

RESOLUTION No. 37238

Recognize that irregular, unpredictable work schedules negatively affect businesses, employees and the families of employees, and encourage employers to review their worker scheduling practices and consider changes that ensure workers have predictability and the chance to work the hours necessary to earn a full, livable, paycheck (Resolution)

WHEREAS, the vast majority of employees face challenges juggling work and personal responsibilities. In Oregon, nearly 80 percent of all parents with children under age 18 are in the labor force, and almost 33 percent of children in Oregon live in a single parent family; and

WHEREAS, studies based on the National Longitudinal Survey of Youth have found that 62 percent of 26 to 32 year olds are hourly employees, and more than 40 percent of these hourly workers receive one week or less of advance notice of their job schedules. Half of these workers have no input into their schedules and three-quarters experience fluctuations in the number of hours they work, with hours fluctuating by more than eight hours per week on average; and

WHEREAS, according to the Oregon Employment Department, two out of every five Oregon jobs pay less than \$15.00 per hour. As State legislation increases the minimum wage, predictable hours are also needed to help ensure that everyone who works has the opportunity to earn a full, livable, paycheck; and

WHEREAS, common scheduling challenges for employees include lack of control over work schedules; unpredictable work schedules, which often means one weeks' or only a few days' notice about a schedule; unstable work schedules with hours that vary from week to week or month to month, or periodic reductions in work hours when work is slow; and involuntary part time work, meaning that the employee wants to work full time but is only offered part time hours; and

WHEREAS, in their 2014 report based on the National Longitudinal Survey of Youth, University of Chicago researchers Susan Lambert, Peter Fugiel, and Julia Henly point out that variations in weekly work hours aren't always a problem because workers sometimes want to work more and earn more – or work less to take a break from long hours. They conclude, though, “for hourly workers, work-hour fluctuations may be better interpreted as instability rather than flexibility;” and

WHEREAS, for many low wage workers, volatile schedules are the norm. The University of Oregon's 2014 report *The High Cost of Low Wages in Oregon* shows that there are 400,000 low wage workers in Oregon. The study also found that about 45 percent of Latino and 50 percent of African Americans are likely to end up in low wage jobs, and low-wage part-time workers in retail, food service, and home health are disproportionately affected by erratic and nonstandard work schedules; and

WHEREAS, in Oregon in 2012, women were paid 79 cents for every dollar earned by male workers, and the Oregon Council on Civil Rights' 2014 *Pay Inequality in Oregon* report identifies worker scheduling as one of the causes of this gender pay gap; and

WHEREAS, the Oregon Employment Department reports that the percentage of part time workers in Oregon increased significantly beginning in 2008 during the Great Recession, and that increase in part time employment was due almost entirely to involuntary part time employment. Involuntary part time employment occurs when someone wants to work full time but can only find part time work or because their employer has reduced their hours below 35 hours per week. Employment Department data show that voluntary part time employment in Oregon was steady from 2003 until 2014, and involuntary part time employment caused the significant increase. While involuntary part time employment in Oregon has declined as the economy has improved, there are still more people stuck in part time work than before the Great Recession; and

WHEREAS, underemployment and involuntary part time employment are national problems linked to unpredictable and erratic scheduling practices especially for low wage workers and people of color. In June 2016, Penn State economist Lonnie Golden testified that volatile schedules compound the burdens - including commuting inefficiencies, wage penalties for part time workers, and benefits ineligibility - on people who hold multiple part time jobs because they cannot find a full time position; and

WHEREAS, the University of Chicago Work Scheduling Study studied underemployment among employees of a national women's retailer, finding that 45 percent of workers in "full time" jobs were scheduled for fewer than 35 hours a week. In the study, 46 percent of White, 56 percent of Black, and 71 percent of Hispanic sales associates at the retailer wanted more hours; and

WHEREAS, according to University of Chicago researchers' survey of local managers from the same national women's retailer, 67 percent try to keep their staff on the "large side" so they can schedule employees as needed, but 33 percent try to keep their staff small to ensure workers get hours. Researchers write, "stores in which managers reported they try to limit headcount so that store employees get enough hours had significantly lower rates of turnover and higher rates of retention;" and

WHEREAS, low wage workers, just as median and high wage workers, often have significant caregiving responsibilities, not just as single parents but as caregivers for elderly or sick relatives. A 2015 study by the Urban Institute found that child care is a prominent problem for parents who work unpredictable, irregular, and nonstandard schedules since many child care settings offer fixed, daytime, and weekday hours. As a result, those parents are more likely to rely on multiple types of child care arrangements than parents who work standard schedules. Further, according to Oregon State University's 2014 profile of Child Care and Education in Oregon, 63 percent of families in Multnomah County with children under age six are likely to need child care due to parental employment, and the 2016 Women's Foundation of Oregon report about women and girls in Oregon found that Oregon is one of the most expensive states in the nation for child care; and

