



Unstable Schedules: Unwrapping the Challenges and Solutions for Service Workers — Transcript

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Description

While the holiday season is a time of joy and celebration for many across the United States, it brings uncertainty and stress for workers facing unpredictable schedules. Workers in the service sector in particular are often on call and can have their schedules changed with very little notice. [Research by The Shift Project](#), for example, shows that in fall 2021, a staggering 64% of workers in the service sector received less than two weeks' notice of their schedule. Unpredictable and unstable schedules are associated with economic, food, and housing insecurity; various health issues; and, for working parents, adverse effects on childrens' well-being and education.

In recent years, some state and local governments — including Seattle, New York, Philadelphia, San Francisco, San Jose, and Chicago, and the state of Oregon — have enacted fair workweek laws that provide workers with more stable and predictable scheduling. And some employers have changed their scheduling practices as well, recognizing that unstable schedules can affect business performance and employee turnover. Despite this scattershot progress, however, the status quo of unpredictable scheduling remains largely the same.

In this discussion, an expert panel discusses the latest research on the experiences of workers grappling with schedule instability, how new technology is helping businesses adopt worker-friendly scheduling practices, what we are learning from states and cities with fair workweek laws, and other opportunities and strategies for change.

For more information about this event — including video, audio, transcript, speaker bios, and additional resources — visit our website: as.pn/unstableschedules

Panelists

Terrysa Guerra

Terrysa Guerra is Co-Executive Director at United for Respect. She was raised by her grandparents in Los Fresnos, Texas, a farming community near the US/Mexico border. Terrysa saw firsthand the difference a union job made for her family when she saw her mother and coworkers take collective action through their union advocating for better pay, working conditions and fighting privatization of their jobs. She learned by example from her grandparents the importance of voting and participating in the political process when they took her to vote for the first time when she was 18. As a first generation college student, Terrysa was recruited into a Democratic congressional campaign soon after graduating from Texas A&M University. She went on to work for the national and Texas state Democratic parties, managed the successful campaigns of two state senators and a state representative in Texas, and then as deputy campaign manager for the gubernatorial bid of Wendy Davis. Profiles of Terrysa ran in [The New York Times](#) and [Marie Claire](#).

After the 2016 election, Terrysa focused on combining her labor roots with her political skills at the Make It Work Campaign organizing around issues of paid leave, childcare and equal pay, and then managed the fair workweek campaign for retail workers at Center for Popular Democracy. In 2018, she joined United for Respect (UFR) where she built the organization's policy and political programs that led to passing into law the new national labor standard of guaranteed severance pay, winning stable working hours for over 2 million families, helping win \$20 million in a hardship fund for 30,000 Toys R Us workers, and building UFR's efforts to reach low wage workers and activate them to vote in elections.

Silvija Martincevic

Silvija Martincevic is the CEO of Deputy, a leading global software platform for managing hourly workers. Deputy is on a mission to improve the world of hourly work for businesses and workers alike. Deputy elevates workplace engagement, happiness, and productivity for workers, while helping businesses in effectively engaging and retaining employees, and ensuring labor law compliance within their workforce. More than 330,000 workplaces and 1.4 million shift workers use Deputy daily in over 100 countries. Silvija joined Deputy because she is passionate about empowering shift workers – the very community that raised her. Her ultimate mission in life is to utilize technology for positive change and to make a significant impact on marginalized communities. She believes Deputy has the right technology, the right team, and the right culture to capture this once-in-a-lifetime opportunity to make a significant imprint on the future of work, and a massive impact on the lives of the world's 2.7 billion shift workers.

Before Deputy, Silvija served as Chief Commercial Officer at Affirm Inc., where she grew the company's merchant and partner portfolio from approximately 5,000 to more than 200,000 retailers and brands representing nearly 60% of U.S. e-commerce. Prior to Affirm, Silvija led Groupon's international business across Europe, Asia, and Australia as Chief Operating Officer and Chief Marketing Officer. Silvija also spent 10 years in the investment management industry, as a founder and investor in socially-responsible, female and minority-owned businesses. She currently sits on the boards of Lemonade and Kiva.org.

Daniel Schneider

Daniel Schneider is the Malcolm Wiener Professor of Social Policy at the Harvard Kennedy School (HKS) and Professor of Sociology. Professor Schneider's research focuses on precarious work, social demography, and inequality. He is also the Co-Executive Director of the Shift Project. As co-director of the Shift Project, he has co-lead the creation of a novel dataset tracking the working experiences of service-sector workers.

His work examines racial/ethnic and gender inequalities in job quality, the effects of precarious work on the economic security and wellbeing of workers and their families, and the effects of labor standards on working conditions. Professor Schneider holds a PhD in Sociology and Social Policy from Princeton University and a bachelor's degree from Brown University. Prior to joining HKS, he was a faculty member in the Sociology Department at the University of California, Berkeley.

Elizabeth Wagoner

Elizabeth Wagoner is the deputy commissioner of the Office of Labor Policy & Standards of the New York City Department of Consumer and Worker Protection (DCWP), which investigates and enforces NYC worker protections, including the paid safe and sick leave law, the fair workweek laws in fast food and retail, and app-based delivery workers' rights.

DCWP is a national leader in incorporating data analytics into enforcement of worker scheduling protections and has achieved several multimillion-dollar settlements with national fast food chains to compensate workers for violations. Elizabeth joined DCWP in 2019, serving as director of investigations and then as legal director. Prior to joining DCWP, she held litigation roles focused on low-wage workers' rights at the New Mexico Center on Law and Poverty, the Labor Bureau of the New York State Office of the Attorney General, Outten & Golden LLP, and Make the Road New York.

Shalene Gupta (Moderator)

Shalene Gupta is a writer and journalist. She's the author of "The Cycle: Confronting the Pain of Periods and PMDD" and co-author of "The Power of Trust." She's a frequent contributor at Fast Company, where she writes about employment practices and work life. Her work has also appeared in The Atlantic, ESPN, Fortune, and Harvard Business Review, where her article about better layoffs was recognized as a top 10 read. She is a Fulbright scholar and a graduate of the Columbia University School of Journalism and Johns Hopkins University. She lives in Cambridge, Massachusetts.

Transcript

Shelly Steward (00:00:06)

Good afternoon. I'm Shelly Steward, director of the Future Of Work Initiative at The Aspen Institute Economic Opportunities Program. It is my pleasure to welcome you all to today's panel discussion - Unstable Schedules: Unwrapping the Challenges and Solutions for Service Workers. This is part of EOP's Opportunity In America Discussion Series, examining what the changing US economy means for workers, businesses, and communities, and exploring ideas for building good jobs and shared prosperity.

Stability is one of the defining features of a good job, and scheduling stability is critical. Knowing when you're expected to work, knowing that you'll have enough hours to earn consistent, reliable income, and being able to schedule personal and family responsibilities around a work schedule. These are all really important components of having a good job and a decent life. The upcoming holidays, though, highlight the realities and the challenges of scheduling for millions of workers.

