

The Schedules That Work Act of 2022

Unstable, unpredictable, and rigid scheduling practices make it all but impossible for workers to balance professional responsibilities with individual and family needs. This includes placing workers “on-call” with no guarantee of work hours, scheduling them for “split shifts” of non-consecutive hours, sending workers home early without pay when demand is low, requiring workers to work the closing shift one day and the opening shift the next, and punishing workers who request schedule changes, which makes it all but impossible for workers to balance professional responsibilities with individual and family needs. Employers have continued to use “just-in-time” scheduling practices [throughout the COVID-19 pandemic](#)—even as workers face heightened risks to their health and safety, inadequate access to paid leave and paid sick days, and additional caregiving challenges posed by school and child care closures and quarantines.

These harmful scheduling practices disproportionately affect low-wage workers, women, and workers of color. [Roughly half of low-wage workers](#) reported having very little or no say over the specific hours they were scheduled to work, and in nearly [7 in 10](#) of the lowest income households, mothers bring home most or all of the income. Data show that unpredictable and unstable schedules are particularly common in retail, food service, and cleaning occupations: about [two-thirds](#) of retail and food service workers receive their work schedules less than two weeks in advance, with hours typically fluctuating by [about 40 to 70 percent](#) during a single month. And the burden of these practices [falls disproportionately on women of color](#) who are overrepresented in the low-wage workforce

Difficult scheduling practices negatively impact workers and families. Unstable, unpredictable, and rigid schedules make it difficult for workers to maintain stable child care, care for other family members, pursue career development or other education, get or keep a second job, or take care of their own health. Fluctuations in income make it more difficult for families to manage their household budgets or to qualify and maintain eligibility for supportive services such as child care subsidies. A survey of retail workers found that unpredictable schedules are associated with [financial insecurity, high stress, poor health outcomes, and, for parents, less time spent with children](#). And some research has suggested that scheduling stability may even [improve sales](#) and productivity.

The Schedules That Work Act of 2022 would:

- **Protects Workers Who Ask for Schedule Changes.** All employees of companies with more than 15 workers will have the right to request changes in their schedules without fear of retaliation. Employers would be required to consider and respond to all schedule requests, and, when a worker’s request is made because of a health condition, child or elder care, a second job, continued education, or job training, the employer would be required to grant the request unless a legitimate business reason precludes it.
- **Incentivizes Predictable and Stable Schedules in Occupations with Known Scheduling Abuses.** Employees in food service, cleaning, hospitality, warehouse, and retail occupations – as well as other occupations designated by the Secretary of Labor – will have advance notice of their work schedules and receive additional pay when they are put “on-call” without any guarantee that work will be available; are sent home early on slow days; are scheduled for a “split shift;” or receive schedule changes or shifts are cancelled with less than two weeks’ notice.
- **Guarantees Workers the Right to Rest Between Shifts.** Work schedules that requires workers to work the closing shift one day and the opening shift the next are especially disruptive, often leaving workers insufficient time to travel home and rest between shifts. Employers would be prohibited from requiring employees to work with less than eleven hours of rest between shifts and would be required pay employees time and a half if they voluntarily agree with less than 11 hours rest.