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Testimony in Support of LD 60, "An Act to Allow Employees to Request Flexible Work Schedules"

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Good Morning, Senator Tipping, Representative Roeder, and Members of the Joint Standing Committee on Labor. My name is James Myall. I'm a Policy Analyst at the Maine Center for Economic Policy and I'm here to testify in support of LD 60, "An Act to Allow Employees to Request Flexible Work Schedules." MECEP supports LD 60 as a way to help Mainers balance their work and personal lives, in a way that will ultimately strengthen our economy by recognizing the value of unpaid labor and improving employee retention and recruitment.

This bill would establish a very basic right for employees to ask for flexibility in their work schedule. It's a right that many of us take for granted. In the past I've been able to work remotely or change my work hours in response to the needs of my family, and I've felt comfortable asking my employer for that flexibility. However, not every Mainer feels they can do that without fear of retaliation, and large numbers of workers are working schedules which are primarily set by their employer with little or no input from the employee. This not only makes it harder for workers to meet their commitments outside of work, it ultimately harms employers and our economy by making it harder to hire or retain people who would happily take or stay in a job with more flexibility.

Multiple national surveys of workers find that flexibility in their work arrangement is important to them,ⁱ yet almost half of US workers don't have that flexibility for themselves.ⁱⁱ Polling commissioned by MECEP in 2019ⁱⁱⁱ found similar patterns:

74 percent of workers in Maine thought being able to have a flexible schedule was an important benefit for any job to offer.^{iv}

However, among Maine's hourly workers, 76 percent either work a fixed schedule, or a variable schedule that is set solely by their employer.^v

This bill will be particularly important for women, who still bear most of the caregiving responsibilities in our society, and find their work lives most vulnerable to familial disruptions. In the same MECEP survey, women were twice as likely as men to value a flexible schedule, and twice as likely to have had to take time off work or reduce their hours due to a care need for a loved one.

Around 26,000 Mainers are out of the workforce due to the need to care for a child or older person in their lives^{vi} – workers that businesses would dearly love to hire in this tight labor market. LD 60 will encourage at least some of those workers to work with an employer to find a schedule that works for them.

This bill will not resolve every issue related to employee scheduling. A related, but different problem, is the instability caused by unpredictable schedules set and cancelled at the whim of an employer, which cause financial distress as well as mental and physical harms.^{vii} Nevertheless, LD 60 would move Maine in the right direction by giving employees more agency in setting their schedules, and providing flexibility with stability.

LD 60 is a step in the right direction for Maine workers and will help them to balance their work and personal lives that will make our economy stronger and fairer. I urge you to vote “ought to pass” and I’ll be happy to take any questions.

Notes

ⁱ See for example, Keith Mackenzie, “Flexible work hours: it’s important for 58% of US workers, survey finds.” *Workable* Sept 2023. <https://resources.workable.com/stories-and-insights/flexible-work-us>

ⁱⁱ US Bureau of Labor Statistics, “Job Flexibilities and Work Schedules Summary.” Sept 24, 2019. <https://www.bls.gov/news.release/flex2.nr0.htm>

ⁱⁱⁱ Poll of 400 private-sector workers conducted by Lake Research Partners, Sept 12-22, 2019.

^{iv} Share of respondents saying a flexible schedule was “extremely” or “very” important for employers to offer as a benefit.

^v 56 percent of hourly workers said they worked a fixed schedule. Another 20 percent said they worked a variable schedule determined solely by their employer.

^{vi} MECEP analysis of US Census Bureau, Household Pulse data January 2022-April 2024 average

^{vii} Daniel Schneider and Kristen Harknett, “It’s About Time: How Work Schedule Instability Matters for Workers, Families, and Racial Inequality.” *Shift Project*. Oct 16, 2019 <https://shift.hks.harvard.edu/its-about-time-how-work-schedule-instability-matters-for-workers-families-and-racial-inequality/>