



MAINE AFL-CIO

A Union of Unions Standing for Maine Workers

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Testimony of Maine AFL-CIO Legislative & Political Director, Adam Goode, in Support of L.D. 938, "An Act To Ensure Maine Workers' Right To Request a Schedule Change at Their Places of Employment"

Senator Hickman, Representative Sylvester and members of Labor & Housing Committee, my name is Adam Goode. I'm the Legislative and Political Director of the Maine AFL-CIO. We represent 40,000 working people in the state of Maine. We work to improve the lives and working conditions of our members and all working people. We testify in support of LD 938.

Everyone knows it is increasingly the norm that families struggle to balance work and family commitments. One reason for this struggle is the increased use of unpredictable scheduling patterns by employers, resulting in difficulty planning childcare, finding a second job or attending school. The practice of giving workers short notice of their schedules is easily portrayed as "workplace flexibility", but it typically makes life more confusing for working families, resulting in workers effectively being put on call as their shifts change and are canceled at the last minute.¹

Nearly one in five wage and salary workers over the age of 15 know their schedule less than one week in advance.² Increasingly, workers are allowed either no input into their schedules or are required by their employer to be "open and available" to work whenever needed, effectively being on-call.³ In extreme cases, workers can show up to work, but then be sent home without pay if the day turns out to be slow by the time the shift starts.⁴

This is important to address because unpredictable scheduling leads to diminished mental health amongst workers, poor sleep quality and lower happiness. Providing better safeguards so working people can have a say in their scheduling can help improve psychological distress, family life and sleep quality.⁵

LD 938 makes small changes that improve working conditions in this area. It would create a right for most Maine workers to request a change in their work schedule and have a written decision from their employer. The employer is under no obligation to agree to any change. This gives the employee the dignity of being able to ask for a change in their schedule and to have a reason, and alternative if one exists, stated in writing from their employer.

We know that many employers already do the right thing and work with employees to balance scheduling needs. All LD 938 does is grant more Mainers the right to ask for scheduling accommodations when needed. To make the bill stronger, the committee should amend the bill to cover all employer by removing the exemption of those with ten or fewer employees. The bill as drafted would prevent one in seven workers from being covered by the law.

Thank you for your time and we are available to answer any questions.

¹https://www.demos.org/sites/default/files/publications/Scheduling_Hourly_Workers_Demos.pdf

²<https://www.bls.gov/news.release/flex2.nr0.htm>

³<https://shift.hks.harvard.edu/its-about-time-how-work-schedule-instability-matters-for-workers-families-and-racial-inequality/>

⁴<https://www.brookings.edu/blog/up-front/2020/08/18/unpredictable-work-hours-and-volatile-incomes-are-long-term-risks-for-american-workers/>

⁵<http://www.wipsociology.org/2019/06/17/unstable-and-unpredictable-work-schedules-are-an-occupational-hazard/>