

# TIME THEFT



## Employer Scheduling Practices

## and Their Impacts on San Diego County Workers

**Workers in San Diego County are facing enormous challenges due to employer scheduling practices, which interfere with employees' health, family life, financial stability, and academic pursuits.**

Scheduling practices such as short advance notice, same-day changes, and on-call shifts may be convenient for employers, but come at a tremendous cost to workers. Workers find themselves at the beck and call of their employers, unable to plan family activities, social engagements, medical appointments, shifts at second jobs, class attendance, and other important life obligations. Moreover, workers are generally not paid for on-call time they leave open for their employers. *Employers are effectively stealing workers' time.*

### Key Findings

**Our survey of nearly 2,800 hourly workers in San Diego County found that among our participants:**

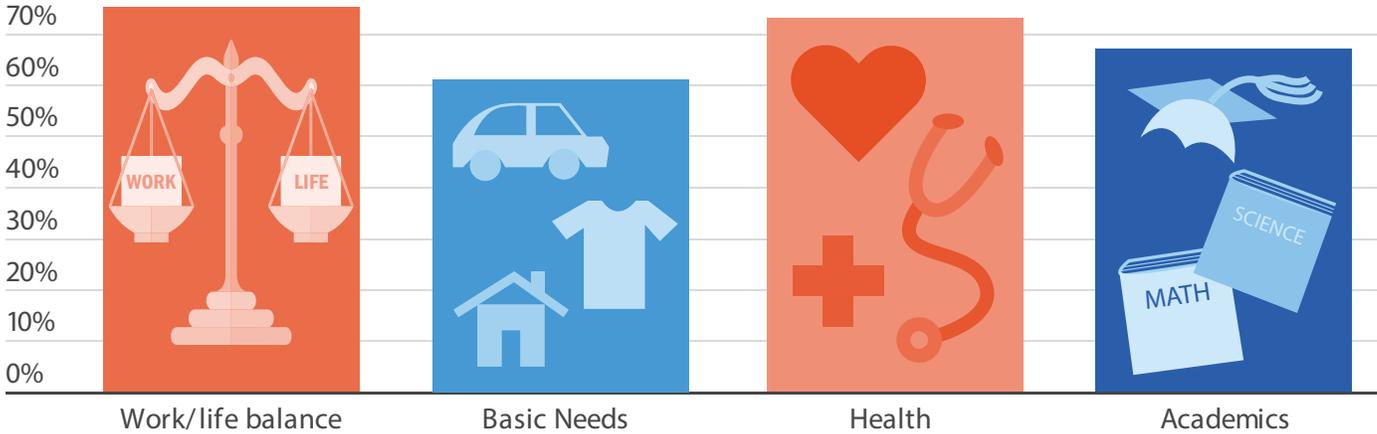
- 1)** Unpredictable work schedules have widespread direct impacts on workers' personal lives, family time, financial security, and health.
- 2)** Two of every three students who work, reported that unpredictable schedules negatively impact their school performance, prevent them from attending classes and exams, and/or cause them to take longer to graduate.
- 3)** Over 85% of survey participants are facing unpredictable scheduling practices implemented by employers, and this rises to more than 95% among food service, grocery, and retail workers.
  - a)** Most workers are not given accurate information about their schedule at the time of hire.
  - b)** Over half of workers receive their schedule with less than two weeks' notice.
  - c)** For nearly two-thirds, management changes their schedule after posting, and half experience same-day schedule changes.
  - d)** Almost one in five work on-call shifts, with three out of every four of these workers being pressured or required to do so.
- 4)** Four of every ten participants reported that their employers ignore workers' need for adequate rest by leaving fewer than 10 hours in between shifts.
- 5)** More than one in four participants reported that they have been subject to employer retaliation for making special scheduling requests.

**Policies have been proposed and adopted across the country to address these issues. We need local Fair Workweek policies to provide San Diegan workers with more socially and financially stable lives, and to create more equitable, sustainable, and positive employer-employee relationships.**

# IMPACTS OF UNPREDICTABLE SCHEDULES

We found that in San Diego County, as in other parts of the country, unpredictable schedules have harmful consequences for workers and their families. For the vast majority of survey participants, their work schedules have negative impacts on their work/life balance, basic survival, and health. For students, their work schedules are also detrimental to their academic performance and ability to graduate in a timely manner.

## Unpredictable Schedules Have Widespread Negative Impacts on Workers' Lives



Note: Percentage of participants saying their schedule affected at least one facet of these areas; for academics the percentage is of workers who are students.

### Impacts on Work/Life Balance:

The most ubiquitous impact that scheduling practices have on the workers we surveyed was the resulting inability to plan social time. Three of every four participants reported the inability to schedule time with friends and family. Not only is such time important for family stability, it also contributes to the mental and physical health of workers and their families.

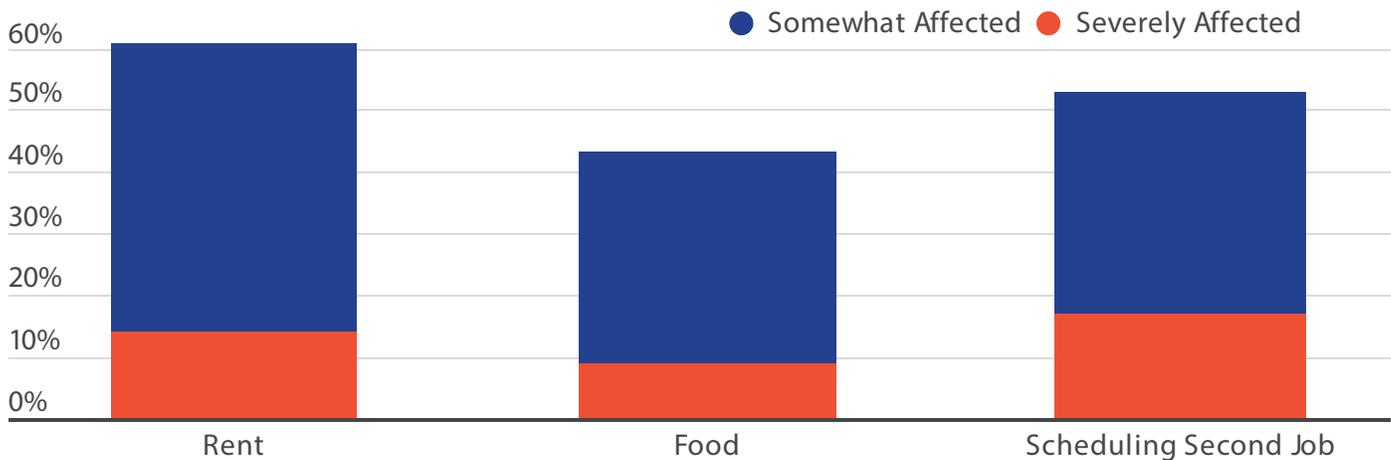
A worker at a coffee shop explained, "We get our weekly schedule on Saturday or Sunday for the following Monday. No set days off, so each week is different. It is really difficult to plan for my life outside of work: making plans with friends, scheduling appointments, and things like this."

### Impacts on Basic Needs:

Unstable schedules make it impossible to manage basic finances. Sixty-one percent of our participants reported that their work schedule affects their ability to cover basic needs in terms of paying for housing or food, or scheduling work at a second job

One survey participant explained, "My schedule times and days changed every week. The total hours also varied every week. Never the same, never consistent. This makes budgeting time and resources extremely difficult."

