

**Testimony on H.B. No. 6859 —
An Act Concerning Predictable Scheduling**

**Submitted to the Committee on Labor & Public Employees
Connecticut General Assembly
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SUPPORT

Submitted By:
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Dear Members of the Committee on Labor and Public Employees,

Thank you for holding this hearing and for the opportunity to submit this testimony on behalf of the Center for Law and Social Policy (CLASP). **CLASP stands in strong support of HB 6859: An Act Concerning Predictable Scheduling to create more equitable scheduling practices for Connecticut workers.**

CLASP is a national, nonpartisan, nonprofit advancing anti-poverty policy solutions that disrupt structural, systemic racism and remove barriers blocking people from economic justice and opportunity. With deep expertise in a wide range of programs and policy ideas, longstanding relationships with anti-poverty, child and family, higher education, workforce development, and economic justice stakeholders, and over 50 years of history, CLASP works to amplify the voices of directly-impacted workers and families and help public officials design and implement effective programs. CLASP also seeks to improve job quality for low-income workers. That includes increasing wages and providing access to paid sick days, paid family and medical leave, and stable work schedules. Quality jobs enable individuals to balance their work, school, and family responsibilities—promoting economic stability as well as career advancement.

All working people have a right to a good, stable job that pays them a living wage and treats them with respect. Throughout Connecticut, hundreds of thousands of hourly workers—disproportionately women and people of color—struggle to earn a stable income because of unpredictable work schedules. H.B. 6859 will help ensure that Connecticut workers have access to stable jobs with fair and predictable schedules that provide dignity for them and their families, as well as a path to economic opportunity and security.

Unstable and unpredictable schedules

Unpredictable and volatile work schedules have become the norm for many low-paid, hourly workers in Connecticut. In 2017, 65 percent of people working in hourly retail and food service jobs in Connecticut reported having irregular or variable work hours, and just 44 percent of workers reported receiving their work schedules more than 2 weeks in advance.¹ The majority of workers have no say in their work schedules and their employers change shifts with little to no

¹ Daniel Schneider & Kristen Harknett, Working in the Service Sector in Connecticut, SHIFT PROJECT Mar. 2018, <https://shift.hks.harvard.edu/working-in-the-service-sector-in-connecticut>.

advance notice.²

Adding to the unpredictable workweeks are “on-call” requirements and clopening shifts. Fifty percent of hourly service workers in Connecticut reported that they worked a consecutive closing shift one night and then the opening shift the next morning, referred to as a clopening shift.³ Working a clopening shift could mean a worker closes the restaurant at midnight and has to be back at 7 am the next day to open it again. Additionally, twenty-five percent of workers reported working an “on-call” work shift,⁴ meaning that they had to keep their schedule open and available for work but may or may not actually work the shift.

Precarity for workers and families

When workers are forced to contend with unpredictability from week to week or day to day, it wreaks havoc on their economic security and their family life. Fifty percent of hourly retail and food service workers in Connecticut say that their work schedule does not provide enough flexibility for them to handle family needs. Seventy-two percent reported experiencing conflicts between work and caregiving responsibilities, and 71 percent stated that their work schedules cause extra stress for themselves and their family.⁵ Workers face significant difficulties arranging child care and transportation, as well as with continuing their education or seeking additional job training opportunities.

Since their hours can fluctuate week to week, workers and their families cannot budget effectively to meet their bills and other financial obligations. Thirty-seven percent of hourly service workers in Connecticut report that their income varies from week to week, and 26 percent report that they have difficulty paying their bills.⁶

This volatility imposes serious economic, personal, and health strains on low-wage workers and their families.⁷ When a worker doesn’t know when they’ll have to work or how much they’ll make from week to week, they don’t know whether they’ll be able to pay their rent or keep the lights on. This uncertainty increases stress and anxiety, interferes with sleep, disrupts family routines, and strains relationships.

Inequities for women and women of color

Women are disproportionately affected by unstable work schedules because they hold many of the low-paid, hourly jobs in the retail and food service industries where unfair scheduling practices occur.⁸ Women also shoulder the bulk of family caregiving responsibilities,⁹ and they are often forced to cobble together child care from friends, family, or other informal care

² Susan Lambert, Fair work schedules for the U.S. economy and society: What’s reasonable, feasible, and effective, Washington Center for Equitable Growth, Feb. 2020, <https://equitablegrowth.org/fair-work-schedules-for-the-u-s-economy-and-society-whats-reasonable-feasible-and-effective/>.

³ Ibid.

⁴ Ibid.

⁵ Ibid.

⁶ Schneider & Harknett, Working in the Service Sector in Connecticut, Mar. 2018.

⁷ Liz Ben-Ishai, Federal Legislation to Address Volatile Job Schedules, CLASP, July 2015, https://www.clasp.org/sites/default/files/publications/2017/04/2015.07.23_SchedulesThatWorkActBrief_FINAL.pdf.

⁸ Jasmine Tucker & Julie Vogtman, When Hard Work Is Not Enough: Women in Low-Paid Jobs, April 2020, <https://nwlc.org/resource/when-hard-work-is-not-enough-women-in-low-paid-jobs/>.