Sales and shopping seasons mean long and often very variable and unpredictable hours for service and retail workers who make so many of our holiday celebrations possible. As of fall 2021, 64% of workers in the service sector received less than two weeks notice of their schedule. That's according to The Shift Project, one of the directors of which is joining us for today's conversation. Not only does scheduling and instability lead to volatile income streams, but also stress, health problems, family challenges, the list goes on. So we're here today to learn more about these challenges, and also to hear about emerging solutions that are benefiting workers that work for employers and that make our communities and our economy better and stronger.

Before we get started with this conversation, a quick review of some of our technology. So, all of our attendees are muted. We welcome your questions, so please use the Q&A button at the bottom of your screen to submit questions and to upvote questions that others have asked. We also encourage you to share your perspective. If you have ideas, examples, stories, resources or experiences related to today's topics, please share those in the chat. We also always appreciate your feedback, so please take a moment to respond to our quick feedback survey, which will open in your web browser when you leave this webinar.

We encourage you to post about this conversation on the social media platform of your choice. Our hashtag is #TalkOpportunity. If you run into any technical issues during this webinar, please message us in the chat or email us at eop.program@aspeninstitute.org. This event is being recorded and will be shared via email and posted to our website for later viewing. Closed captions are also available for our conversation. To view them, click the CC button at the bottom of your screen and they'll be activated.

Now, with that out of the way, it is my great pleasure to introduce our panel for today's discussion. So we have Terrysa Guerra, co-executive director of United for Respect. We have Silvija Martincevic, CEO at Deputy, Daniel Schneider, co-director at The Shift Project and Malcolm Wiener Professor of social policy at the Harvard Kennedy School, and Elizabeth Wagoner, deputy commissioner of the Office of Labor Policy and Standards for New York City's Department of Consumer and Worker Protection. We are so pleased and grateful to have Shalene Gupta to moderate today's discussion. Shalene is a writer and a journalist. She's a frequent contributor at Fast Company where she writes about employment practices

and work. She's the co-author of *The Power of Trust* and the author of *The Cycle: Confronting the Pain of Periods and PMDD*, which is being released early next year. Shalene, I'll now turn it over to you.

Shalene Gupta (00:04:44)

Thank you, Shelly. It is a privilege to be here discussing such an important topic. Now, as Shelly said, in 2022, 64% of shift workers received less than two weeks notice of their work schedule. As CBS calls it, companies are addicted to last-minute scheduling, but this has terrible outcomes for workers and ultimately companies and ourselves as a society. I'm excited to be here with our panelists to dive into what's going on, why, and what we can do about it from policy changes to technological fixes. So without further ado, Terrysa, let's start with you. Tell us a bit about yourself, United for Respect, and why this issue of scheduling is so important.

Terrysa Guerra (00:05:31)

Thank you. Thank you for having me here today, and thank you to everyone who joined for this important discussion. As mentioned, my name is Terrysa Guerra, and I'm one of the co-executive directors of United for Respect. Just a little bit about the organization. We're a national organization building a multiracial movement of working people who are fighting for an economy where corporations respect and recognize the humanity of our country's 16 million low wage retail workers.

Our movement began as a fight for \$15 and full time at Walmart, and we've come really close to achieving that. Minimum wage at Walmart has nearly doubled, and is now \$14 an hour up from the federal standard of \$7.25 an hour. But, sadly, 40% of Walmart associates are still stuck in part-time work. Our theory of change is that if the retail industry leaders like Walmart and Amazon change their policies to have good quality standards, livable wages, access to healthcare, predictable schedules, then the industry would follow suit. That would be 16 million families impacted and lifted up.

Just to share a little bit about me and myself. What really brought me to United for Respect and this work is, I was raised by my grandparents in a farming community along the Texas-Mexico border. My mom worked two part-time jobs at JCPenney and Dillard's just to make ends meet. And it wasn't until she started working for the State of Texas that I saw her really leverage her voice to advocate for better working conditions, better pay, and just overall better public policy to improve job standards. And that really led me here today to do the work that I do and be part of United for Respect.

Prior to being the co-executive director, I was also the campaign manager for the Fair Workweek Initiative, which is a joint project of the Center for Popular Democracy and United for Respect. So I'm glad to be here today. I'm glad to talk about this important topic.

Shalene Gupta (00:07:47)

Terrysa, thank you so much for that. Turning to you, Danny, tell us a bit about yourself and The Shift Project.

Daniel Schneider (00:07:55)

Thank you. It's great to be here with you today and terrific to have a chance to talk about this important issue with everyone. I'm a demographer, and I'm a sociologist, and my work has always really been concerned fundamentally with how inequality and unequal opportunity affect Americans, people in America's health mobility and intergenerational mobility, the wellbeing of kids and their prospects for getting ahead.

When we talk about inequality in this country, which we do, I think happily more and more recognizing the extent of that problem, we often do so in terms of income or wealth, but with scheduling what we see is the deep inequality of time. And you can say, "How can that be? Don't we all have the same amount of time? Doesn't everyone have 24 hours in the day?" But I think what scheduling shows us is that there is this inequality of time and the quality of time, and how time is disrupted, or disorganized, or fundamentally out of our control.

And schedules, we've come to see, really produce that kind of everyday uncertainty for the millions of retail workers, but also food service workers and logistics workers and many healthcare workers around the country. Schedules end up really shaping people's lives. And when schedules are unstable and unpredictable, that introduces this arrhythmia in our family lives that is difficult to overcome. They're also really importantly implicated, as I'm sure Terrysa will talk about more, in the power relations between employers and workers.

Schedules can often be a tool of control, and in this they are a contested terrain, so we wanted to study this important thing. And what we found as good social scientists who look to existing datasets was, there was no way to do it. We just were not capturing this important phenomena that was shaping workers' lives. It didn't show up in all the normal data places we go to, administrative data and the like. Instead, it was this kind of dark matter. It was out there, we knew it was really big, and we knew from the seminal work of scholars like Susan Lambert and others that it was important, but we couldn't see it. We needed to build the detection device and that's what we set out to do with The Shift Project.

So The Shift Project, with my colleague Kristen Harknett and I, we developed new tools to try to reach directly service sector workers at firms like Walmart and dozens and dozens of other of the largest firms in the service sector in the United States, in fast food, and casual dining, and grocery, and big box, and logistics, and fulfillment, and ask them directly, "What kind of schedules are you experiencing?" And how is that then associated with people's economic security, with their health, with their children's outcomes, and ultimately with mobility?

Shalene Gupta (00:10:39)

Thank you, Danny. Arrhythmia of family life is going to be a phrase that I'll be thinking about going forward. So, Elizabeth, let's turn to you. Please introduce yourself and talk to us about your office and its charge in New York City as it relates to today's discussion.