## Unpredictable Schedules Make it Difficult for Workers to Get By



Note: Percentages are of those whose income is used for these expenses or who said the second job question applied to them.

Of those who say that they use their income to pay rent and housing expenses, 60% reported that their work schedule impacts their ability to meet these payments.

*As a worker at the San Diego Zoo explained, “I assumed at the beginning of the job I would always be getting around the same paychecks every two weeks. Yet I had periods where I would barely work and wasn’t able to get enough money to support myself. During those periods it was extremely difficult to pay my bills and rent.”*

Unstable schedules can lead to food insecurity as well. Of those who use their income for food, 43% reported that their work schedule impacts their ability to purchase enough food.

*An employee of a well-known retail brand wrote, “[T]he reality is that I can’t even afford my food sometimes. It is embarrassing when you have a lunch time, but you don’t actually have money for lunch.”*

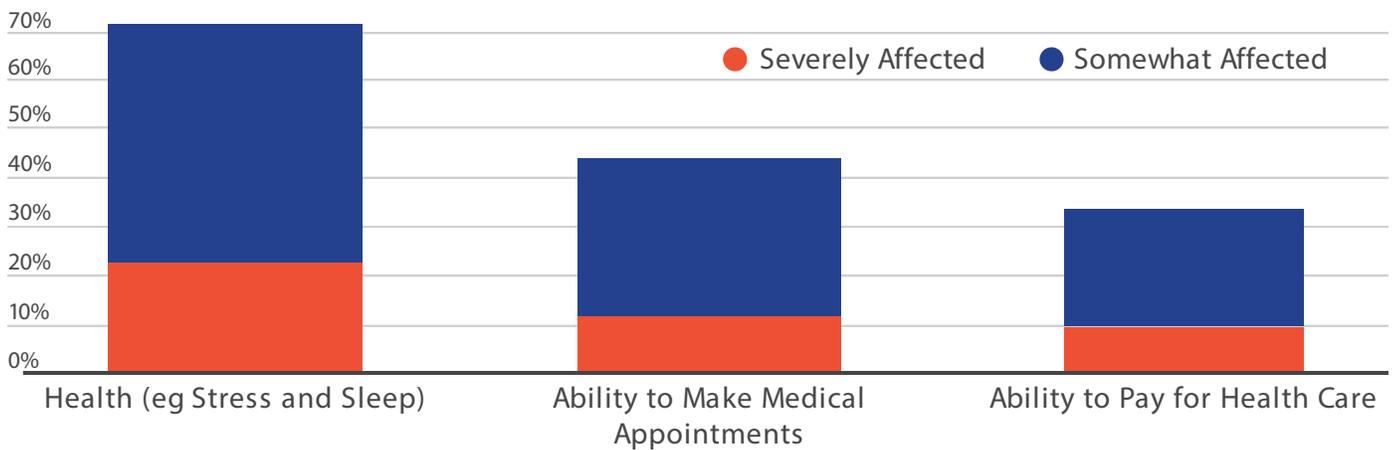
Many low wage workers rely on a second job to make ends meet. For those who said the question applied to them, more than half (53%) reported that the work schedule at their primary job affects their ability to schedule work at another job. The irony is that unpredictable schedules drive workers to pick up extra jobs and then make it difficult to schedule hours at those jobs.

### Impacts on Health:

Our survey included three measures of how work schedules affect employees’ health: self-reported health (like stress and sleep), ability to schedule medical appointments, and ability to pay for health care.



### Unpredictable Schedules Harm Workers’ Health



*Note: Percentages are of those who said the question was applicable to them.*

Work schedules have widespread impacts on workers’ health, including stress levels and sleep. Seven of every ten survey participants reported that their health is affected by their work schedules.

*As a grocery store worker described their schedule: “Never consist[ent] week to week . . . I can work 6 am-2:30 pm and turn right around 10 hrs. later and work midnight-8:30 am . . . It’s very difficult on the human body to constantly have a[n] inconsistent schedule! Trying to juggle when to eat, sleep, and family time doesn’t exist!!!!”*

Moreover, when workers do have medical issues, it is very difficult to seek treatment because of work schedules. Forty-four percent of participants reported that their schedule affects their ability to make medical appointments.

*As another grocery store worker described, workers feel unable to assert their need to make and keep appointments: “I’m unable to schedule appointments for specific places due to the repercussions at work if I called in . . . I’m tired and I have health problems.”*

Another barrier to seeking medical care is the inability to pay for it. We asked survey participants if their schedule affects their ability to pay for medical care. One in three reported that it does, among those who said it was applicable.<sup>1</sup>

# IMPACTS OF UNPREDICTABLE SCHEDULES

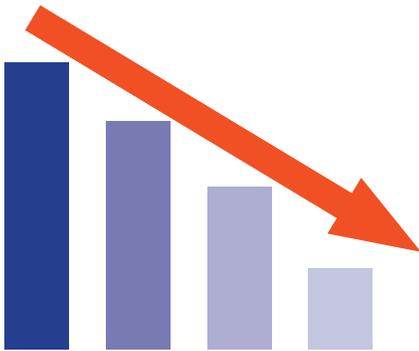
## Impacts on Academic Performance

We found that the great majority of students in our survey reported that their work schedule interferes with their academic performance. Two of every three students who worked and went to school simultaneously reported that their work schedule caused them to do worse in school, miss classes, miss exams, and/or delay their time to graduation.

Ninety-five percent of students who work do so during the school year. Sixty-three percent of these students reported that their work schedule affected their academic performance.

### Students' Performance Suffers from Unpredictable Schedules

#### Worsened Performance



#### Missed Classes



#### Missed Exams



In their testimonials, students described how their work hours interfered with both studying and sleeping, essential elements of the learning process. Moreover, the volatility of their work schedules made time management - a crucial tool for academic success - almost impossible.

A retail worker who goes to City College explained how hard a variable schedule can be, especially at crucial times during the semester, like fall finals that are given just as holiday consumer traffic is at its peak: *"I normally get scheduled to work a lot of hours around finals time which results in me going to class, then straight to work, then going home at ten o'clock at night and still needing to study and do homework. This has resulted in my grades falling due to exhaustion . . . if they do drop too much, my grant will be taken away from me, which would leave me with another huge problem, other than burning out at the age of eighteen."*

A skilled nursing assistant, studying at SDSU, expressed how supervisors disregard the need to attend professor's office hours or study groups: *"As the semester progresses . . . I sometimes need help and need to talk with my professors or conduct group work . . . My supervisor often makes it clear that I already have Tuesdays off and should be able to conduct group work/other school related activities on my day off."*



Moreover, one in three students reported that their work schedule causes them to miss classes, and almost one in ten reported having to miss exams or presentations, which can result in failing the class.

