SB 345 - Maryland Fair Scheduling Act
Senate Finance Committee
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SUPPORT

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Madame Chair and members of the Committee, thank you for the opportunity to submit testimony in support of SB 345. My name is Donna S. Edwards, and I am the President of the Maryland State and District of Columbia AFL-CIO. On behalf of Maryland's 300,000 union members, I offer the following comments.

SB 345 offers predictability to workers by offering minimum required pay for a shift in number of hours, for both on-call and scheduled work. This system incentivizes employers to schedule workers responsibly and work to resolve scheduling issues in advance. Without SB 345, workers in the restaurant and retail businesses have difficulty anticipating pay, planning beyond a day or two, adjusting childcare and establishing a healthy work life balance.

New technology allows businesses to track sales and customer data with precise details. Some employers use algorithms based on predicted customer traffic to maintain as lean staff as possible by scheduling workers for minimal hours, be on call at the last minute or leave shifts early.

These same tools can be used to provide workers better schedules if given the right incentives. Businesses claim that the SB 345's recordkeeping provisions are an administrative burden. Companies with 10 or more retail establishments or restaurants typically use digital scheduling and payroll processing services that can comply with the bills requirements easily. Some payroll and scheduling softwares have the ability to help minimize the number of shifts that result in premium pay for workers, helping businesses to save money while offering employees better schedules. David Reischer, an Attorney and CEO of LegalAdvice.com, said that "Employers benefit from a lower turnover rate when workers have greater job satisfaction by knowing their schedule."

Jobs offering unpredictable and unstable work schedules are more likely to be filled by women, especially women of color. She is more likely to face wage gaps and chronic economic loss from being in low paid jobs and she is most likely a single mother. The volatile scheduling complicates and stifles her ability to plan for her children's safe care, attend training or classes to improve skills or even hold a second job to keep her family economically stable. A study conducted at the University of California

demonstrates that one policy change makes a huge difference: making employers guarantee that workers' schedules are at least two weeks in advance and compensate workers for last-minute changes.

Opponents of the bill blame wages, extended benefits and a host of other non-proven reasons for why they are suffering staff shortages. But a recent article in Restaurant Dive states "Most workers are leaving the restaurant industry for these three reasons: to receive higher pay (28%); for access to a more consistent schedule/income (23%); and because they lack access to professional development and promotional opportunities (17%), according to Black Box/Snagajob."

Studies and the industry's own data demonstrate that fair scheduling promotes retention, better economic and well-being for the workers, and improves the industries' staffing shortages. A National Bureau of Economic Research paper following the lives of workers in Emeryville, California after their fair scheduling law was implemented found no effect on the total hours worked per week, but found that it "successfully lowered the frequency of changes in shift start times and end times and in surprise shifts that got added to workers' schedules at the last minute." If our state values and respects the dignity of all work, the requirements within this bill should be completely non-controversial.

We urge a favorable report on SB 345.