WHEREAS, some businesses are finding solutions to unpredictable scheduling that benefit both businesses and employees. Just this year, Abercrombie, Gap, Bath & Body Works, and Victoria's Secret announced that they will stop asking employees to work on-call shifts, and Starbucks announced that they will give at least eight hours of rest between back to back shifts; and

WHEREAS, a study by University of Chicago researchers Susan Lambert and Julia Henly found

that the more hours employees work and the less their hours fluctuate, the longer they remain employed at the company, even after taking into account factors like age, race, and job status. Lambert and Henly also point out that workers are better off if managers can provide schedule stability for even 80 percent of the hours worked; and

WHEREAS, businesses in Portland also recognize that providing scheduling predictability to employees is good for business and good for the employee. For example, in an opinion editorial in *The Oregonian* in June 2016, Shaun Sieren, who owns The O’Neill Public House in Portland, wrote, “we live and work in this community and we are already doing many of the best practices that are being proposed – scheduling in advance, giving people a predictable number of hours and ending unpaid ‘on call’ shifts. We use these practices because it’s good for business. Our high retention rate, low turnover costs and strong loyalty have benefited our bottom line;” and

WHEREAS, as an employer providing critical public safety, public utility, and other essential public services, the City of Portland prioritizes scheduling practices that work for the City as well as for employees. The City seeks to provide predictable schedules to all employees and compensate employees when a schedule is unpredictable. In addition, when possible the City offers employees schedule flexibility, such as by allowing managers to approve compressed workweek schedules for employees who prefer them. Scheduling policies for represented City employees are governed by collective bargaining agreements, while scheduling policies for non-represented City employees are governed by City policy; and

WHEREAS, under Oregon State law, the City of Portland is preempted from enacting any employer work schedule requirements until the 2017 Legislative session concludes or August 31, 2017, whichever comes first.

NOW, THEREFORE, BE IT RESOLVED that City Council recognizes that unpredictable work schedules, especially when employees are not compensated for a lack of predictability, create uncertainty and stress for employees. In addition, these unpredictable scheduling practices disproportionately affect low wage workers, who, in turn, are disproportionately people of color, women, and parents of young children who must arrange for child care.

BE IT FURTHER RESOLVED that national and local employers have found that they can adjust their scheduling practices to ensure that employees receive adequate notice of their schedules, eliminate on-call hours or compensate employees when on-call hours are needed, provide a stable number of hours from week to week and month to month, and offer permanent full time hours to employees when the hours become available.

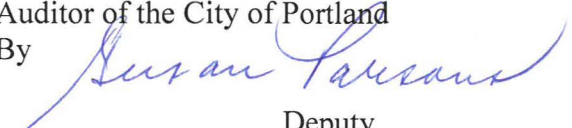
BE IT FURTHER RESOLVED that the City Council encourages all Portland employers to review their scheduling practices and consider changes that ensure predictability for employees.

Adopted by the Council: **OCT 12 2016**


Commissioner Steve Novick
Prepared by: Katie Shriver
Date Prepared: September 14, 2016

Mary Hull Caballero
Auditor of the City of Portland

By


Deputy

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<p style="text-align: center;">INTRODUCED BY Commissioner/Auditor: Steve Novick</p>	<p>CLERK USE: DATE FILED <u> OCT 04 2016 </u></p>
<p style="text-align: center;">COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Hales</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Novick <i>CW</i></p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u></u> Deputy</p>
<p style="text-align: center;">BUREAU APPROVAL</p> <p>Bureau: Bureau Head:</p>	<p>ACTION TAKEN:</p> <p style="text-align: center;">OCT 12, 2016 RESCHEDULED TO OCT 12, 2016 AT 3:00 PM</p>
<p>Prepared by: Date Prepared:</p>	
<p>Impact Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document.</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>City Auditor Office Approval: required for Code Ordinances</p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p>Council Meeting Date October 12, 2016</p>	

AGENDA
<p>TIME CERTAIN <input checked="" type="checkbox"/></p> <p>Start time: <u>2 p.m.</u></p> <p>Total amount of time needed: <u>1 hour</u> (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	_____	
4. Novick	4. Novick	✓	
Hales	Hales	✓	