Elizabeth Wagoner, (00:10:55)

Hi, my name is Elizabeth Wagoner. I'm the deputy commissioner of the Office of Labor Policy and Standards in the Department of Consumer and Worker Protection in New York City. Apologies for my laryngitis today, bad timing. We enforce the Fair Workweek laws that apply to New York City workers. There's a version of the law that covers retail workers, and a version of the law that covers fast food workers, both the general principle is to improve scheduling stability for workers.

The fast food version is probably the stronger version of the two, and the one most similar to the small but growing constellation of protections like this in jurisdictions around the country, providing for protections like 14 days advance notice of the work schedule, regularity in scheduling, prohibitions on cutting workers' hours by more than 15%, disincentives to changing workers' schedules, things like bonus pay when the schedule is changed, giving workers the right to decline to work extra time and the right for workers to add shifts to their regular schedules before the company can hire new workers.

All of this geared towards keeping schedules stable, predictable, income levels stable and predictable. And so, as part of our enforcement work, we've achieved some significant monetary recoveries for workers who've experienced violations since the law has been in effect since November 2017. We're also working with software companies on developing software to help companies with compliance and looking forward to talking about all of that more today.

Shalene Gupta (00:12:55)

Thank you for that perspective in the work you do, Elizabeth. And then, finally, Silvija, speaking of the company perspective, tells us about Deputy and why the issue of scheduling is so important to you.

Silvija Martincevic (00:13:08)

Hello, everybody. It's really wonderful to be here today, and it's great to talk about the future of work for the underserved workers who don't necessarily have the privileges of working remotely like the rest of us. At Deputy, we are improving the world of work for hourly workers through technology. We are a global software platform for managing hourly workers from scheduling, to communication, to engagement of workers. And when you think about how many workers are hourly workers in the world, over 80% of the workers, or 2.7 billion workers, are hourly workers that are impacted by scheduling.

And we are incredibly passionate at Deputy to help build technology that helps people be more engaged, more productive, and happier at work. And to me, this is personal. I grew up in Eastern Europe. Every single one of my family members were hourly workers, and I watched my mom who was a shoe factory worker for 40 years, and my dad who was a truck driver for 40 years, I watched him not have the kind of dignity and respect that the rest of us get to have at work. And so, I really am passionate, and at Deputy we are passionate to build software solutions so that workers can be more productive, more engaged, and happier at work. And ultimately that drives better business outcomes for businesses.

Shalene Gupta (00:14:51)

Thank you, Silvija. And we are so looking forward to finding out more about what Deputy does. So let's get into the meat of this issue right now. What are these challenges and impacts that people are facing? So, Danny, let's start with you. You study this. Can you tell us the scope of the problem? Lay it out for us. How prevalent is this? Who does it affect? Why is it so prevalent? And what outcomes do we see for workers and their families?

Daniel Schneider (00:15:17)

Yeah, thanks. Well, let me try to take that on and I'm sure others will have more to add. The best data we have comes from hourly workers in the service sector, and we can go directly to them with our surveys and ask them what they're experiencing. And when we ask them about the schedule, one thing we want to know is, "How much advance notice do you get of your schedule?" Now, as a professor, I get a lot of advanced notice of my schedule. I know my class schedule something like a year ahead. That's unusual in the service sector, let us say.

About 60% of workers that we survey are getting less than two weeks notice of their schedule, about a third are getting less than a week's notice, 17% are hearing less than 72 hours ahead when they're going to work. But even once the schedule is published, what we find is it's subject to change, but that capacity to make edits generally only resides with a manager. 60% of workers report having a last-minute timing change, being told to come in early, or leave early, or stay late often, where schedules are being tailored at the last minute to adjust to customer traffic and demand for labor in the stores. What we see in these practices, like on-call shifts and canceled shifts, is an effort by many firms and frontline managers to closely align staffing with demand.

We can say, "Well, that's just business sense," but I think we also need to recognize it more fundamentally as a shifting of risk, as the great political scientist, Jacob Hacker, has called it. What we see here is firms shifting the risk of having payroll costs that they don't want to bear from the firm to individual workers and to households. And so workers lose those hours of pay and they lose that control and stability over their time.

These kinds of unstable and unpredictable scheduling practices we find go hand in hand with not enough hours. Shockingly, as we have emerged from a really tight labor market where many firms are saying they couldn't find enough workers to hire, we still find that workers report not getting enough hours to get by. Workers are involuntary part-time, and I think one implication of that or one rationale for that may be that that is a way for firms to really flexibly manage their labor. That when workers aren't getting as many hours as they would need, when they don't have consistent full-time work, well then workers are able to be called in on short notice and willing to put up with last-minute scheduling timing changes.

Indeed, we find that workers don't have much control over their schedules. These schedules often get called flexible, but it's important to recognize "flexible" for who? In this case, it's pretty clearly not for workers. We asked workers directly, "Would you like a more stable and predictable schedule?" And overwhelming majorities tell us that is what they'd like, as well as telling us that they have to often keep their schedules open and available to work whenever needed.

Who gets these schedules that are so unstable and unpredictable? There's a couple of ways to think about it in terms of the demographics of these workers. So one is about segregation of workers by sector. These practices seem most acute, as Terrysa said, in retail we also know in other sub-sectors that are often low wage like food service, delivery and fulfillment, and some aspects of healthcare. And those are also the sectors where women and often workers of color are concentrated, segregated. So that's one form of inequality.

But there's also a class inequality. Like Silvija said at the outset, these are not workers who are working remotely. During the pandemic, what we saw was that for white collar workers, they in many ways got much more control and flexibility, the ability to work from home to change their hours, in a broad sense that's good for workers, but that's not what happened for hourly workers in the service sector. They had the same instability, and so we see a growing inequality of time between these two groups of workers.

We also see inequality within the sector where even at the same firms we see that women and workers of color are much more likely to have unstable and unpredictable schedules than their coworkers, so that's another kind of inequality. But it doesn't matter, who cares about these schedules? Maybe they don't really matter to workers or affect their wellbeing. And a lot of the work we've done at Shift has been to try to test that and really look at it empirically. And what we find is sobering. Workers who have more unstable and unpredictable schedules really report worse outcomes across many domains. That volatility of time, the inability to plan, the stress of not knowing when or how much you're going to work, it has consequences.

These workers report more economic insecurity, they report lower sleep quality and greater psychological distress, and it also has intergenerational consequences. These are not just teenagers working their first jobs. Workers in the service sector are adults with families, they're older adults. There's a broad cross-section of working Americans. And for those who have children, we see the instability of parental schedules really spilling over to an instability in child arrangements and parenting. Kids do best when they have regular routines and close engagement with adults. And what we see is that schedules disrupt that, and it leads to more unsettled sleep patterns for kids, more unstable childcare arrangements and more informal childcare arrangements.

And all of this really puts to the lie the idea that kids have an equal chance out of the starting gate in America, that anyone can get ahead. Instead, we see how these schedules really constrain those opportunities from the get-go for many of our most vulnerable kids.

Shalene Gupta (00:20:56)

Thank you, Danny. Terrysa, can you build on that, paint that picture for us about what exactly businesses are doing to workers? And furthermore, what are the opportunities for change here?