A City College student working in healthcare explained, *"I put in my schedule based on my school hours and many times it's changed without notification, causing me to miss class or show up late."*

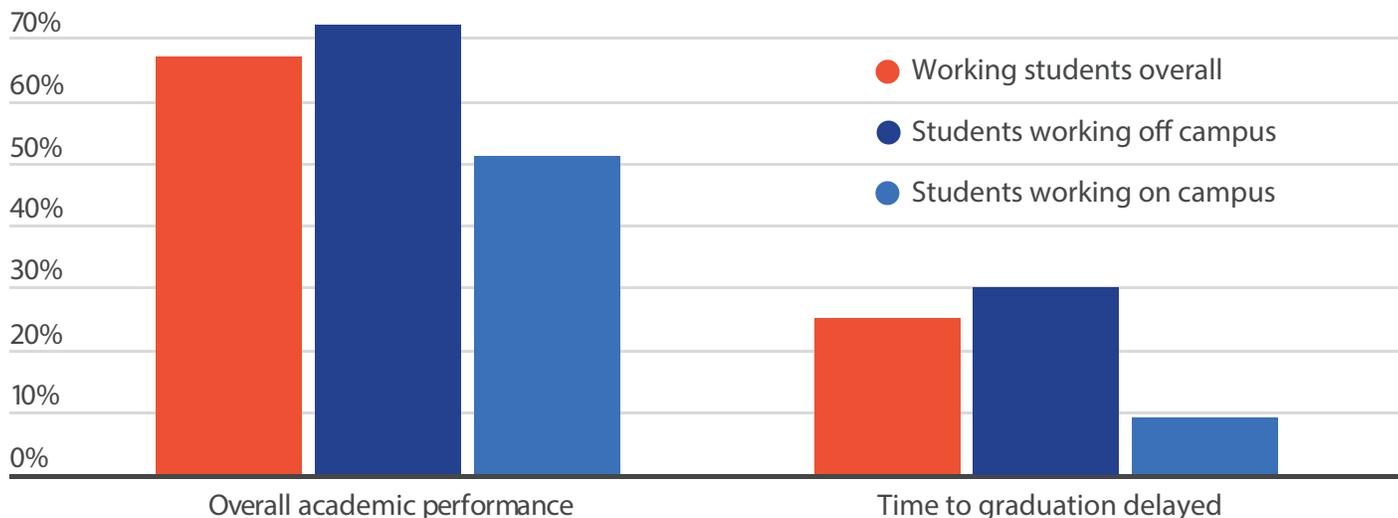
In their testimonials, students also described shifts that unexpectedly lasted until the wee hours of the morning, causing them to sleep through their morning classes.

The conflict between work schedules and school can also cause students to extend their time to graduation, costing students both time and money and putting more strain on public higher education budgets. When asked if it will take them longer to graduate due to their work schedule, one in four answered yes.

Working off campus was particularly detrimental to timely graduation. Almost 80% of students reported that their main job was off campus. For these students, 30% reported it would take longer to graduate, vs 9% for students whose main job was on campus. In fact, working off campus raised all barriers to academic success. Off campus workers were 50% more likely to miss classes due to their work schedule (37% vs 25%) and were two-and-a-half times as likely to miss exams and presentations (10% vs 4%).



### Unpredictable Schedules Interfere with Students' Progress



Note: Overall refers to a combination of worsens performance, makes students miss classes or exams, and/or delays time to graduation.

The financial instability caused by inconsistent schedules can also impact students' ability to pay for school. Thirty-eight percent reported that their schedule impacts their ability to pay for tuition and books.

An SDSU student working at SeaWorld wrote, "The scheduling during the off season really affected me financially because my hours were significantly cut, which . . . hindered me from buying school material on time."

Furthermore, it should be noted that students often have a difficult time even finding jobs that will accommodate their commitment to school, limiting their employment options. Employers often prefer to hire candidates with open availability, rather than students with fixed class schedules.

As one City College student, working in food services, lamented: "I often find that I have to be dishonest on my resume and not disclose that I am a current college student if I hope to get hired . . . I have resorted to, in the past, working in the sex industry with escorting in order to make ends meet while being a college student because employers will not hire me and I have to be able to survive."

### Impacts on ability to obtain more education

Of the non-students in the survey, we asked if their work schedule had prevented them from going to school because of time conflicts and if their schedule had made it difficult for them to afford school. More than one in four (28%) answered yes to one or both of these questions.

A 66-year-old SDSU student explained how employers' expectations that workers maintain open availability had previously barred them from attending university: "I did not begin my college career until I had the privilege of making my own schedule. Being in retail requires flexible availability, which makes it difficult going to school. That is one of the reasons why I took a long break from school. Life happens and managers expect to have reliable employees that will help cover any absences."

## UNPREDICTABLE SCHEDULING PRACTICES

*How much knowledge were survey participants given about their work schedule? Are workers told at the time of hire what their hours, days and shifts will be? Does their schedule conform to these agreements? Are workers given a set schedule? If not, how far in advance are they notified of their weekly schedule?*

### Lack of advance knowledge of schedule:

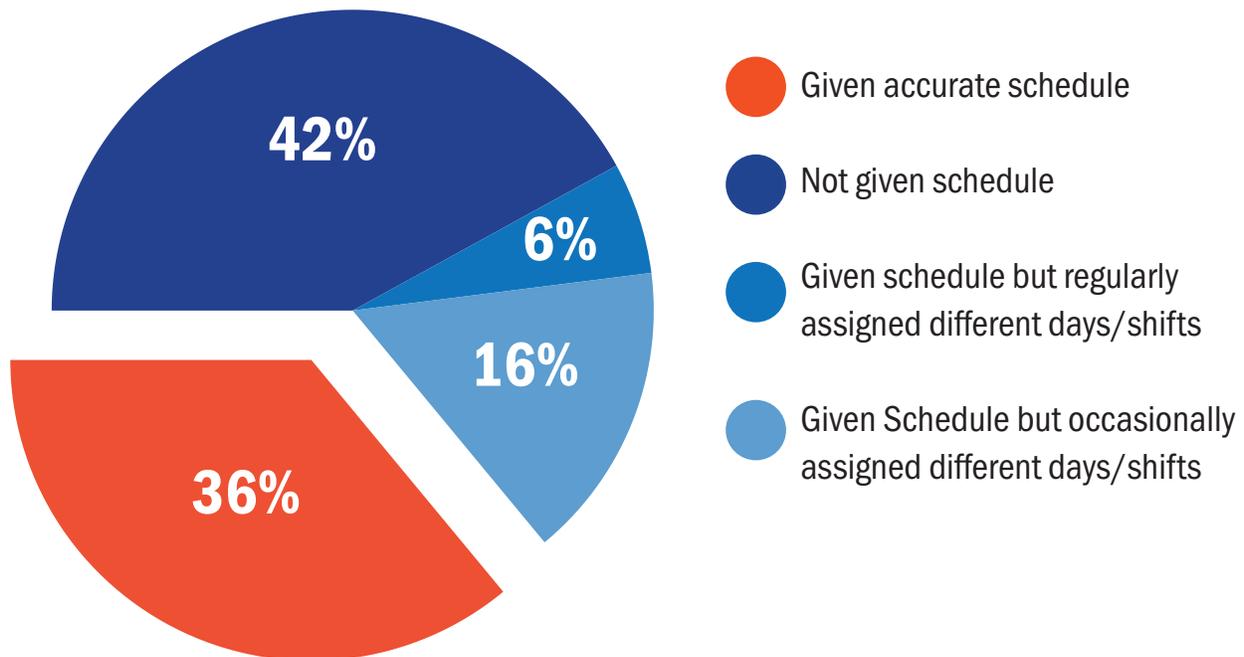
Hiring agreements often fail to include information about the number of hours, the specific days, and the particular shifts workers are being hired for. If there is no agreed-upon schedule, employers often expect workers to have open availability. While the concept of open availability is attractive to employers, it strips workers of any control over their own time and impinges on their ability to make other commitments – to family, school, second jobs, civic duties, and more. In addition, most hourly workers do not have a set schedule, nor are they given advance notice of their schedule.

