



MONTGOMERY COUNTY, MARYLAND  
WOMEN'S DEMOCRATIC CLUB

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**House Bill HB0431 – Fair Scheduling Act  
Economic Matters Committee – February 22, 2022  
SUPPORT WITH AMEMNDMENT**

Thank you for this opportunity to submit written testimony concerning an important priority of the **Montgomery County Women's Democratic Club (WDC)** for the 2022 legislative session. WDC is one of the largest and most active Democratic Clubs in our County with hundreds of politically active women and men, including many elected officials.

**WDC urges the passage with amendment of HB0431 Fair Scheduling Act.** This bill will require a food service establishment that is part of a chain of at least 10 restaurants nationwide or a franchise of at least ten establishments nationwide, or a retail establishment that is part of a chain of least 10 retail establishments nationwide to pay an employee for at least four hours at the employee's regular rate of pay for each shift or on-call shift for which the employee reports to work but is required to work less than four hours, among other pay provisions. This bill also provides that an employee has the right to decline work hours during the eleven hours following the end of a shift. If an employee agrees in writing to work during these hours, the employee shall be paid 1.5 times the employee's regular rate of pay. The bill includes anti-retaliation provisions.

The food and retail service industry – especially chains and franchises – are among the most common users of just-in-time scheduling. In general retail workers are more likely to be women than men, and Black and Hispanic, who are employed in the lower-paid job categories such as cashier that are most frequently subject to just-in-time scheduling. Many of these workers have provided us with essential services during the COVID pandemic. When workers schedules are unstable and unpredictable, they struggle to pay rent, hold a second job to make ends meet, or take classes to improve their work prospects. They are also more likely to suffer untreated stress and health issues, skip meals or rely on food pantries, move in with others, and place their children in unstable, last-minute childcare arrangements. One study found that 80 percent of hourly workers had little or no input into their schedules, and one in three received their schedule less than one week in advance. Another study found that fair schedules reduced employee turnover.

While this bill ensures compensation for workers who have their schedules cancelled or shortened after they report for work and prohibits mandatory back-to-back shifts, it does not address the practice of unpredictable, last minute, just-in-time work schedules without adequate advance notice.

**Therefore, we ask for your support for HB0431 and strongly urge a favorable Committee report, with amendment, to require advance notice of work schedules and the right to change schedules.**

Respectfully,

Leslie Milano  
President