Terrysa Guerra (00:21:09)

Sure, thank you. So I'll just say after doing this work for nearly a decade now, I can tell you what we see is that erratic schedules mean erratic pay for people in our society who are already underpaid for doing what we called the essential work during the pandemic. As Danny said, this is mostly women and mostly people of color who are impacted. There is this misconception that in retail and fast food we're talking

about mostly younger workers who pick up a shift after school or on a weekend to make extra money. But when it comes to big companies like Walmart and Amazon, for most of these workers, it's a primary job that is economically essential to their families.

Take Adriana in Texas who worked at Walmart for almost 14 years. And after she had her fourth child, she was promised at least 20 hours per week, but then was only scheduled for five hours per week consistently. She said instead of giving additional hours to the current part-time employees like her, which she constantly requested, Walmart was continuing to hire new part-time employees to keep the hours low. So for people like Adriana, there is a real cost in terms of the time loss, but also in terms of lost pay.

Hours you are counting on to make rent, or buy formula, or school supplies for your children, those are the stakes here when hours get cut and pay gets cut for people who are already making low wages. Now, I would just say this is not just about the workers wanting flexibility. Often, larger employers will recruit by promising workers the benefits that come with at least 20 or 40 hours per week, and they dial down their hours in order to avoid paying those benefits, or they want the ability to surge staff during rush times and keep workers on standby to come in without paying those workers a premium to stay on standby week after week, ready to come in, but not called in.

I wanted to spend a minute talking about the idea of flex scheduling. The idea that it would give workers more flexibility, more say in their work schedule, but there's another use of it that we came across, particularly at Amazon. Karen works at an Amazon facility in Georgia. She describes her work as backbreaking work and not enough pay, and is even worse with the unpredictable schedule that she's experiencing. Her hours are often cut when the company tells her to flex down her shift and it's difficult to make ends meet to provide for her family.

So just a little backup here. Amazon associates are often told to flex up or flex down, that's the terminology, which means they have hours added or removed from their schedule to respond to operational needs at the facility. Now, this is a big issue for workers who often don't know how long their shift is going to be. They might get hours added at the end or they might lose hours of pay depending on how busy the sort center is.

Now, as we touched on in the research, what we've seen it's not surprising to hear, because we hear it from workers every day, figures like 60% of hourly workers in food service and retail industry experience last minute changes, or nearly half a feat retail and food service workers were really clogging in shifts working late at night only to return the next morning. This is not an outlier thing or a case of bad management here or there. This is how companies, the ones we work with at least, are being run and that's how they're being operated. This is the industry standard.

That's why at UFR we work to change that standard by supporting Fair Workweek policies at the local state and federal level. I would be remiss if I didn't recognize that there are coalition on the ground, local labor-based building community groups who all come together leading in these geographies where these laws have been won, who were listening to their members, to working people, about the challenges of unpredictable schedules, and developing solutions together that make up the contour of these laws.

Shalene Gupta (00:25:36)

Thank you for that, Terrysa. A very quick followup that I saw come through the chat. So what actually is in it for companies where they would rather hire new employees than give existing ones more hours?

Terrysa Guerra (00:25:46)

Is that a followup for me?

Shalene Gupta (00:25:54)

Yeah, but anyone, feel free to jump in as well.

Terrysa Guerra (00:25:58)

What's in it for companies for doling out part-time hours instead of giving to those who are already there? Yeah, that's a really great question. And if you talk to workers and just like in the stories I've said, they'll say it over and over. It's to keep them in part-time work and to keep them from having access to the important benefits that come with full-time work like access to healthcare.

Shalene Gupta (00:26:24)

Thank you, Terrysa. And Silvija, now let's turn to you and get that business perspective. So what have you seen in your work about the consequences of unstable scheduling for business and workers? And then, on the flip side, what are some of the challenges businesses are facing in terms of implementing a solution?

Silvija Martincevic (00:26:44)

So if we look at the world of work for all of us, desk workers or office workers, over the last decade we have been given so many technology tools. I mean, we're here because of Zoom, and many of us met through LinkedIn. We communicate via Slack. There have been so many tools for us desk workers and office workers to be more productive and more engaged at work. And when you ask about and when you look at how the world of work has changed for a waitress, or for an elderly care worker, or for a hotel cleaner worker? The world of work is the same as it was in the 1980s. There hasn't been technology built that helps hourly workers feel more connected, that helps hourly workers have more flexibility at work.

And I have to say that I believe that technology investment is one way that we can bring equality and one way to solve some of these challenges. And again, as I mentioned in the beginning, we see that 80% of the world's workforce, 80% are hourly workers, yet less than 1% of technology has gone into this space. And this is what Deputy, of course, is trying to change. And I'm going to tell a story of one business in particular that I talked to recently that engaged Deputy, and this was a franchise of Ace Hardware.

We work today with about a thousand Ace Hardware stores, and about 25,000 Ace Hardware workers use Deputy work app every single day. And this owner said, she's like Silvija, in the past perhaps we would all get together with our workers and get them excited for the day, but we don't do that anymore because some workers start in the morning, there's very different working needs that workers have. And she said, "We now use technology, we use Deputy where we can engage the workers, where we can build the connective tissue between our business and the workers."

We also use technology where workers themselves, life happens, and for us when life happens, it's easy to sort of, Daniel said earlier, we know our schedules way in advance, and when life happens, we plan around that. That's not the case with hourly workers, and technology can enable that flexibility. If work happens, if you now have childcare problems, you can swap your shift with another worker that is available. And so, I believe that technology itself can be that equalizer and can provide easier tools so that workers can manage their life and their work more seamlessly, but it will take businesses to start to change the way they work.

When most of us enter restaurants today you still see right there on the wall papers where workers are clocking in and out. And if something changes, now the business needs to, probably that manager needs to send five text messages, 10 emails to figure out who can take that shift. Technology can enable that, where workers can seamlessly swap shifts themselves. And so, I really believe that through technology that is designed for hourly workers, we can create more engagement for workers and we can give more flexibility. Ultimately, that helps both businesses and workers thrive.

Shalene Gupta (00:30:54)

Thank you, Silvija. And Elizabeth, we'd love to get the policy perspective from you. So please tell us about New York's Fair Workweek law and some of the issues it's trying to address, as well as the challenges that you're facing implementing it.

Elizabeth Wagoner (00:31:07)

Yeah. So I described earlier some of the key provisions of the fast food version of the Fair Workweek law, just to tackle retail so you get two different pictures of how this can be done. The retail version of the law is a little less stringent, requiring companies to give workers their work schedules 72 hours in advance, whereas in fast food in New York it's 14 days in advance. Retail has prohibitions on cutting workers' hours. Once that schedule comes out at the 72-hour mark, the worker needs to get those hours that the company put on the schedule. Additional hours similarly cannot be added without the worker's written consent.