*A Sea World worker explained, “[I]n the summer it is mandatory to have an open availability, an open availability schedule was from 5 am – 2 am Monday through Sunday, no exceptions. When it came to what one’s schedule was, it varied week to week.”*

### Failure in provision of time-of-hire agreements

There is often no formal agreement at the time of hire about workers’ schedules, and when there is, it is not guaranteed. Almost two-thirds (64%) of workers reported that they were not told what days and shifts they would be working at the time of hire or they were told but were scheduled for different days and shifts.

### Most Workers Are Not Given Accurate Schedule Information at Time of Hire



Forty-two percent of participants were not given any schedule at time of hire. Only 37% of participants were given their days and shifts in writing at the time of hire, with another 21% given only verbal confirmation of this information. Of those who were given a schedule at time of hire, 38% were assigned different shifts, with 10% regularly assigned different shifts.

*A City College student working as a sales representative explained that workers are often expected to take whatever hours they are assigned despite the hours agreed upon at the time of hire: “I was only hired to work on the weekends but then I was told I was needed full time. I am a college student and I can’t work full time so I was threatened by them, saying they were going to hire another girl to take my hours.”*

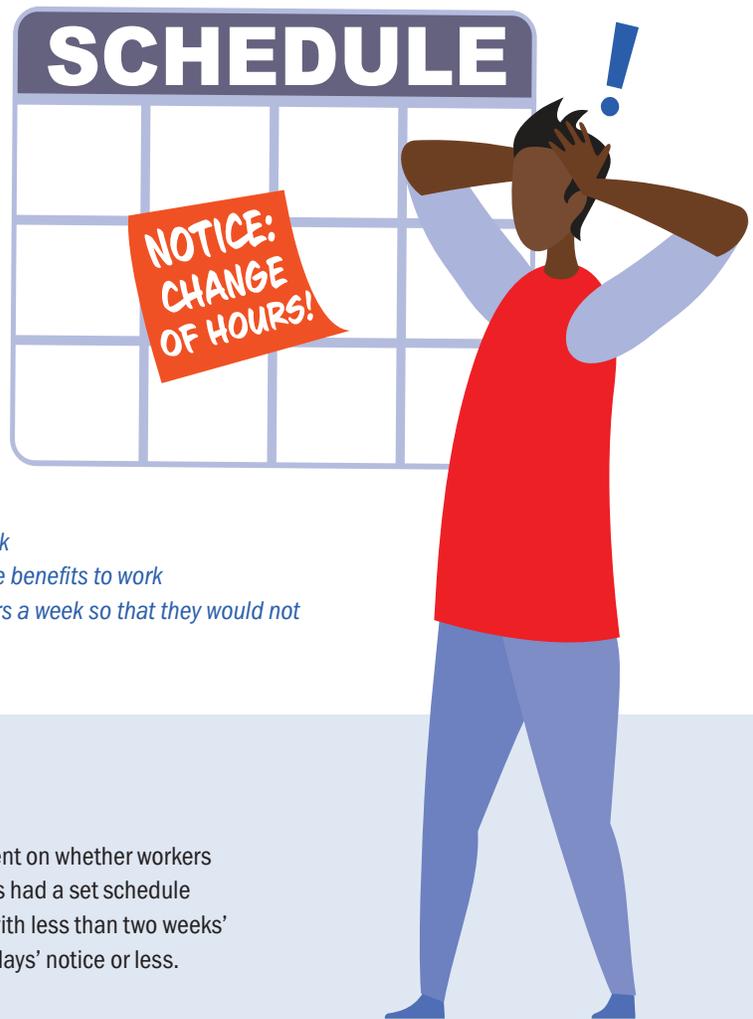
*Similarly, a City College student who works at Denny’s wrote, “2 weeks in I spoke to my managers because they were giving me too many hours and I started falling behind in school. They told me that was life, if I wanted a job I had to work with what I get.”*

In terms of the number of hours, one in four workers were not given any estimation of how many hours they would be working when hired.

Of the 56% that were given a specific number of hours at time of hire, nearly one in four (23%) were regularly scheduled for a different number of hours, about half for more hours and half for fewer hours. About a quarter were given a minimum guarantee of hours, and of these, 7% were regularly scheduled for fewer hours.

A UCSD student working retail explained, “I was promised at least 20 hours a week when I started in January; I have been scheduled for 11 hours or less the past month.”

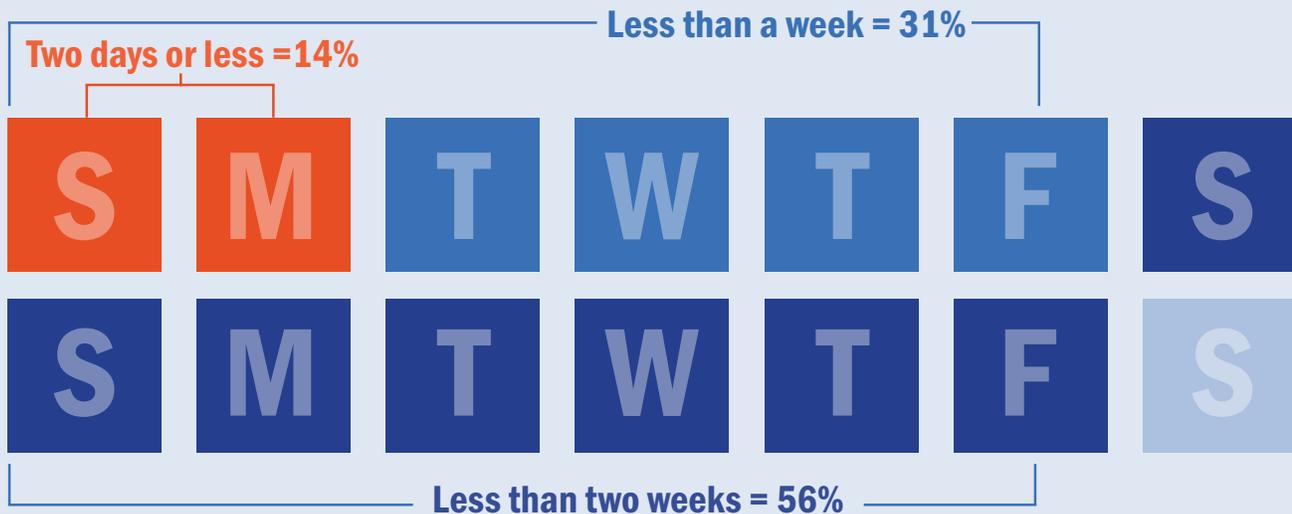
An SDSU student working at a mobile communications company described how they are overscheduled but always just below the benefits threshold, “I was hired as part time and told them I could work 20-25 hours a week. They consider someone full time who can receive benefits to work 30 hours a week. This company would often keep me at 28 or 29 hours a week so that they would not have to give me benefits.”



### Little advance notice

The ability to plan family, school, and social activities is entirely dependent on whether workers know their work schedule in advance. Only one in four of our participants had a set schedule at work. Over half (56%) of survey participants received their schedule with less than two weeks' notice, with 31% having less than a week's notice and 14% having two days' notice or less.

