



MONTGOMERY COUNTY, MARYLAND  
WOMEN'S DEMOCRATIC CLUB

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**House Bill 349 - Maryland Fair Scheduling Act  
Economic Matters Committee – February 14, 2023  
SUPPORT WITH AMENDMENT**

Thank you for this opportunity to submit written testimony concerning an important priority of the Montgomery County **Women's Democratic Club** (WDC) for the 2023 legislative session. WDC is one of the largest and most active Democratic clubs in our county with hundreds of politically active members, including many elected officials.

**WDC urges the passage of HB0349.** This bill requires a food service facility that is part of a chain or franchise of at least ten establishments nationwide and a retail establishment that is part of a chain of at least ten retail establishments nationwide to compensate employees for cancelled shifts and to allow an employee to decline work hours during the eleven hours following the end of a shift. A covered employer shall pay an employee for at least four hours for each shift or on-call shift for which the employee reports to work but is required to work less than four hours. If the scheduled hours are less than four hours, the employer shall pay the employee for the scheduled hours. If the employer requires the employee to be available for an on-call shift but does not require the employee to report for work, the employer shall pay the employee two hours of pay for each on-call shift of four hours or less and four hours of pay for each on-call shift exceeding four hours. If an employee voluntarily agrees to work during the eleven hours following the end of a shift, the employer shall pay the employee 1.5 times the regular pay for the hours worked but not less than an amount that is equivalent to four hours of pay. The bill includes reporting and 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 that are most frequently subject to just-in-time scheduling. When workers' schedules are unstable and unpredictable, they struggle to pay rent, hold a second job to make ends meet, or are unable to 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.

**We ask for your support for HB0349 and strongly urge a favorable committee report. However, we also ask the committee to consider amending this bill to require reasonable advance notice of work schedules.**

Diana E. Conway  
WDC President

Ginger Macomber  
WDC Advocacy Committee