And in terms of some of the challenges in implementing these laws, I think we've heard a lot from my colleagues about why this happens, why unstable schedules are attractive for companies in terms of shifting the risk and that kind of thing. And I think what we've seen is passing the law to, and some of these practices, and make some of these practices unlawful is a very important first step to achieving stability and predictability for workers, but it's just the beginning, because it is very important for any jurisdiction considering this type of law to ensure that there is a carefully thought through enforcement apparatus behind it to be able to investigate complaints and really look at a company's whole compliance system in order to guide companies towards compliance, compensate workers for

violations, and hopefully create that culture of understanding that this really is a shift in how we do scheduling.

And I think it is changing in New York City in terms of companies understanding what their obligations are and that there is an enforcement agency who is watching and prioritizing this issue, but that is a cultural shift I think, because the unpredictability and the assumption that workers will be available based on the company's needs is really something that doesn't go away overnight. And then, I think another piece of challenges and opportunities is exactly the technology issues that we just heard about. That is a very important component of workers really getting these protections, is companies having the support of software solutions to track compliance information, help managers know when something might be happening that's not supposed to be happening, and automate some of the compliance functions that are too often handled by individual frontline store managers who themselves can be quite overstretched.

So an example is in the Fair Workweek fast food law in New York City. When a company changes a worker's schedule, the company's required to pay premium pay, which can be, depending on how much advance notice of that change, can be between \$10 up to \$75 in a bonus of premium pay. Now, a company can avoid that if there is an exception, which most often is that the worker requested the change. So if a worker requests a schedule change, the company does not owe premium pay. The companies have to track that in writing, the worker's written request for a schedule change. And if there's no evidence of a writing, then the company's got to pay the premium.

Now, all of those functions can be automated, and companies are moving in that direction with the assistance of companies like Deputy, but it would certainly help compliance, help with stability, help with ensuring companies stay on the right side of the law, the more we can all do to make some of these things just built into the tech.

Shalene Gupta (00:36:10)

Thank you, Elizabeth. And Danny, can you tell us, as companies are facing all of these challenges, what's in it for them to provide stable scheduling? What would they benefit from facing all these challenges and implementing solutions?

Daniel Schneider (00:36:27)

I think we've talked a lot about how unstable and unpredictable schedules can really be to the detriment of workers and their families. How does this kind of practice affect firms? And I think in some ways what we can point to here is the value in slightly longer term thinking by managers and by firms themselves that in the moment it can feel like, "Hey, if I send this worker home, I'm going to save a couple of hours worth of payroll expense." But in the longer term, and a growing body of research suggests that we might see just the opposite in terms of business savings.

And so there have been a number of studies now that have used either firm-specific data, rich administrative data to kind of scheduling, and payroll, and turnover data that's generated by software like Silvija's at Deputy, but other platforms as well. And as well as survey data that shows that turnover goes up when workers experience more unstable and unpredictable schedules. At a time when firms

still continue to struggle to hire and retain workers, more stable schedules seem like a clear retention strategy. There's a strong evidence base for that, and that can be the benefit of business.

There are also studies that suggest that workers are more productive when they have more stable and predictable schedules. That shouldn't be surprising. If we think workers are sleeping poorly and are really stressed out and worried about their kids, well, that's not a recipe for excellent customer service. And if you're a brick and mortar business, that should be exactly the kind of thing that you care about. And then, finally, we have some very good evidence that all that really sums up to affect the bottom line. The scholars, Susan Lambert and Joan Williams and their colleagues ran an important study with the Gap, a field experiment testing a set of more stable scheduling practices.

And one thing that comes through really clearly from that study is that at the stores that adopted a set of more stable and predictable scheduling practices, those stores actually were more profitable the next year. So I think we really can point to this business case, but I also think it's important not to just rely on it. While many companies adopt more stable and predictable scheduling practices because they see this logic, as Elizabeth and others will say, many companies don't do that voluntarily, that labor standards have a really important role to play in making sure we raise the floor for all workers, not just the ones who are lucky enough to work at the firms that might see this logic and embrace it.

Shalene Gupta (00:38:48)

Thank you, Danny. And speaking of raising the floor, let's shift the conversation a little bit to talk about solutions and what it means to implement them. So, Silvija, can you tell us what are some of the successes and even failures that you've had while working with businesses to address these issues? Overall, just what are the biggest lessons that you've learned?

Silvija Martincevic (00:39:07)

Sure. Deputy has been building technology for hourly workers for the last 15 years. And today we have customers that are small businesses, five-person coffee shops too, I mentioned earlier Ace Hardware, that is a massive, massive company with tens of thousands of employees, and we do that across 100 countries, so there's a lot of lessons and a lot of important things that we've learned. First off, what I'm going to say is that when you talk to businesses they do understand that happy workers mean happy customers, which means businesses are going to be more profitable. I think businesses innately know that.

And what I've seen, and I'm so glad to hear Elizabeth speak about Fair Workweek laws, what I've seen here in America is that many businesses when we talk to them actually lack proper information and don't often have labor or employment compliance lawyers. And this is where Deputy can actually step in and help. We provide guidance, having done that for hundreds of thousands of businesses across the world, we host informational webinars. Just recently, the City of LA enabled similar legislation just like following the wonderful footsteps of New York.

And so Deputy can step in and help with that, because businesses are not going to have that skillset. So that's been one very good thing that we can help with. But the second thing that I'm going to say is that we have seen businesses be a little bit scared. Change is scary. And so when they've been doing

employee scheduling and management the same way for years, and then technology comes in promising to simplify it, you really have to live up to that promise. And so, at Deputy we really pay a lot of attention making sure that both managers and employees' feedback is taken into effect.

We make sure that our technology is super easy to use and very straightforward. And what I'm going to say, I'm going to use one example of one of the most beloved features by businesses and workers alike. It's something so simple that we've built over the last few months. For all of us, we get engagement surveys maybe once a year or twice a year, but for hourly workers, average tenure is six to eight months out of their work. So by the time that engagement survey comes, probably you're already at another workplace. And so at Deputy we have built every single day when that worker's clocking out, we ask, "How was your work today? How was your day today at work?"

And workers have the ability to provide feedback, they get the ability to rate their shift. And what we've heard from businesses is something so simple where at the end of the day you're clocking out through the Deputy's technology, you're asked, "How was your day at work?" Managers tell us that they love this because it's a signal of how their workers are feeling. It's a signal of whether they have challenges with certain policies that they're enabling. And again, this was a real success where there is now communication happening that Deputy is enabling. And I think that's a wonderful success where we are building the connective tissue between workers and managers.

But in terms of failures, I'm going to say the massive one is change management. And what keeps me up at night every single day is, how do we help both businesses and workers see that through the use of technology, they actually can build thriving workplaces? And I said in the beginning that we believe at Deputy that if you change the way that people work, you can change their lives. And so that is what we constantly obsess about, how can we get our technology into the hands of more people? Because it will help them be more productive and more engaged at work.

Shalene Gupta (00:43:42)

Thank you, Silvija. Speaking of change, we can change people's lives, but it's a completely different matter to change the law. So, Elizabeth, can you tell us what is it like to actually implement and enforce the Fair Workweek law?

