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POLITICS

Local Governments Arrive on Schedule to Buttress Part-Time Workers

Laws requiring businesses to give employees more predictable and remunerative schedules sprout across the U.S.



Supporters cheer as the Seattle City Council in September unanimously approved a new law designed to give hourly retail and food-service workers more predictability in their scheduling. PHOTO: ASSOCIATED PRESS

By **MELANIE TROTTMAN**

Nov. 26, 2016 7:00 a.m. ET

Proposed laws requiring employers to give workers more predictable and remunerative schedules are sprouting across the nation, drawing the ire of some employers as local governments wade into the debate over economic inequality.

Largely aimed at part-time employees in the retail and food-service sectors that employ some of the lowest-wage workers in the country, the plans vary in scope but have common goals: give employees more notice of their schedules, more access to extra hours and extra pay for employers' last-minute scheduling changes.

Worker advocates say the laws would shore up the middle class by narrowing income gaps and improving work-life balance. Some employers worry about rising costs and inefficiencies they say could hurt them and their employees.

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Seattle's City Council unanimously approved an ordinance over fair scheduling in September after a lively political

debate pitting employers against labor groups and their allies.

New York City's Mayor Bill de Blasio in September said he would work with his City Council to draft scheduling legislation.

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And in California, the City Council in Emeryville unanimously passed a scheduling law last month, while San Jose residents approved a scheduling ballot initiative in the Nov. 8 election.

There also have been scheduling campaigns or proposals in several states—Maryland, Massachusetts and Minnesota to name a few. In Washington, D.C., the City Council recently put aside a bill to give them time to sort through the issues.

But Republican victories this month in the presidential, congressional and gubernatorial races are raising fresh questions about whether pending scheduling proposals would face greater resistance at the state and federal levels.

President-elect Donald Trump has generally vowed to roll back regulations, but hasn't been specific about laws addressing issues such as overtime pay and scheduling. Most of the scheduling legislation has come at the local level, however.

Employers call scheduling regulations a solution in search of a problem and say workers initiate most scheduling changes. They warn such laws would remove employer autonomy and penalize businesses because of a small group of bad actors.

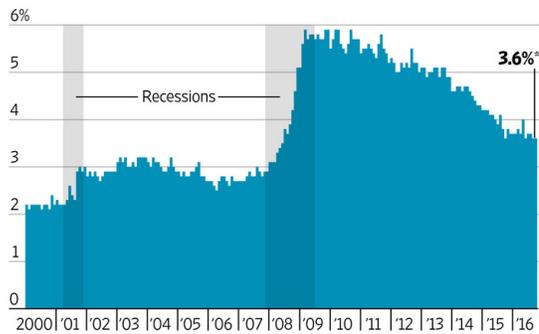
They say the regulations boost employer costs and reduce flexibility. "I will have to raise my prices," said David Jones, who owns two Subway sandwich shops in Seattle. He says the scheduling law adds a "complicated layer" to the cost of the recent Seattle law increasing the minimum wage. Mr. Jones expects many employers to try to cut costs by not fully covering shifts, "So when somebody calls in sick, everyone will just have to work harder."

Employers are also concerned about documentation required to prove compliance with these laws. "We have to document that we offer added hours" fairly to employees, said Bob Donegan, president of Ivar's, a Seattle-based chain of seafood restaurants.

Still, not all business owners oppose scheduling mandates. Reginald Swilley, co-owner of the Minority Business Consortium in Silicon Valley, said the San Jose initiative will benefit the economy. Employees "will be able to commit themselves to one particular job and be more efficient," he said.

Short of Time

Share of labor force working part time because can't find full-time work



*As of Oct. 2016

Source: Federal Reserve Economic Data

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Flavia Cabral works two part-time jobs to make ends meet. She would like a more reliable schedule from one—a McDonald's franchise restaurant. "They text me telling me to stay home 'because we don't need you today,'" making it harder to cover her rent, the 55-year-old New York City resident said.

McDonald's Corp. didn't have a comment.

The economic recovery has



Flavia Cabral, a New Yorker who works two jobs to get by, says she needs a more reliable work schedule. PHOTO: MARK ABRAMSON FOR THE WALL STREET JOURNAL

left a range of workers with stagnant or lower incomes, and they often lack the hours they need or are working multiple jobs.

But as cities and states have increased minimum wages to as high as \$15 hourly, worker groups have pressed for other improvements, such as paid sick leave and scheduling mandates.

"The economy is changing rapidly. We've got to figure out the new sets of policy solutions that are going to make it so that workers can earn a decent living and thrive," said Derecka Mehrens, executive director of Working Partnerships USA and a co-founder of the campaign that launched the San Jose effort.

Ms. Mehrens and other supporters of scheduling laws say they are encouraged by the four states—Arizona, Colorado, Maine and Washington—where voters approved minimum-wage increases on Nov. 8.

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—Derecka Mehrens, executive director of Working Partnerships USA

Seattle's was the second comprehensive scheduling law enacted in the U.S., after San Francisco passed one for big retailers in 2014 that become fully effective this past March.

Although some employers and business groups say they have experienced some hitches with San Francisco's law, Seema Patel, deputy director of the city's Office of Labor Standards Enforcement said that based on complaints and calls to the agency's hotline,

the regulations have helped workers. And “we have not heard any feedback from employers that the law has negatively affected them.”

Seattle’s law takes effect next year and covers large retailers and food-service businesses. It requires employers to post schedules at least 14 days in advance. They must also give existing part-time employees first shot at extra hours instead of automatically hiring part-timers to cover. And employers will have to pay added wages for making certain last-minute scheduling changes.

Oliver Savage, a 22-year-old barista at a Seattle Starbucks, already gets his schedule two weeks in advance, as some employers made changes on their own before the city took action. The full-time college student hopes to work next summer beyond the 21-hour weekly maximum this past summer.

A Starbucks spokesman declined to comment on the Seattle law but said the company has made scheduling improvements over the past two years.

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