



Testimony in SUPPORT of HB 431
Maryland Fair Scheduling Act
Economic Matters Committee

Honorable Chairman Wilson and Members of the Economic Matter Committee:

CASA thanks the Committee for the opportunity to testify in support of HB431, the Maryland Fair Scheduling Act. CASA is the largest membership-based immigrant rights organization in the mid-Atlantic region, with more than 90,000 members in Maryland alone. On behalf of our members, CASA urges a favorable report for House Bill 431.

CASA supports this bill because it will help provide our members with greater predictability in their employment and ensure that they are protected if their employer retaliates against them for asserting their rights.

As an employment attorney providing pro-bono legal services to low-income community members, I routinely hear about the issues addressed by HB431.

Last-Minute Schedule Changes and Retaliation

Many of the clients I work with are services workers inquiring about the legality of workplace practices like last-minute schedule changes and the backlash they face, including demotion and reduction in hours, when they push back against these action. Unfortunately, under the law as it exists, I have to tell them that these practices are not illegal.

Workers I've consulted with have also routinely been sent home from shifts early when there isn't enough work, even where they've been called in to cover a shift on what was supposed to be their day off. HB431 would mandate that employers provide compensation in these circumstances, helping to mitigate the harm caused by this disruptive practice.

Particular issues present for workers who are also students, struggling to balance work and classroom obligations. I've heard from young adults in college who were told by their manager that they had to come in for an on-call shift or be fired, despite the shift being during their college classes. HB431 would prevent this sort of retaliation, giving employees the right to decline work hours not included in an initial work schedule without facing retaliation or being fired.

Disruption to Families

Particularly hard hit by irregular work schedules and related issues are women and families. I've had to tell working mothers that there is no recourse for them when their schedule changes, even where it interferes with things like doctor's appointments for their children or long-standing child care arrangements. Sadly, under existing law, their employer's threat to fire them isn't illegal if they haven't worked enough hours to be covered by the protections of the Family Medical Leave Act (FMLA). HB431 would cover the gaps faced by part-time workers, and workers in their first year, allowing them to care for themselves and their family.

One worker told me they were kept off the schedule for a month without explanation, after a disagreement with their managers, despite being hired as a part-time worker with regular 20 hour work weeks. HB431 would offer the employee a mechanism to complain about such practices, outside of whatever human resources infrastructure exists at their place of work.

Most people entering the job force expect predictability - a set work schedule, respect for the hours available you've submitted, and the expectation that your job schedule will remain consistent from month to month. But for 350,000 Marylanders working in retail, fast food, and restaurant jobs, that is often not the case.

About seventy-five percent of Maryland services workers do not know what their next month of work will look like. This not only presents difficulties for planning for their responsibilities outside of work - workforce training, pursuing education, caregiving, or holding down a second job to make ends meet - but it makes it difficult to be financially stable, as there is not a predictable stream of income.

The last two years have shown us how invaluable services workers are to keeping this country and Maryland running, and they deserve the dignity and respect that comes with stability in the workplace.

For these reasons CASA urges a favorable report for HB431.

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