Elizabeth Wagoner (00:44:00)

Yeah. So we've been charged with enforcing these laws since very late 2017, and I think we've sort of learned over the years a few key elements to a successful enforcement of this law. One is being careful and strategic in terms of identifying the appropriate scope of an investigation. Often, less maybe now, but particularly a few years ago, when workers were reporting filing complaints with our office, they are not just describing a problem they are having with unstable scheduling, but rather very often a problem that affects everyone in the workplace.

So a report might be that they post the schedule four days in advance in a fast food restaurant where it's supposed to be both posted and emailed 14 days in advance. An issue like that is not just going to affect one person. And in order to cause companies to come into compliance and identify the people who have been harmed by that practice, the investigation into that issue needs to be workplace-wide,

and needs to be looking at the experience of every worker in that workplace to identify an appropriate number of violations. And so we tailor our investigation to the scope of allegations received to do comprehensive intakes with workers to make sure we're looking at every single piece of the Fair Workweek law that may be an issue in the workplace.

Second is broad engagement with workers. Something really important in labor standards investigations, especially here, we survey workers in our investigations to ask them about their experience with scheduling. We'll do that through email, text messaging, and it helps us understand where there might be problems in a company. And the information that workers provide us really informs our analysis of a company's compliance records. And in companies with weak or noncompliant Fair Workweek compliant systems, the stories that come back from the surveys can really illustrate how damaging unpredictable scheduling can be for people.

And these really powerful anecdotes that we get from people. So stories like, "I was fired when they added a Friday shift to my schedule at the last minute. And I tried and tried and I couldn't find a babysitter to take care of my kids, and so I couldn't go in. And so I didn't go in and I told my manager, but I got fired." Now, that's unlawful in New York City for something like that to happen, but it does, and these are the stories that come in that can really illustrate the scope of the problem.

People reporting things like, "They make me work late, sometimes many hours late. It's dangerous for me to take the bus home that late at night as a woman walking alone through my neighborhood." And obviously that is not lawful. Somebody didn't want to work late in New York City and they shouldn't have to. And then, things that are important to people's lives outside of work. We've had workers' report, "I keep getting scheduled for Sundays even though Sundays aren't on my regular schedule and I want to go to church. It's really important to me to exercise my faith, go to church on Sundays and I can't do that."

Which I guess ties with the third component of an effective enforcement practice, which is deep engagement with a company's data, time records, schedule records, pay records, and having a data analytics practice with data scientists on staff to be able to evaluate that information, identify violations in a company's records, and then calculate what workers are owed for that. We didn't start off having staff like that, and we do now with that skill set, and it's very important to be able to engage with company's data to understand what we're seeing. But that combined with the worker anecdotes, you can't have one without the other to have workers give life to what we're seeing and the data is really a key part of our enforcement.

Shalene Gupta (00:49:09)

Absolutely. Thank you, Elizabeth. Terrysa, I want to invite you to add your lessons learned. What specific strategies is United for Respect using to achieve change?

Terrysa Guerra (00:49:23)

So at United for Respect, we want to make sure that every job has reliable hours, decent pay, so we can take care of our families and build thriving communities. And as mentioned earlier, I mentioned earlier, we do this in coalition and collaboration with national groups, local labor groups, and other

community stakeholders. And there have been really important victories like Chicago, Los Angeles, Philadelphia, and for us in every one of those victories, worker engagement, worker voices were at the forefront and we want to replicate that success. What United for Respect is focused on in 2024 is replicating that success in the State of Michigan. And our goal here is pretty basic and common sense standards that guarantee predictable schedules so people can work hard and still plan ahead for things like doctor's appointments, parent-teacher conferences, fairly compensated employees for their time and flexibility when last-minute scheduling changes happen just like someone who puts in extra hours and has overtime pay, so too should someone who sacrifices their personal life to be available on short notice. Protect people from unhealthy schedules like those that require an employee to close late at night and turn right around to open the next morning and ensure enough hours each week, so working people can budget to make the ends meet.

Those fundamentals are what is included in the legislation we support. Now, in terms of learnings, we know that making big changes over time and coalition, it takes years of work building power and momentum over time. And this constituency out of people who work in retail is just frankly hard to organize. There is a lot of turnover for a lot of reasons. Unpredictable schedules can drive people out. So working with these workers takes a lot of persistence, a lot of patience, but the payoff for us is huge. When we hear from workers in those jurisdictions that have done this, have passed Fair Workweek laws, we're talking about life-changing impact.

People's day-to-day lives and sense of economic well being is fundamentally better, and so that is what makes this work worth it and why we keep pushing. And I'll just say once laws are passed, we need more investment in educating working people about the new law and this new right. I think at United for Respect, we spend time doing that, but we are only one sector and we are focused on certain companies. Workers need to have an understanding of what the process is, if their employer is not following the law, if they experience erratic schedules, who they can talk to resolve the issue, and most importantly that if they speak up, they won't lose their jobs.

Shalene Gupta (00:52:23)

Thank you, Terrysa. And then, Danny, two questions for you. What have you been learning about the impact of the Fair Workweek laws and can you give us an example of a company you're working with and some of the opportunities and challenges they face in shifting practices?

Daniel Schneider (00:52:41)

Yeah, let me build on some of the great points that the other panelists have made here. And that's to point out that secure scheduling laws really have a crucial role to play in regulating these practices for workers. And our data, we can look inside of firms and we can compare what scheduling looks like at a Walmart or a Target or a Dollar General or Costco? And part of what you see is tremendous variation in workers' experiences across these firms.

In a way, you can point to that and say, "Well, maybe firms will just voluntarily do this." But the other thing you could look at is say, "Well, that hasn't happened." When we look at Dollar General, we don't see a firm that has stepped up to voluntarily give people more stable schedules and more advanced notice, but there's an existence proof in that variation, a proof that firms can do things differently when there's a

law on the books to get them there and when there's the right technology and the right enforcement agencies to make that change real.

So we've studied Seattle Secure Scheduling Law most closely, and we've done our best to try to estimate the effects of this law. And what we found in our work, often what we find is large scale evidence of the things that the workers that work with Terrysa tell her. That is to say we find that the law really had an important impact on workers who were covered by Seattle Secure Scheduling Law. Significantly larger shares of workers received two weeks notice of their schedules after the law went into effect. Workers were more likely to receive compensation when their shifts were changed at the last minute or canceled, and perhaps most notably, it had these bottom line effects on worker wellbeing.

Workers reported sleeping better after the Seattle Secure Scheduling Law went into effect as driven by these changes in scheduling practices. Now, that's not to say compliance went to 100% when the law went on the books. I think what we're seeing there is just the meaningful change that came out of some companies voluntarily following the law, knowing enough about it, having the tools to do so, and deciding to follow through. There's even more progress that can be made, again, when the right software and the right enforcement efforts and educational efforts are also put into play. So there's more to be learned.

