers whose earnings fluctuate along with the number of their work hours, Ben-Ishai said. Furthermore, workers who are trying to improve their career opportunities by taking courses find it difficult to arrange their class schedules.

“When you don’t know how much you’re going to work, you don’t know how much you’re going to earn,” which makes it hard to plan and budget, Lambert said. “It makes it hard to study, it makes it hard to hold another job,” she said. “How flexible can everybody be?”

Erratic schedules also can disqualify workers from receiving some public benefits. They may be unable to meet the minimum number of work hours required to qualify for benefits, and they don’t qualify for unemployment insurance because they haven’t been laid off, Henly said. There’s a “misfit between our social programs and the reality” of our workforce, Lambert said.

### Last-Minute Scheduling Hurts Employers, Too

Ironically, just-in-time scheduling may have unintended negative consequences for employers.

“There’s evidence [just-in-time scheduling] also drives up costs for the employer” that aren’t being tracked by the scheduling software, according to Joan

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Ever-changing work schedules also can play havoc with employees’ ability to advance economically.

Williams, director of the Center for WorkLife Law at the University of California at Hastings. “The scheduling software generally focuses on the front end labor costs . . . and overlooks the back end labor costs . . . [such as] increases in absenteeism and decreases in worker engagement,” which are “really expensive,” she told Bloomberg BNA March 7.

Last-minute scheduling is “a recipe for no-shows and high absenteeism,” Williams said. It also can cause workers to quit, and replacing and training an hourly worker costs an employer about 75 percent of a worker’s annual salary, she said.

Underscheduling workers also carries a cost in the form of lower productivity. Employees who work infrequently “don’t know the product very well or the procedures of the store,” Williams said. “If you only count the amount it saves you but not the amount it costs you,” the disadvantages of on-demand scheduling aren’t considered. “No wonder it looks awesome,” she said.

“We don’t think there’s really a return on investment for treating workers this way,” Ben-Ishai said. Stinting on staffing can backfire on a business because it “has a negative effect on customer service and sales,” she said.

“With better planning and foresight, it should be possible to give workers a more predictable schedule,” Ben-Ishai said. “I don’t think compliance is such a major challenge” for employers once they get used to it.

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Last-minute scheduling is “a recipe for no-shows and high absenteeism,” according to Joan Williams, director of the Center for WorkLife Law at the University of California at Hastings.

## JUSTIFICATIONS FOR LAST-MINUTE SCHEDULING

Last-minute scheduling in some cases has “become a habit,” Lambert said. “We need to engage employers who are willing to be engaged to chart a new path.” Businesses say they need to keep labor costs flexible, but “all of that cost shouldn’t be put on workers. It should be a shared risk,” Lambert said.

A previous study Lambert and Henly conducted for a national women’s apparel retailer concluded it was feasible for managers to post workers’ schedules a month in advance instead of only a few days in advance.

Henly said that study found 80 percent of the work hours were completely consistent, with only 20 percent fluctuating. Henly suggested that the retailer schedule workers in advance for the 80 percent of the schedule that was consistent and use on-demand scheduling only for the fluctuating 20 percent of the schedule. “It’s a lot more predictable than they (employers) think,” Henly said.

Employer groups say the continued use of on-demand scheduling is attributable not only to habit, but also to necessity. “Our association has opposed certain scheduling mandates that are overly onerous to small businesses,” Christin Fernandez, public affairs director for the National Restaurant Association, told Bloomberg BNA March 10. “It is important to note that 90 percent of all U.S. restaurants are small businesses and operate in a 24/7 environment with business models unique to each restaurant. It is because of this unique makeup and dynamic operating environment that one-size-fits-all scheduling mandates just don’t work.”

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Fernandez stressed that “flexibility, especially with regard to scheduling, is the hallmark of the restaurant industry and the reason why millions of employees seek us out.” She added, “Restaurant employees have the built in flexibility of a shift-based system so they can take time off as needed and pick up other shifts as they see fit. Unlike traditional office settings, restaurants operate in a dynamic environment that is dictated by the seasons, weather, local events, holidays and more.”