### Most Workers Get their Schedule Less Than Two Weeks in Advance



An SDSU student working in retail stated, “Schedules put out only a few days in advance for the following week make it challenging to schedule appointments such as: dentist, doctors, car repair, etc.”

A food service worker explained how they had to offer complete flexibility, while their employer did not reciprocate: “A lot of times managers don't give you the schedule until Sunday night and that's super annoying especially when you can potentially work on [M]onday. What's also annoying is how they force you to request days off 2+ weeks in advance but they don't give you the schedule 2+ weeks in advance, seems kind of hypocritical.”

# UNPREDICTABLE SCHEDULING PRACTICES

*Does the posted schedule reflect the hours workers end up being asked to cover? Are workers assigned on-call shifts? Are schedules changed after posting or at the last minute?*

## Changes to schedule

While workers' ability to plan their lives is limited by how much advance knowledge they have of their schedule, their ability to actually carry through with those plans – to attend classes, appointments, meetings, family gatherings – is undermined by such practices as on-call shifts and schedule changes.

As a sales associate, and student at SDSU, explained, *“The uneven scheduling also caused my social life to become erratic. I wasn't sure how many hours a week I was going to work, making it hard to make plans, and I was called in on my days off a lot, also hindering any plans I would make.”*

## On-call shifts

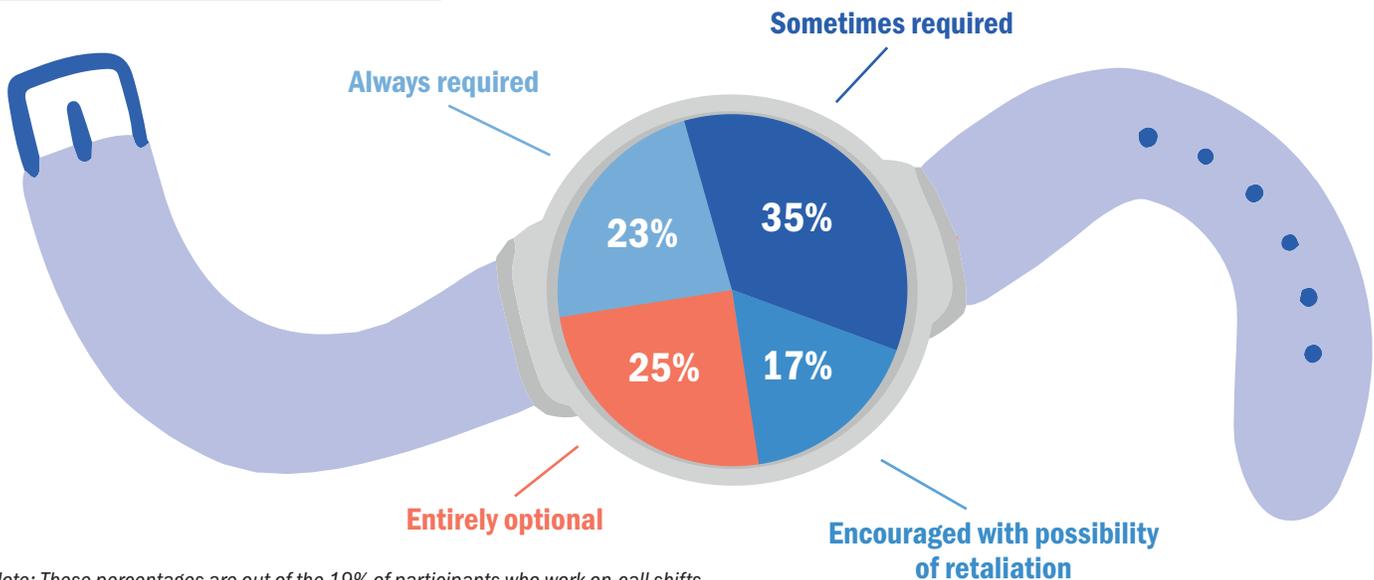
Another systematic practice that makes it impossible for workers to have prior knowledge of their schedule is on-call work. One of every five participants said they were scheduled for on-call shifts.

An SDSU student explained, *“So our on call shifts meant that we would have to be awake from 8 a.m.-9 a.m. to wait for a phone call from the office. If they called they would tell me what time to come in and what location.”*

A City College student described their schedule at Subway, *“After my two weeks of training at work I did not have an assigned schedule, I was called an hour before the shifts my manager wanted me to cover. And I had to be pending on my phone even on class time to make sure I wasn't being called to work after school.”*

Three of every four people who worked on-call shifts reported being pressured into doing so. Fifty-eight percent reported that they were required to take such shifts, and another 17% reported that they were encouraged with the possibility of retaliation (e.g. fewer hours or worse shifts) if they did not accept.

## Workers Pressured into On-call Work



It should be noted that another common way employers get workers to “voluntarily” accept on-call work is assigning too few regular hours. An SDSU student who works at a pizza restaurant described how *“I soon became dependent on the amount of hours with the addition of on-call hours . . . If there was no on-call hours given for the week then I would not get paid the same amount as consistently as I desired.”*

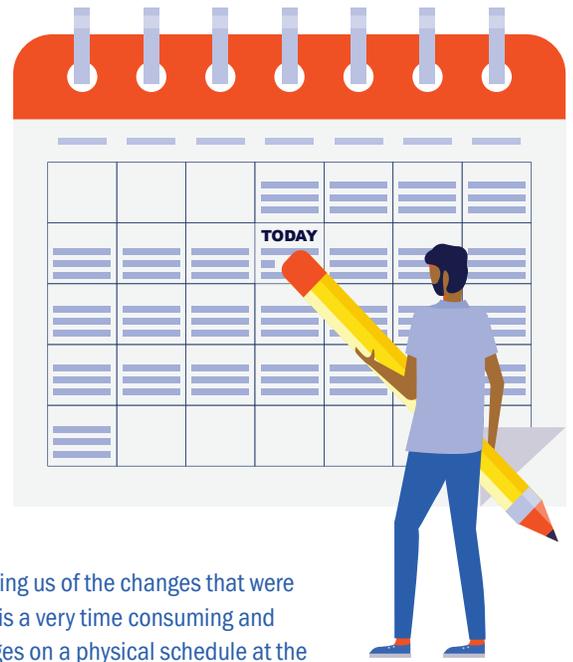
Of those assigned on-call shifts, 69% said they were paid nothing for the time they spent waiting to see if they were called in. On the other hand, 22% said they were paid their regular wages, with 7% reporting they were paid some lesser compensation. It is clear that companies can and sometimes do offer compensation for the time they demand that workers keep open.

