

Testimony in Support of HB 431 Labor and Employment - Maryland Fair Scheduling Act

TO: Hon. Chair Wilson, Vice Chair Crosby, and Members of the House Economic Matters Committee

FROM: Kayla Mock, Political Organizer
United Food and Commercial Workers Union, Local 400

Chair Wilson and members of the House Economic Committee, I appreciate the chance to share my testimony on behalf of our over 10,000 members in Maryland, working on the front lines of the ongoing pandemic in grocery, retail, food distribution, law enforcement, and healthcare. Through collective bargaining, our members raise the workplace standards of wages, benefits, safety, and retirement for all workers.

We strongly support HB 431 and urge this committee to vote it favorably.

In most of the industries United Food and Commercial Workers Union Local 400 (UFCW 400) represents, we see the importance of fair scheduling. Retail schedules are often unpredictable, posted with late notice, and often leaves workers stressed, vulnerable, and feeling as though they are constantly “on call” to pick up shifts when called in, even though the nature of their work is not on call. It can be exhausting and expensive.

The burden of home care and childcare also often falls to women, meaning unpredictable schedules disproportionately affecting them. The National Women’s Law Center found “unfair work schedules make it difficult for women to access healthcare for themselves and their loved ones, noting that medical appointments often need to be made well in advance, an impossibility when workers do not know their schedules until days before their shifts.”

As an organizer talking to non-unionized workers, I once heard from a worker who had to leave their job, citing the unpredictable scheduling and late notice shifts left her unable to arrange affordable childcare. It became too expensive for her to work. Her and her child were then both placed on state provided benefits, as she also lost her employer provided healthcare. Another worker once told me they had to leave their job because they could not schedule chemotherapy treatments with constant schedule changes, and it literally became a choice of their life or their job.

Fair scheduling fosters healthy practices allowing time for life planning, sleep, commuting, caring for children, a household, or oneself. Fair scheduling also relieves stress, promoting better mental health practices through work life balance. Workers with fair scheduling employers often feel more secure, cared for, and happier at work and home.

Fair scheduling is also good for businesses, with multiple studies finding business with implementing predictable scheduling have a decrease in worker turnover, have simpler time tracking on payroll, and increase their worker productivity. Harvard Kennedy's School's Shift Project found that fair scheduling "increased worker happiness and sleep quality, reduced material hardship, and allowed workers to schedule and pay for medical care." It is simple – workers who know their schedules, who can adequately plan their lives are more productive at work.

UFCW 400 is proud to have several collective bargaining agreements that implement fair scheduling standards, some very similar to those proposed here, such as Giant Food and Safeway. Before I became a staff member at UFCW 400, I was an employee of Giant Food. Fair scheduling allowed me to earn my degree while not having to stress over the expectation of being an "on call worker" in an industry that should not be "on call," such as retail. My mom, a 39-year Giant employee, was able to raise me as a single mom, because she could arrange childcare, doctor's appointments, and rides to work because of the predictable nature of her schedule.

We were also protected from retaliation if we could not make a last-minute shift. I have heard from numerous retail workers who have talked about having to cancel appointments or miss their children's sports games because they were called into work and they were too afraid to say no, fearing their hours would be cut in retaliation the next week. No bosses should have such power over employees that the simple act of missing a phone call in off times or declining a shift could result in a loss of hours and income.

The companies who have fair scheduling practice in place with employees we represent are still profitable and have a flexible work force. They can schedule employees when they need them, call workers in if things are busy, send workers home if it is slow, and create schedules based on peak and valley business. They were still able to plan according to business needs.

This bill creates a sustainable practice of scheduling allowing workers the freedom to plan their lives.

On behalf of our members and all of Marylanders, we urge a favorable report from this committee on HB 431, The Maryland Fair Scheduling Act.