Lisa Disselkamp, a director at Deloitte Consulting LLP, also stressed that the need for labor depends on “a number of events outside [managers’] control,” including the weather, the occurrence of special events and the arrival of delivery trucks. Disselkamp, who has written three books on workforce management, told Bloomberg BNA March 14 that when used properly, scheduling software can increase a company’s transparency and consistency from one manager to another. It also can spread objective labor standards, such as the optimal length of time for performing specific tasks like inventorying supplies.

Traditionally, scheduling has not been taught as a management skill, Disselkamp noted. Scheduling techniques may become more uniform, however, with the re-

cent launch of an online training course in scheduling offered as part of a certification program by the Association for Workforce Asset Management.

## THE BACKLASH AGAINST LAST-MINUTE SCHEDULING

The backlash against last-minute scheduling has resulted in the passage and proposal of several pieces of legislation.

San Francisco became the first jurisdiction to regulate worker scheduling when it passed the Retail Workers' Bill of Rights, which took effect in July 2015. Rules enforcing the law took effect March 1, 2016. The Retail Workers' Bill of Rights consists of two ordinances that protect hourly workers in the city's chain stores and restaurants. It applies only to businesses with 40 or more locations globally and 20 or more employees in San Francisco.

The San Francisco law requires covered employers to post schedules at least two weeks in advance and to pay workers for one hour at their regular pay rate if they change a schedule less than a week in advance and for two to four hours if they change a schedule less than 24 hours in advance. It also requires covered employers to pay for two to four hours when they require an employee to be on-call for a shift the employer cancels less than 24 hours in advance.

Furthermore, the San Francisco law requires employers to offer any additional work hours that become available to their current part-time employees before they hire additional part-time employees or temporary or contractual workers. In addition, it prohibits covered employers from retaliating against employees who exercise their rights under this law. When a company is sold, the law requires the new owner to retain current employees for at least a 90-day trial period.

A few jurisdictions have laws that give workers the right to request a flexible, predictable or stable schedule without fear of retaliation. Vermont has such a law, and San Francisco has a law, separate from the Retail Workers' bill of Rights, that confers this right.

Moreover, President Barack Obama issued a memorandum giving federal employees the right to request schedule changes.

Some jurisdictions have laws requiring employers to pay workers for a minimum number of hours if they send them home before the end of their scheduled shift. According to CLASP, the following jurisdictions have such reporting time pay laws: California, Connecticut, the District of Columbia, Massachusetts, New Hampshire, New Jersey, New York, Oregon, Puerto Rico and Rhode Island.

### Other Pending Legislation, Enforcement Action

Several other jurisdictions are considering legislation that would regulate aspects of worker scheduling. CLASP reports that in 2016, legislation was introduced in the state legislatures in Indiana, Maryland and Rhode Island. In 2015, worker scheduling bills were introduced in Albuquerque, California, Connecticut, the

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District of Columbia, Illinois, Massachusetts, Michigan, Minneapolis, Minnesota, New York and Oregon.

Legislation also has been introduced at the federal level. The Schedules That Work Act (S. 1772, H. R. 3071), pending in both houses of Congress, would permit employees to request changes to their work schedules without fear of retaliation and require employers in the retail, food service and cleaning industries to provide more predictable and stable schedules for employees.

States also may be getting more aggressive in enforcing laws already on the books. Beginning in April 2015, New York Attorney General Eric Schneiderman asked several large retail chains for staffing and scheduling information to ascertain whether they were violating New York's pay-for-reporting law. That law requires an employer that sends an employee home from a scheduled shift to pay the employee for at least four work hours.

"Workers deserve protections that allow them to have a reliable schedule in order to arrange for transportation to work, to accommodate child care needs, and to budget their family finances," Schneiderman said in a press release.

After Schneiderman's investigation began, several retailers—including Abercrombie & Fitch, Gap, Banana Republic, Old Navy, J.Crew, Urban Outfitters, Bath & Body Works and Victoria's Secret—agreed to stop using on-call scheduling.