## Changes to schedule after posting

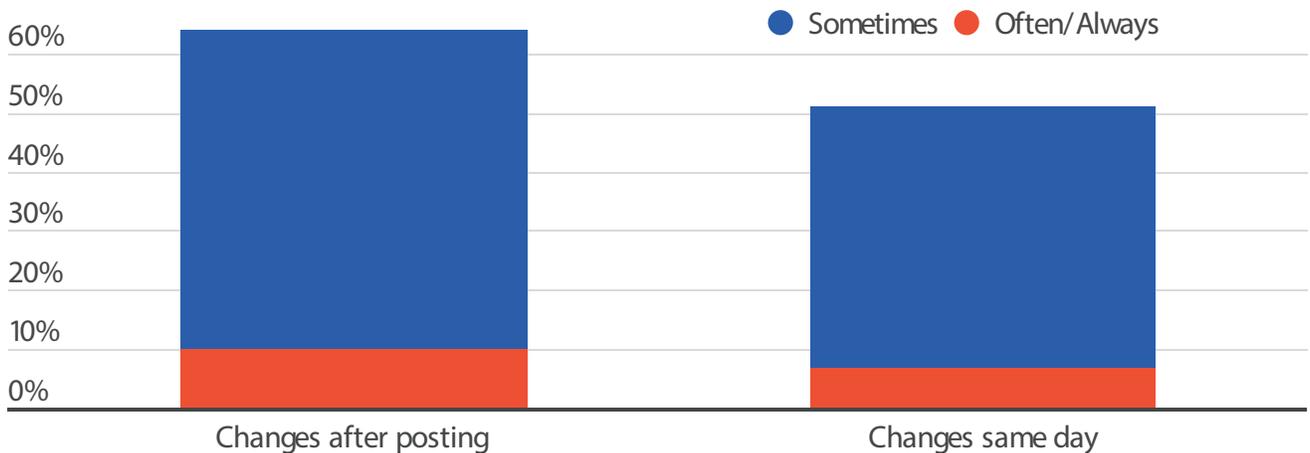
Compounding the late notice workers get of their schedules is the common employer practice of altering schedules that have already been distributed to workers. Almost two-thirds (64%) of participants reported that their schedules are sometimes changed after posting, with 10% saying they are regularly changed.

Last minute schedule changes can mean unexpected loss of income when they involve cancelled shifts. A department store worker, who goes to City College, described the lack of control they had over changes to their schedule, “[T]here was the sudden schedule changes. Maybe about ten times I was taken off of the schedule the day before. And instead of being given an explanation for doing this, my manager would just text me the day before and say ‘Check the schedule for changes. Thank you.’”

An SDSU student explained how keeping up with schedule changes became the workers’ responsibility, as the employer put “all last-minute scheduling change[s] on the Facebook crew page. Instead of reaching out to us professionally, and informing us of the changes that were made. . . Having to read through the Facebook page posting every day I have a shift is a very time consuming and irritating process.” Another participant complained that their employer put all changes on a physical schedule at the worksite that workers had to constantly check.



### Management Making Schedule Changes Is Common



## Same-day changes to schedule

Sometimes the schedule is so volatile that workers’ shifts are cancelled, added or modified on the very day they are supposed to work. Half of our participants (51%) reported dealing with same-day schedule changes.

An SDSU student who works in a restaurant explained, “Things always changed without notifying the employees. I would get random shifts added if larger parties were coming in.”

A New York & Company employee described how minimal staffing adds to the unpredictability in her schedule, “[B]ecause there was a short on girls there was constantly last-minute changes. I would get hours, lose hours.”

Some of the same-day changes are built into a schedule that relies on open-ended shifts. As a movie theater employee wrote, “I would start my shift at 5 pm, and depending on how the night went, my ending times would drastically range. On a good night, I would be off of work at around 2 am. On a bad night, I would be off of work at 7am.”



# UNFAIR SCHEDULING PRACTICES

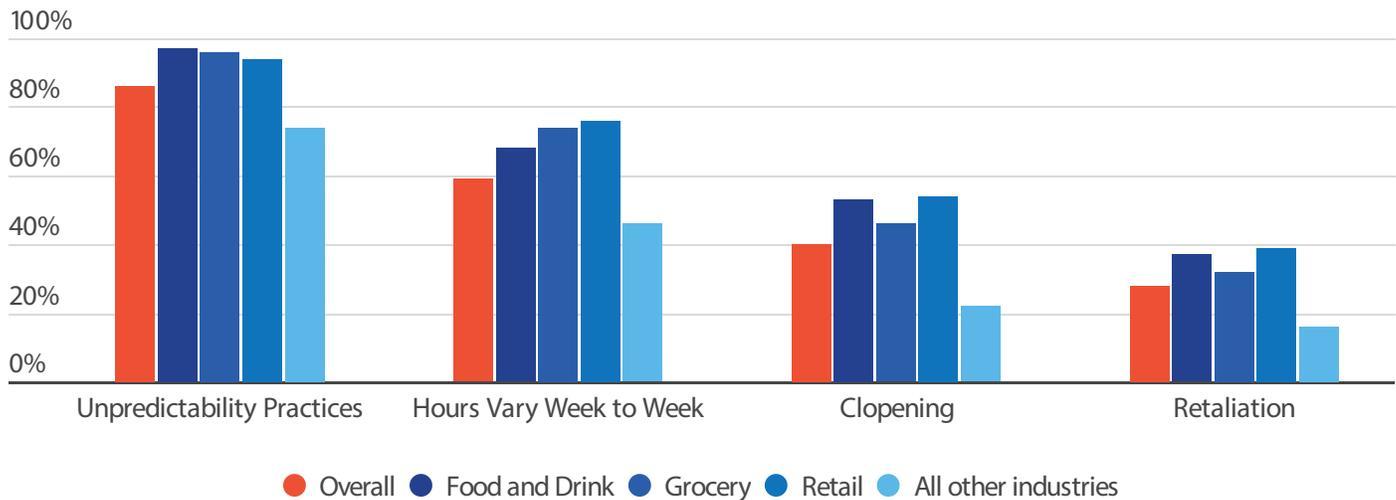
## UNPREDICTABILITY INDEX

When taken together, these practices – employers giving no or inaccurate schedule information at the time of hire, providing less than two weeks’ notice of the schedule, assigning on-call shifts, and making late schedule changes – leave employees with little predictability of their work hours and thus little control over their supposed personal time. We found that 86% of all workers in the survey reported being subjected to at least one of these unpredictability practices. In the food service, grocery, and retail industries the percentage subject to these practices jumps to 96%.

Below we cover other unfair scheduling practices, such as a variation in weekly hours, “clopening,” and retaliation. For each of these, workers in the food service, grocery, and retail industries reported considerably higher rates of unfair practices than other industries.

### Unfair Scheduling Practices Are Commonplace

Most Rampant in Food Service, Grocery and Retail Sectors

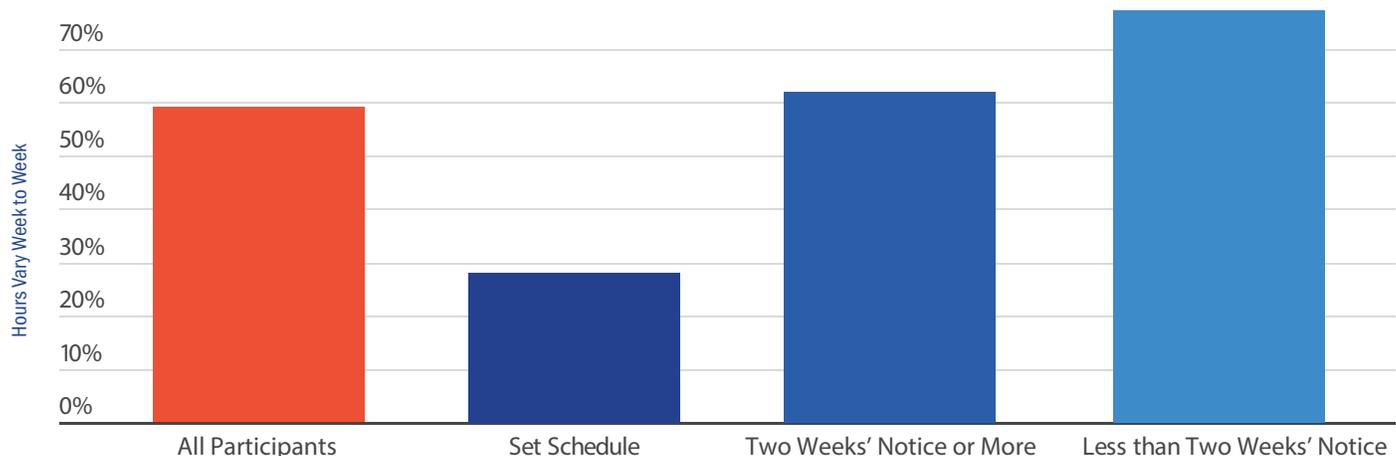


## VARIABILITY IN HOURS

All of the practices described in this report result in fluctuations of workers’ hours from week to week, which leads to unstable income and insecurity about how workers will pay their bills. Nearly 60% of all participants reported that their hours vary from week to week.