⁹ “Caregiver Statistics: Demographics,” Family Caregiver Alliance, 2016, <https://www.caregiver.org/resource/caregiver-statistics-demographics/>.

providers with little notice¹⁰ in order to work erratic hours for a paycheck. The intersection of race and gender imposes a dual challenge on Black women and Latinas. Black women and Latinas are especially likely to be breadwinners for their families, contributing substantially to their families' income¹¹ and are also more likely to experience scheduling instability than their white counterparts.¹² Unpredictable schedules can also exacerbate the gender pay gap, due in part to conflicts with women's caregiving responsibilities.¹³

Part time workers

Adding to this instability is part time work. Part-time workers are more likely than full-time workers to have erratic hours, which results in volatile incomes. Eighty-eight percent of Connecticut service sector workers surveyed reported working less than 40 hours per week. For many, working part time isn't a choice. The majority of workers surveyed (58 percent) reported that they would prefer to work more hours.¹⁴ Some employers—especially in the service sector—are reluctant to offer full-time positions. Instead, they hire multiple part-time staff so they can adjust staffing on short notice and reduce wage costs. As a result, many part-time workers are denied opportunities to advance into full-time jobs.

Part-time workers frequently make less per hour than full-time employees for the same work and lack access to workplace benefits like health insurance, retirement benefits, and unpaid and paid time off that are more likely to come with full time work. Not all workers experience part time work the same. Nationally, nearly six in 10 part time workers are women and women are 1.6 times more likely to work part time than men.¹⁵

H.B. 6859 and a more stable, reliable workforce

H.B. 6859 will provide Connecticut working families the stability they need, ensuring that more than 140,000 retail, food service, long-term care, and hotel employees will have more predictable schedules and paychecks. The bill will require employers to provide employees with their schedules two weeks in advance, require compensation for late changes, and discourage clopening shifts. The bill will allow part-time employees the opportunity to work more hours, requiring employers to offer extra shifts to current employees before hiring additional staff.

Predictable work schedules help create a more stable, reliable workforce for businesses. More consistent and adequate hours and advance notice of schedules make it easier for employees to secure stable child care and arrange transportation so that they can consistently be and stay at work—in turn creating stability, predictability, and cost-savings for businesses. For example, when some Gap stores piloted strategies to improve consistency and worker-driven flexibility in

¹⁰ Kristen Harknett, Daniel Schneider & Kristen Luhr, Who Cares If Parents Have Unpredictable Work Schedules?: Just-in-Time Work Schedules and Child Care Arrangements, *Social Problems*, Vol 69 (1) p. 164–183, Sept. 2020, <https://doi.org/10.1093/socpro/spaa020>.

¹¹ Sarah Jane Glynn, Breadwinning Mothers Are Increasingly the U.S. Norm, *The Center for American Progress*, Dec. 2016, <https://www.americanprogress.org/article/breadwinning-mothers-are-increasingly-the-u-s-norm/>

¹² Adam Storer, Daniel Schneider & Kristen Harknett, What Explains Race/Ethnic Inequality in Job Quality in the Service Sector?, *American Sociological Review*, Vol 85, Issue 4, June 2020, <https://journals.sagepub.com/doi/pdf/10.1177/0003122420930018>.

¹³ Valentin Bolotnyy & Natalia Emanuel, How Unpredictable Schedules Widen the Gender Pay Gap, *Harvard Business Review*, July 2022, <https://hbr.org/2022/07/how-unpredictable-schedules-widen-the-gender-pay-gap>.

¹⁴ Schneider & Harknett, *Working in the Service Sector in Connecticut*, Mar. 2018.

¹⁵ Part-Time Workers Are Facing Heightened Uncertainty During COVID—And Most Are Women, *NWLC* Feb. 2022, <https://nwlc.org/resource/part-time-workers-factsheet/>.

shift scheduling, they saw higher productivity as well as a notable increase in sales.¹⁶

A study in Emeryville, California, found that after the city's fair workweek policy went into effect, workers reported a significant decrease in schedule instability, along with improvements in family well-being.¹⁷ In Seattle, researchers similarly found that workers covered by the Secure Scheduling Ordinance experienced more predictable schedules, improved well-being, and increased financial security.¹⁸

Connecticut has been a national leader in building economic opportunity and security for working families. Connecticut was the first state in the nation to pass a law guaranteeing paid sick leave, and is only one of 11 states and Washington D.C. to provide paid family and medical leave to employees. Legislation to provide predictable schedules, as well as the legislation being considered to end the sub minimum wage for tipped workers, would help the many families across the state who are still struggling achieve stability.

CLASP supports H.B. 6859 and urges the committee to support and pass this legislation. Thank you for your time and attention on this important issue.

Sincerely,

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¹⁶ Joan C. Williams et al., The Stable Scheduling Study: Stable Scheduling Increases Productivity and Sales, Center for Worklife Law, Mar. 2018, <https://worklifelaw.org/wp-content/uploads/2019/02/Stable-Scheduling-Health-Outcomes-Report.pdf>.

¹⁷ Elizabeth O. Ananat, Anna Gassman-Pines & John A. Fitz-Henley II, The Effects of the Emeryville Fair Workweek Ordinance on the Daily Lives of Low-Wage Workers and Their Families, RSF: The Russell Sage Foundation Journal of the Social Sciences, Vol. 8 (5) p.45-66; Aug. 2022, <https://www.rsfjournal.org/content/8/5/45.full>.

¹⁸ Kristen Harknett, Daniel Schneider & Veronique Irwin, Seattle's Secure Scheduling Ordinance: Year 2 Impact Report, Shift Project, Feb. 2021, <https://shift.hks.harvard.edu/seattles-secure-scheduling-ordinance-year-2-worker-impact-report/>.