

PREDICTING THE IMPACT OF PREDICTIVE SCHEDULING

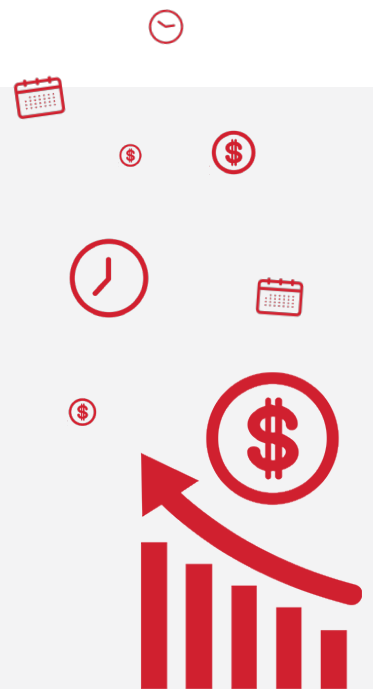
New laws expected in 2018.

On November 26, 2017, New York joined San Francisco, Seattle and Emeryville, CA to become the fourth U.S. city to put a predictive scheduling law into effect. Unlike the NYC mandate – which only covers restaurants and retailers – the state law will cover all employers.

Designed to reduce the incidence of “just in time,” “call-in,” and “on-call” scheduling – which allow employers to cancel or schedule shifts with little or no notice - the new law will require employers to either provide a minimum amount of advance notice regarding a change in work schedule or provide additional compensation.

Specifically, the law will require employers to:

- **Pay at least four hours of “call-in pay” to any employee who reports for work by request or permission of the employer.**
- **Pay an additional two hours of call-in pay to an employee who reports to work for any shift that has not been scheduled at least 14-days in advance.**
- **Pay an additional four hours of call-in pay to an employee whose shift is canceled within 72 hours of the scheduled start of such shift.**
- **Pay an additional four hours of call-in pay to an employee who is required to be available to report to work.**
- **Pay an additional four hours of call-in pay to an employee who is required to be in contact with the employer within 72 hours of the start of the shift to confirm whether to report to work.**

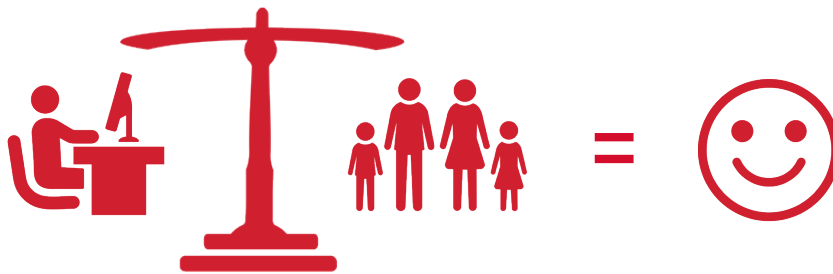


In addition to protecting employees, the law will provide flexibility for employers by allowing new shifts to be offered without a premium during the first two weeks of a worker’s employment. This flexibility permits worker shift swaps and substitutions without penalty and allows for weather related cancellations without penalty with 24-hours’ notice. While introducing the new laws, Governor Cuomo stated, “In New York, we have achieved nation-leading success in workers’ rights, and we will continue to fight to protect all hard-working New Yorkers. The regulations advanced by the Department of Labor will increase fairness for workers and allow employers to retain flexibility.”

The Benefits of Predictive Scheduling

While at first glance the new predictive scheduling laws might appear to be a boon for employees and a burden for employers, there may actually be benefits for both.

Under “just in time,” “call-in,” and “on-call” scheduling, employees lived in a constant state of anxiety and regularly had their lives disrupted. When shifts were scheduled at the last minute they were forced to find child care on the fly, or miss important appointments, classes or events. When shifts were cancelled at the last minute, they lost out on hours and wages that they already figured into their budget.



Under the new predictive scheduling laws many of these issues will be resolved. With more advance notice of work schedules, hourly employees will experience less anxiety and have an opportunity to develop a healthier work-life balance. And, as most employers would attest, happier employees are more productive and less apt to look for new jobs. But when “just in time” staffing is crucial to your business, it is in fact permitted under New York State Laws with a qualified staffing agency.

Bottom line? The new predictive scheduling laws may actually make life easier and more rewarding for everyone.