Starbucks, a Seattle-based coffee shop chain, also has modified scheduling practices for its 160,000 U.S. workers. "In the last 18 months, Starbucks has made significant scheduling improvements," Starbucks spokeswoman Ashley Lowes told Bloomberg BNA March 17. "We really empower our store leadership" to work with employees on their "diverse [scheduling] needs," she said. "There's a human element here."

Starbucks never used on-demand or on-call scheduling, Lowes said, and now it posts work schedules at last 14 days in advance. It also ensures that employees who have to close a shop at night have at least eight hours off if they're scheduled to open the shop the following morning. In addition, the company gives newly-hired employees an estimate of the work hours they'll receive and has staff available to handle employees' scheduling concerns.

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## CASE STUDY: GAP INC. HAS ADOPTED STABLE SCHEDULING

Gap Inc. not only abandoned on-demand scheduling but went even further, participating in a long-range study about scheduling practices.

The San Francisco-based clothing retailer announced its “commitment to eliminate the use of on-call shifts across our global organization” in August 2015, and by October 2015, all five Gap brands had phased out the practice.

The five Gap Inc. brands are Gap, Banana Republic, Old Navy, Athleta and Intermix.

“At Gap Inc., we believe that work-life integration enables all employees to reach their full potential and thrive both personally and professionally,” Gap Inc. spokeswoman Laura Wilkinson told Bloomberg BNA Feb. 29. “We recognize that flexibility, inclusive of consistent and reliable scheduling, is important to all of our employees.”

In addition, all the Gap brands committed to providing their store employees with at least 10 to 14 days notice of their schedules. “The majority of brands rolled out these new policies in September 2015, and all Gap Inc. brands are committed to phasing in advanced schedules by early 2016,” Wilkinson said.

To gauge whether stable work schedules can simultaneously help both workers and businesses thrive, Gap began participating in the Stable Schedules Study in November 2015. The study is being conducted by Williams and Lambert.

As part of the study, 30 Gap stores in Chicago and San Francisco are piloting four practices designed to improve schedule stability. They include:

- part-time plus, which increases the number of workers who receive at least 20 hours per week. It’s intended to provide income stability to employees and a core group of skilled employees to stores;
- stable shift structure by increasing the number of shifts that are consistent from week to week so employees can plan their lives around a more predictable work schedule;
- tech-enabled shift swapping. Employees will have access to a free software app through which they can swap shifts and seek additional shifts. This app is intended to save management time and effort in managing scheduling changes; and
- an increased staffing allotment to see if increasing the number of workers during peak hours helps to increase sales.

The study randomly assigned stores either to test these practices or to serve as a control. The researchers will survey Gap employees and store managers to assess

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their experiences with the changes and study store performance and profitability data to assess the business impacts.

The pilot study will end in the summer of 2016, when Williams and Lambert will start analyzing the data. “We’re going to measure the business impact” of these interventions to see if they improve business outcomes. “The research suggests they should,” according to Williams.

Lambert said, “We’re trying to find things that are helpful to people’s lives but also feasible for the business.”

## MANY EMPLOYERS RETHINKING SCHEDULING PRACTICES

Indeed, many employers are beginning to reconsider their scheduling practices, according to Disselkamp, the Deloitte director. “It’s sort of a catch-22,” she said. Employers need more employees in their labor pool to cover absences, but absences are more likely to occur when workers’ schedules fluctuate, she said. “Rethinking how you put the schedule together is a smart idea.”

The use of scheduling software has led in many cases to “an overemphasis on the return on investment,” which tends to decrease staffing levels, Disselkamp said. This strategy may be ripe for change, however, because “it’s optimized to the breaking point.” Some retailers can’t find employees to promote into management because so many workers are part-timers who have been trained to do only the tasks of their particular job. “I think it’s going to pull back,” she predicted.

