

# STONEWALL KITCHEN

## FAMILY *of* BRANDS

### **Response to Maine LD 1190 – Act to Ensure Fair Workweek by Requiring Notice of Work Schedules**

Overall, this legislation is burdensome to the employer, both from a payroll and supervisory perspective. It would require changes to both systems and processes, as well as pulling already stretched supervisors from their primary responsibility of overseeing employees and ensuring operations are running smoothly.

Stonewall Kitchen is diligent and fair about changing schedules and we provide as much notice as possible in all circumstances. In this changing economic environment where we may have a temporary downturn in our business, we have been able to offer employees the chance to work in another facility and or take advantage of the DOL's programs such as Workshare to minimize the impact of schedule reductions. In one operation, we have offered optional Fridays, and on some occasions, Fridays are off for the whole team. Decisions that are made during the week, based on production needs, or weather/safety, and are announced as soon as possible, often 1-2 days before. The employees appreciate the option, based on their own personal situations, to either take time off or work when possible.

We provide the expected weekly hours in a new hire's offer letter, which is based on the business needs of the company as well as the employee's availability, as communicated in the application process. If this availability changes, we do what we can to accommodate these changes, within the parameters of the company's needs.

The Notice of Work Schedule requirement could become administratively burdensome. Our schedules vary in each of our business units, and this could impact resources in Payroll, if there is a need to add pay to employees due to short notice of schedule change. We currently prepare and communicate a schedule within the timeframe suggested by the legislation, and this is based on our knowledge of what is ahead at the time, but there are circumstances where changes have to be made.

Notification in-person/by phone call **and** in writing would adversely impact the management team, HR and Payroll. For any manager with more than a handful of employees to notify, the volume could be prohibitive. In some operations in Maine, we have 100+ people that work 3 shifts in one facility with six supervisors. Maintaining and communicating schedules will take a significant amount of time, especially when schedules and shifts change. This additional requirement takes managers away from paying attention to the business and people we put in their charge.

In the retail division, weekly schedules are prepared and posted at each location and sometimes online and employees know when the schedules are published. Our managers already have a lot to balance maintaining revenue and staffing costs and are focused on giving employees the hours they need, while also providing excellent customer service. The administrative and financial cost of this legislation will take away from having a viable business in the state by focusing on a written schedule that is communicated in multiple ways rather than a healthy, competitive, employee-centric workplace.

Ensuring a fair workweek by providing notice of initial work schedules is incumbent upon all employers. For those times when adjustments are required to the work schedule, due to business or production situations, it isn't always possible to notify employees 2 weeks in advance. This requirement takes away our flexibility to effectively staff our departments and run our business, and potentially

increases our costs. Rather than subjecting all employers to these rules and increased administrative/management burden and cost, it may be more effective to have guidelines and monitor employers for fair treatment of their employees. Employers that are taking advantage of employees by unfairly modifying their schedules so the employee doesn't make a week's wage can and should be addressed but this is not the solution.

Our company prides itself on being employee centric and affording accommodations as needed as long as the business isn't materially burdened. We have employees that need accommodations for caregiving to elderly parents, doctor appointments, sick children, day care closures, broken down vehicles, loss of housing, legal issues to name a few and we work with each one to accommodate their needs. Most of these things are last minute so what you are asking is rather than work individually to do the best for both the employee and the employer we burden the employer to revise schedules each time a schedule changes.

This administratively burdensome option should not be approved.

Sincerely,

Sharon Decato  
Chief Human Resources Officer  
Stonewall Kitchen