We now have, as we've heard laws in New York, including really one of the more exciting laws I think that we have in the country, in the fast food ordinance in New York, but also laws in Oregon, in LA, in Emeryville, in Philadelphia, in Chicago, and IN other locations around the country. In Berkeley most recently, I think. And so we can learn from these laws, try to understand how different enforcement efforts, how different provisions of the law may ultimately really most benefit workers.

Now, I'll say briefly, these laws are mandating more advanced notice and they are really imposing reasonable common sense, I would say, provisions around instability. But what they're not generally mandating is giving workers more control over their schedules or the flexibility to change their schedules after they're published. But that's something that workers would also benefit from, our research suggest. And so one thing we're doing is working with IKEA in the US to try out, to rigorously test some of the same software tools that Silvija talked about earlier, the ability to swap shifts, the ability to update your availability so that your schedule matches your life. And we're eager to see how those provisions matter.

That's not to say every firm will adopt them, but let's first figure out that when they do, how does that benefit workers and what does it do to the firm's bottom line?

Shalene Gupta (00:56:12)

Thank you for that, Danny. I know that we've got four minutes before we hop into the audience Q&A and I want to make time for that. So I'm going to open up this question to all of you panelists and just end on asking, what is the biggest change that we need to make as a society in order to help with this problem and what do we need to do to make that happen?

All right, Danny, I see you smiling and nodding, so I'm going to shift the spotlight to you to answer this first.

Daniel Schneider (00:56:47)

Okay, I'll be brief because I saw Silvija come on and I just talked. But I think one thing to recognize is that justice scheduling got no attention or not enough attention for many, many years, and it's now really important that it's come to the fore. It's also now important to recognize that scheduling is one piece of a broader system of often precarious employment that really together work to make these jobs often unsustainable for workers and their families.

And so scheduling is really important, but it goes hand in hand with sufficient hours. And that in turn goes hand in hand with having meaningful access to paid sick leave and not being retaliated against in your schedule when you call out. And it goes hand in hand with how much you're surveilled on the job and the intensification of your hours. And so I think we need to recognize that justice's been so important to put focus on scheduling, but we also need to see how scheduling is related to all these different aspects of job quality, which often exist in their own silos.

Shalene Gupta (00:57:46)

Silvija?

Silvija Martincevic (00:57:47)

If I may add to that, I want to go back to what I said earlier. Scheduling impacts 80% of the world's workforce. And when you think about how we tackle that challenge, this requires societal change. And I really believe that there is an opportunity and tremendous benefit for governments, for businesses, and for technology companies like Deputy to all work together because there is no silver bullet here. This has been a massive, massive issue for decades and when you think about it is 2023 and workers that we're discussing here are the majority of our workforce, and yet they don't have the tools.

To Daniel's point, it's not just about scheduling, but it's also about feeling engaged and valued at work, about having tools to know what you need to do at work, to have the tools to know what it means to be successful, how do you progress, how do you go from being a barista to being a manager of a coffee shop? And so I truly believe that this is a societal problem that should impact all of us. And I think we really saw that during COVID when these workers that we're discussing here cared for our sick, delivered our packages, delivered our food, and we all have the obligation to work together to change the future of work for hourly workers.

Shalene Gupta (00:59:23)

Thank you so much, Silvija. Elizabeth, Terrysa, any last thoughts before we open this up to Q&A?

Elizabeth Wagoner (00:59:32)

Not for me. I'm interested to hear the Q&A discussion.

Terrysa Guerra (00:59:39)

Well, the last thought I'll just say, and I'm sorry my wifi just went off for a little bit, but I think the point that we've learned through all of these wins is that this problem can be fixed and the jurisdictions that have passed them are not in shambles because of fair work week laws, but in every one of these cases, what we've learned is that this won't fix itself. And as Silvija mentioned, it's going to take all of us jumping in and engaging and doing this. So that's the final word I'll say.

Shalene Gupta (01:00:16)

Well, thank you all and congratulations on a very dynamic panel because we are being flooded with questions. So to kick it off in terms of the Q&A, if you have any questions, please put them in the Q&A chat and they'll get to me. To begin with, a question for all of you, what can shareholders of public companies do to help?

Terrysa Guerra (01:00:45)

I can jump in really quick. I mean, for us, if you are a shareholder, you should engage these companies all year round, not just during annual shareholder meetings about filing or voting for resolutions that support predictable schedules. And you should talk to the impacted stakeholders like workers and consumers to inform what you are pushing for. The implementation of good policy is just as important, if not more important, than the policy itself. And so shareholders have a very important role in holding public companies accountable to these policies and the workers that they employ.

Silvija Martincevic (01:01:37)

I think one important metric that shareholders should always ask about is what is the retention of frontline workers in any business that has frontline workers? Because that is frankly the first signal that there is something that's not working. And we all know that as businesses, if you struggle with retaining your workers, you're not going to be successful long-term because it's going to impact your bottom line. It takes a lot of money and a lot of time to bring in workers, to train them, to get them up to speed. And so I would really encourage shareholders and I sit on publicly traded company boards too, what is happening inside the company? What is the culture like? What is the engagement and retention of all of the workers that the company serves? So that is one very important signal that I would encourage shareholders to look at.

Daniel Schneider (01:02:34)

If I could just add one thing quickly, I know we have lots of questions, but part of the challenge I think that shareholders face is that this information is so hard to come by. Companies just don't release it. They don't like to report on what their turnover rates are, they don't say if they're following Fair Workweek standards. And so part of what we've come to see in The Shift data is that we do have a role in trying to make this information available both to shareholders and the public if they want to shop and eat, where that follows their compass on how workers should be treated.

And I think someone earlier in the chat mentioned the wage tracker that shows wages at some of the largest service sector firms that we put out with EPI a few years ago. I think there's a role here to try to make more of that kind of information, particularly around scheduling available on a firm-by-firm basis.

Shalene Gupta (01:03:22)

We got a question specifically for Elizabeth, but of course everyone is welcome to comment. Why do you think the efforts to regulate scheduling have been more successful at the local rather than the state level?

Elizabeth Wagoner (01:03:38)

I'm not sure. I think my suspicion is that it's just a question of political will, in particular jurisdictions. I think we are seeing a trend with new types of labor standards, things that go beyond minimum wage and overtime of trying them out at the local level sort of as a proof of concept. And I think we do think of our role in the Fair Workweek ecosystem system in that way, that we have a role to play in creating an effective implementation of this law that other jurisdictions could replicate and/or potentially larger jurisdictions could replicate.

I think an earlier example of this would be paid sick leave laws. Most of those laws around the country did start off at the local level, and now more than a decade in you are seeing many paid sick leave laws at the state level. I think we all hope that one day we'll see that at the federal level, and it certainly seems reasonable to expect that Fair Workweek laws having sort of gone through the test at the local level of feasibility, that you may see them expanding to larger jurisdictions. I'm curious for other panelists' thoughts on these questions. You may be more in the mix on the politics of this than I am.