A department store worker described how companies’ scheduling only considers corporate needs, not employee survival: “My schedule could change significantly from week to week due to store demands. One week I could be scheduled for 24 hours and the next week I could be scheduled for 8 hours.”

### As Advance Notice Declines, Variability of Hours Increases



Significantly fewer workers with set schedules report variations in hours from week to week, 28% vs 75% of those with less than two weeks' notice. As advance notice of work schedule diminishes, the likelihood of variability rises, as does the likelihood of management changing workers' schedules.<sup>2</sup>

## CLOPENING

Another problematic scheduling practice is assigning workers a night shift and then a morning shift with fewer than 10 hours rest in between. This practice, known as "clopening," denies workers sufficient rest, given the need to commute back and forth to their home, eat, shower, change, and sleep. Four of every ten participants reported that they clopen at their jobs, with the percent rising to over half in the restaurant (52%) and grocery industries (54%).

An SDSU student working at the YMCA described how their supervisor "would have me close the building at 10:30 pm, and open the next morning at 5 am."

A City College student working as a fast food cashier wrote, "Eventually I got an extremely crazy three-day back to back shift. I would start at 2 pm-10 pm, then 6 am-2 pm, then later that same day 10 pm-6 am. This would leave me having sleepovers at the restaurant sometimes."



## RETALIATION

For some workers, the intensity of these practices is exacerbated by the fact that they experience retaliation if they make scheduling requests. Twenty-eight percent of survey participants reported that their employers have retaliated against them (e.g. giving fewer or worse shifts) in response to special scheduling requests. This number rose to 37% of those working in the restaurant industry and 39% of those working in retail. Such punishment has a broader impact, as retaliation against one employee has a chilling effect on other workers who then do not make requests for fear of reprisals.

A food service worker, who goes to SDSU, explained, "I work 2 jobs. One is more flexible but my main job cuts my hours if I request time off."

As a grocery worker described, "I work 6 days a week with 6 different shifts a week, day off is different every week. I never get a weekend day off and if I request one, I get my hours severely cut."

## POLICY RECOMMENDATIONS

**There is widespread support for fairer scheduling practices.** A 2016 nationally representative poll found that three out of every four Americans supported the concept of fair work week legislation. A majority supported specific policies guaranteeing predictability pay, advance notice of schedules, and requiring compensation for on-call work.<sup>3</sup>

**Cities and states across the country are taking action.** The state of Oregon and several cities across the country, including San Francisco, New York, Philadelphia, Chicago, and Seattle, have adopted Fair Workweek policies, and many more cities and states are considering such regulations. The policies vary in terms of which employees are covered and what provisions are included, but all guarantee workers some stability in scheduling practices. New Hampshire, Vermont, and San Francisco have also passed right-to-request laws that prohibit employer retaliation against workers who make scheduling requests. Together these laws are improving the lives of millions of workers and their families.<sup>4</sup>

**San Diego workers deserve fairness in employer scheduling practices.** It is our hope that San Diego workers, their families, and the businesses they work for can also enjoy the benefits of Fair Workweek policies. Based on this report, we offer the following policy recommendations:

- 1) Time-of-hire agreements:** a written good faith estimate of weekly hours to include the days and shifts to be worked and location of work.
- 2) Access to hours:** current workers must be offered available hours, up to 40 hours a week, before new employees are hired.
- 3) Advance notice:** workers who do **not** have a set schedule should be given their schedule in writing at least two weeks in advance.
- 4) Predictability pay:**
  - a) If shifts are canceled:** workers must be compensated for any shift canceled after the schedule is posted.
  - b) If employers add shifts after posting the schedule:** workers have the right to decline those shifts or must be paid premium pay if they work those shifts.
  - c) If shift is extended:** workers must agree and should be paid premium pay for additional hours.
  - d) Exceptions:** employee-initiated shift swaps, closures due to natural disasters, and other certified emergencies.
- 5) On-call compensation:** on-call shifts should be compensated at the same rate as regular pay whether or not the worker is called in.
- 6) Right to rest:** right to decline work with fewer than 12 hours between shifts and right to premium pay for any hours accepted with fewer than 12 hours rest.
- 7) Right to request/refuse:** employers are prohibited from retaliating against workers (e.g. giving fewer or worse shifts, demoting, firing) who make special scheduling requests or who refuse shift changes.

## Unfair Practice

## Fair Workweek Policy

<b>Varying hours; lack of information about schedule</b>	<b>Requirement to provide written schedule at time of hire</b>
<b>Involuntary part-time</b>	<b>Access to hours</b>
<b>Short advance notice</b>	<b>2 weeks advance notice of schedule</b>
<b>Schedule changes</b>	<b>Predictability pay: premium pay for changes after posting</b>
<b>On-call shifts</b>	<b>On-call compensation</b>
<b>Clopping</b>	<b>Right to rest: minimum of 12 hours between shifts</b>
<b>Retaliation</b>	<b>Right to decline hours; consent for changes; right to request schedule</b>

## METHODS

In 2019, we surveyed over 4,400 adults. Of those, 2,770 had been employed as hourly workers in San Diego County within the previous 12 months and were not in charge of scheduling or payroll at their jobs. These workers were asked about their experience over the previous 12 months. The statistics in this report are taken from an analysis of those 2,770 survey responses.

This survey is based on a convenience sample and we do not claim that it is representative of all workers in San Diego County. Most participants, almost 2000, are not only workers but students as well. We found virtually no difference between the percentage of students and non-students experiencing any of the unpredictable and unfair practices. As a result of concentrating our recruitment among students, our sample was also largely made up of younger workers. We also found no significant difference in practices experienced by age group. However, because young workers tend to be concentrated in the food service and retail industries, our sample was also skewed toward these industries.<sup>5</sup> Fifty-four percent of workers surveyed were in the food service and retail (including grocery) industries as compared to the 20% of hourly workers in San Diego County. Our study, like studies in other parts of the country, shows that unfair scheduling practices tend to be higher in these industries.