Employers have begun to focus on the costs of on-demand scheduling, such as high absenteeism and turnover, according to Disselkamp. At Deloitte, “we’re advocating for more data to give leadership at every level the ability to measure the performance” of their scheduling process. For example, it could be useful to compare the absenteeism and turnover rates of a business unit that uses predictable scheduling with a business unit that doesn’t. “This is a very new way of thinking,” she said.

Cross-training—training employees to perform more than one type of task—could be the remedy for some scheduling problems, Disselkamp said. A retail employer may need a stocker to unload a delivery truck early in the morning and a cashier to ring up lunchtime purchases. Instead of calling in both a stocker and a cashier for shifts lasting only a few hours, however, the employer could train one worker to do both tasks and assign him to a full shift.

Disselkamp spoke of “schedule equilibrium,” which has three components—predictability, stability and adequacy of hours. “Employers could start promoting and championing their scores on equilibrium” to the public. The retail industry could create a scoring system for schedule equilibrium and an icon that could be displayed by stores that attain a high score. Displaying the icon would “allow employers to express in a meaningful way . . . that they are striving toward delivering” schedule equilibrium for their employees, Disselkamp said.

### Advice For Rolling Out A New Strategy

A business leader who wants to achieve schedule equilibrium for his workforce should take the following steps, according to Disselkamp:

- First, “take a hard look” at your own metrics;
- Second, train your frontline managers in scheduling practices;

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Employers have begun to focus on the costs of on-demand scheduling, such as high absenteeism and turnover, according to Lisa Disselkamp of Deloitte Consulting LLP.

- Third, reassess your scheduling system. “Design a future state” that you’d like to attain and then identify the changes you must make to accomplish it;
- Fourth, pilot a new program in one location “to refine” the new practice; and
- Fifth, if the pilot succeeds, devise a roll-out strategy.

“An employer may not have to go solve everything today,” Disselkamp cautioned. Instead, an employer may decide to work on one aspect—such as predictability—first and leave other aspects—such as adequacy of hours—unchanged until later. “You get very tactical,” she said.

The complexity of the rollout “depends on the size of the organization,” Disselkamp added. The rollout schedule for individual stores could depend on their location or business line. Other factors—such as community pressure, local legislative requirements and the presence of competitors—also could affect the roll-out timetable. You want to take “meaningful but controlled steps,” she said.

The use of on-demand scheduling is a significant concern. “It’s really an issue in today’s economy” with “the growing income inequality in the U.S.,” Lambert said. “At the top, there’s overwork, but at the bottom, there’s underemployment.”

## CONCLUSION

As software came on the market to help employers predict their staffing needs, many employers saw an opportunity to streamline the often cumbersome chore of making schedules for their workers. As pressures mounted during and after the recession of 2008 to cut labor costs, many employers began using the scheduling software to try to maximize the return on their labor costs.

This practice often led to just-in-time scheduling, under which workers call in or check a web site to find out if they're scheduled to work that day. Last-minute scheduling also tended to decrease the amount of work time allotted to each worker, with some workers being assigned only a few hours of work each week.

This unpredictable scheduling has the potential to cause chaos in workers' lives. Without a steady schedule, or at least a predictable one, workers find it difficult to arrange for child care and transportation to the job. They can't take a course to improve their job skills or look for a second job to supplement their income because they don't know when they'll have to report to the job they already have, and they can't budget efficiently because they don't know how much money they'll earn.

As the use of last-minute scheduling has spread, so has opposition to the practice. Some states have pressured large retailers to abolish just-in-time scheduling, and several jurisdictions and the federal government have adopted legislation or are considering laws to regulate the practice.

Indeed, some researchers and business consultants have even indicated that just-in-time scheduling is counterproductive. They assert the practice lessens workers' productivity and makes them more likely to quit or simply be unable to show up for their work shift. Employers may wind up spending more to find and train new employees than they save on labor costs by underscheduling, these researchers and consultants say.

Even if legislation doesn't abolish last-minute scheduling, a company may find it prudent to reassess whether the benefits of unpredictable scheduling outweigh its costs.

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