Silvija Martincevic (01:05:35)

Elizabeth, I think New York was a trailblazer in that effect, and I think that change clearly following in New York's footsteps can more easily be attained at the local level. And so we have seen, we look at the Fair Workweek laws across America. And since New York passed its laws, we are seeing truly from coast to coast cities taking on that responsibility. And so, we like change at any level that it can happen. It seems like cities have just been more effective following in your footsteps.

Shalene Gupta (01:06:16)

We're going to take that same question now and flip it to business. So small businesses are generally exempt from Fair Workweek laws. What are your thoughts on the quality of scheduling practices for small businesses and what are your thoughts on having small businesses exempt from Fair Workweek laws? And this question's open.

Daniel Schneider (01:06:46)

I was going to say, I'm eager to hear what Silvija and Elizabeth have to say, but I think one thing I'll note here is that we know somewhat less about what scheduling looks like specifically at small businesses.

Although there is a little work out of Emeryville, California that did some comparisons between smaller and chain businesses. And it found that in some ways small businesses seem to be scheduling with more stable practices. And that may be something that comes with familiarity or being closer to your employees, but I don't think we have the data at scale to know exactly how things shape up, although it may be that other folks here do have better insight.

Silvija Martincevic (01:07:28)

So what's been interesting for us to see, I talked about how changing scheduling and changing the work for hourly workers requires massive amounts of internal transformation. And I agree with Daniel that actually, smaller businesses have been more open to adopting technology. So when we look at supporting over 330,000 workplaces across the world, 70% of those workplaces are small businesses, less than 100 employees. And so I think that it is certainly the data at least that we see that change is much, much harder at larger businesses because it requires more transformation. And so that's what we've seen in our data.

Elizabeth Wagoner (01:08:20)

And just one final note on that. In New York City at least, small businesses are not exempt. The fast food law applies based on branding needs, so if a company has 30 or more locations, if it's part of a chain with a brand with 30 or more locations, a franchisee with just one or two locations is potentially as long as they're part of a national brand. And I agree with what Silvija's saying. I don't think it necessarily is harder. Sometimes we see better compliance in the small franchisees, not always, but I wouldn't say that it's necessarily tracked non-compliance to the size of the business. It happens in both large and small. And likewise, compliance happens in both large and small.

Shalene Gupta (01:09:15)

Thank you for that. This question rolled in early and it was immediately upvoted, so people want answers. And that is, what do you say when people argue that mandating stable scheduling would increase costs for consumers? How do you counter that argument?

Daniel Schneider (01:09:44)

Well, I can start us off, but I think others may have some good insights too. So, listen, there's been a lot of research on the minimum wage and how raising the minimum wage does or doesn't affect labor markets, consumers, and workers. And there's a couple key takeaways from that. One is that it's not a job killer. We just don't see it. And the best research we have, that's not saying the minimum wage does, but part of what it does is it is a price pass through, especially in food service, we do see that firms take that minimum wage cost and they do pass it on.

Now, it's not huge, but there is that function that happens. Now, is the same true of scheduling? Well, I think there's a lot of reasons to suspect scheduling may be somewhat different because the costs are much less direct than we see. In fact, there's this evidence that it may actually be beneficial to businesses to have more stable, predictable scheduling. So in that sense, it's not just that we might have

a cost to pass on or a small cost, we might actually have a benefit. So maybe we can turn this around and say, "Well, will that benefit?"

We passed along to consumers when firms were pushed to adopt more stable and predictable scheduling practices. I think that we don't need to take this as a cost framework. There's no evidence that suggests that we need to operate in that framework, and so let's not make that our priority. Of course, this will be costly to businesses and so costly to customers. The research so far doesn't suggest so.

Silvija Martincevic (01:11:06)

Daniel, if I may agree with you on this, we recently did a survey of businesses that use Deputy, and we ranked them in terms of their retention of their workers. And what we saw, of course, retention being a massive issue, because if you lose that worker, you spend so much time and money recruiting a new worker. And what we found was that businesses that had the strongest retention of their workers had provided schedules two weeks in advance. We also saw the businesses that had the strongest retention of their workers communicated to their workers every single day.

And so we actually believe that providing that sort of visibility and transparency of when someone works, drives their engagement and productivity and ultimately drives retention, which is the biggest challenge for businesses across the world right now, because that is what I hear all day long. How do we retain and engage our workers? Because it's so hard to recruit and bring them on. And so I actually think that there is data that we've seen that providing those schedules more in advance leads to greater retention, which ultimately leads to more productivity.

Terrysa Guerra (01:12:27)

Yeah. And I'll just add one small thing. I think the cost being passed to the customer is a frame that we've heard not just with minimum wage, but you hear that around paid leave laws being passed, unpredictable schedule laws being passed. And I think that there's a positive impact on workers, but there's also a positive impact on the companies that they are working for. In these jurisdictions, companies have not gone under because predictable schedule laws are in place.

Shalene Gupta (01:13:02)

And then in our last two minutes, a simple question, which is who's doing a great job of offering stable schedules? How are they doing it and how are they differentiating between stable and flex roles?

Silvija Martincevic (01:13:29)

Perhaps I can share some insights on this one. On the basis of customers we serve, I mentioned that we ranked businesses in terms of businesses that are thriving and where their workplaces are thriving. And what we saw, the businesses that are doing really exceptional jobs are those where the wellbeing of their workers really matters through the bottom line. And I'm going to give a specific example. I mentioned Ace Hardware, Ace Hardware pride themselves on being Ace, the helpful place.

And their leader recently told me, she said, "Silvija, we can't be the helpful place if we're not helping our own workers, if we're not helping them thrive at work, if we're not giving them the tools to be connected, to feel engaged." And so what we've seen are businesses where worker wellbeing is at the center and businesses that see that if their workers are happier, their businesses will be thriving. That kind of mindset and that kind of business strategy, I think is the future. And I hope that more businesses have that mindset because that is ultimately what's going to drive long-term success.

We all should care. Whether you're a businessman or a government official or a professor, we all should care. This matters for society. And so I think businesses that are thinking about their worker wellbeing through the lens of, "This will ultimately benefit my business," are businesses that are going to thrive.

Shalene Gupta (01:15:14)

Thank you, Silvija. And we'll now turn it over to Shelly to close us out.

Shelly Steward (01:15:20)

Thank you so much. Thanks to Danny, Terrysa, Elizabeth, Silvija, and Shalene for such a great conversation. And to our audience as well. Stay tuned for more information about our next event hosted by the Aspen Business Roundtable on Organized Labor, which will be on December 8th next month. Thanks very much to my colleagues at Aspen's Economic Opportunities Program for all of your support on this event. And again, thanks to our audience for joining, sharing your questions, and comments.

Please do take a moment to respond to our quick feedback survey, which will open in your web browser when you leave this webinar. You can also send us an email at eop.program@aspeninstitute.org and let us know what you think. We'd love to hear from you, and we do hope you'll join us again. Thanks.