**Although the survey was not representative, the report is indicative of how unfair practices have become normalized, especially for food service and retail workers. This is especially concerning because young workers at the beginning of their work lives may come to see these practices as standard. The survey results also demonstrate which practices are relatively most prevalent. Finally, the results give us a fuller picture of how these practices impact workers, especially in the food service and retail industries.**

We gathered the online surveys through various channels. A core of seven student researchers made in-person presentations in more than 80 college classes and administered the survey during the presentations. These presentations took place at 11 different universities and community colleges in the San Diego area, with the majority conducted at San Diego State University. Community organizations including the Employee Rights Center, the United Food and Commercial Workers, and the Center on Policy Initiatives also helped recruit survey participants. Almost 80 student researchers also recruited participants through their own social networks, postings at worksites and on worker-oriented group chats and Facebook groups.

The survey concluded with an open-ended question asking if participants had any additional information they wanted to share about their work schedules. We received 295 comments related to schedules and their impacts, some of which are included as quotes in this report.

To supplement our quantitative research, we also gathered testimonials from six classes, half at SDSU and half at City College. Students were asked to write 2-3 page essays about the scheduling practices at their jobs and the impacts their work schedule had on their lives. These students were required to fill out a consent form where they could choose whether to have their essay included in this study. Professors gave extra credit to students whether or not they authorized the use of their essays. Seventy-four students submitted their essays to the study. Names were then blacked out and we analyzed the essays for the themes found in the survey. Most quotes in this report are taken from these essays.

## BACKGROUND

It has become increasingly common for employers to use “just-in-time” scheduling to calculate the “optimum” number of workers for any given shift. Corporate software and managers create ever-changing workers’ schedules based on predictions of customer demand – a number that fluctuates by the week, day, and hour.<sup>6</sup> The results for workers are unstable, unpredictable, and last minute schedules.

**In the last two decades, unpredictable scheduling has become common practice in service industries across the US.** According to General Social Survey data, just over one in five US workers faces unstable work schedules.<sup>7</sup> Low-wage workers are most affected,<sup>8</sup> particularly in food service and retail sectors, where the percentage of workers struggling with unstable schedules soars to 60%.<sup>9</sup> Jobs within these industries tend to be filled by younger workers and a UCLA study found that 96% of these young workers navigated issues of unpredictable scheduling, when practices of on-call shifts and little advance notice were added to fluctuating hours.<sup>10</sup> According to the Shift Project, a large survey conducted by UC Berkeley on retail and food service workers throughout the US, workers of color in these industries are 16% more likely to experience unstable schedules, with some practices such as shift cancellations being 30% more common for workers of color.<sup>11</sup> Even when employed in comparable positions by the same employers, workers of color, and particularly women of color, still suffer unpredictable practices more frequently than white workers.<sup>12</sup>

**Unstable scheduling is detrimental to American families.** Employers prefer workers who offer open availability.<sup>13</sup> Employers can thus schedule workers for as few or as many hours as they find convenient, severely impeding workers’ ability to attend to family obligations. Twice as many workers with irregular schedules and on-call shifts report work-family conflict as those with regular schedules.<sup>14</sup> This conflict is particularly problematic as non-standard schedules are more prevalent among single mothers.<sup>15</sup> One study reports that over half of fathers and almost 40% of mothers “had to cancel an event or appointment in the past three months that was important to their child because of their schedule at the Gap.”<sup>16</sup>

**Unpredictable schedules are detrimental to the well-being of workers’ children.** Parents’ unpredictable work schedules have been shown to have demonstrably negative effects on toddlers’ cognitive development and expressive language and to result in poorer academic engagement and increased levels of behavioral disorders in older children.<sup>17</sup> The developmental delays stem from both parental absence and increased parental stress.<sup>18</sup> Fluctuating work hours also result in low-wage workers and their children facing disruptions in government subsidized childcare.<sup>19</sup>

**Unpredictable work schedules also have adverse effects on income stability and consumer spending.**<sup>20</sup> In a survey conducted by the Federal Reserve Board, almost half of workers who responded that their income varied from month to month reported that it was due to an irregular work schedule.<sup>21</sup> UC Berkeley’s Shift Project found that 60% experienced some sort of material hardship, such as food insecurity or housing hardship. Those who experienced irregular scheduling practices were more likely to face material hardship than other workers who made similar wages.<sup>22</sup>

**Irregular work schedules are correlated to negative health outcomes for workers.** Studies have found a link between unstable work schedules and self-reported poor health,<sup>23</sup> higher levels of stress,<sup>24</sup> inadequate sleep,<sup>25</sup> and lower levels of happiness.<sup>26</sup> According to the Shift Project’s research, these poor health outcomes correspond more to volatile scheduling practices than to low wages, which are typically associated with retail and service sector work.<sup>27</sup>

**Unstable schedules interfere with academic performance for workers who are also students.** Given the rising cost of tuition and living expenses, most students work through college.<sup>28</sup> A UCLA study found that 43% of students who work sacrificed classroom attendance due to shifting work schedules.<sup>29</sup> Faced with too few hours between work and school demands, students often do not get adequate sleep, which is detrimental to learning.<sup>30</sup> Conflicts between students’ work and school schedules are cited more often than the cost of tuition as the reason for dropping out of college.<sup>31</sup>

**Stable scheduling would not only improve the lives of workers and their families but has benefits for employers as well.** Contrary to many employers’ beliefs, experiments with stable scheduling practices have shown that advance notice and elimination of on-call shifts, along with other complementary measures, results in significant increases in productivity. The findings of a study conducted by the Gap were revelatory: stable scheduling “sharply increased median sales by 7% . . . in an industry in which companies often work hard to achieve increases of 1-2%.”<sup>32</sup> Stable scheduling also has the potential to reduce turnover, a big expense for employers.<sup>33</sup> Managers cite unstable scheduling and fluctuating hours, along with low wages, as the two main reasons workers leave their jobs.<sup>34</sup>

**While wages have been rising in many cities and states, without also stabilizing hours, incomes will remain unpredictable and workers’ lives disrupted.** Cities and states around the country are considering or have adopted legislation to guarantee workers’ more predictable schedules. Given what this report documents about practices in San Diego, it is imperative we consider some of these measures in our city and county.

## CITATIONS

- 1) It should be noted that this question is not applicable to many students who get medical care through the schools' clinics and/or from their parents' medical insurance. Of all survey participants, one in four said their schedule affected their ability to pay for medical care.
- 2) Workers with less than two weeks advance notice of their schedule are more than twice as likely as those with set schedules to experience changes after posting (77% vs 36%) and same day changes (63% vs 29%).
- 3) <https://populardemocracy.org/sites/default/files/Fair%20Workweek%20Poll%20Memo.pdf>
- 4) Wolf, J J Jones & D. Cooper. 2017. "Fair Work Week Laws Help More than 1.8 Million Workers," Economic Policy Institute. This study was done prior to adoption of the Chicago and Philadelphia ordinances.
- 5) Ben-Ishai, L. et al. (2016). *Juggling Time: Young Workers and Scheduling Practices in the Los Angeles County Service Sector*. Center for Law and Social Policy (CLASP) and UCLA Labor Center, p. 6.
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- 8) Golden, L. (2015).
- 9) Unstable scheduling, which included "variable schedules" and "rotating shifts" was reported by nearly 60% of respondents. Schneider, D., & Harknett, K. (2019a). "Consequences of Routine Work-Schedule Instability for Worker Health and Well-Being," *American Sociological Review* .
- 10) Young workers are those between the ages of 18-29. Unpredictable scheduling practices included "on-call work, lack of advance notice, or fluctuating schedules." Ben-Ishai, L. et al. (2016).
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# TIME THEFT



## Employer Scheduling Practices and Their Impacts on San Diego County Workers

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