



## Meeting the Challenge of Unstable and Unpredictable Hours for Women in Low-Wage Jobs

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Two out of every three low-wage workers in the United States are women – and my recent research on the work conditions of home care aides, mostly women, has given me a close look at several challenges facing such workers. Despite the fact that the home care aide occupation is one of the fastest growing in the country, these workers, along with most other low-wage employees, have very little bargaining power to affect their benefits or work schedules. Workers in this situation need backing from labor regulations.

For example, current efforts to raise the minimum wage to \$10.10 per hour would directly benefit home care workers, whose average hourly wage in 2012 was \$9.57. And if fully implemented, the Affordable Care Act of 2010 can assist the one out of three home care workers who lacked health insurance in 2012. My focus here will be on further steps that could be taken to help home care aides meet their third big challenge – unpredictable and unstable hours, a problem found in many lower-wage service sector jobs dominated by women.

The issue of involuntary part-time work and fluctuating hours has been on the rise for many years and was exacerbated by the Great Recession. Employers – especially in the service sector, where labor is a primary expenditure – often rely on practices called “just-in-time scheduling” to help contain labor costs as demands for services go up and down. They make changes in workers’ hours at the very last minute if demand falls off, or schedule more hours on short notice if it rises. Hourly workers are the ones who bear the burden of this practice. As University of Chicago researchers Susan Lambert and Julia Henley have documented, fluctuating schedules not only change paychecks, but can also make it very difficult for workers to arrange child care, transportation, and accomplish other important family tasks such as getting children to and from school and arranging meetings with teachers.

Meeting the demands of work and family needs becomes particularly difficult for workers whose schedules are unusually unpredictable and inflexible – and low-wage workers are most often in this situation. This is documented in a recent report prepared by Liz Watson, Legal Counsel of Workplace Flexibility 2010, and Jennifer Swanberg, Executive Director of The Institute of Workplace Innovation, on “Flexible Workplace Solutions for Low-Wage Hourly Workers.” Low-wage workers are more likely than those with higher earnings to have nonstandard and part-time hours and inflexible schedules. Among all low-wage hourly workers, moreover, one quarter of those working part-time and one-fifth of those with full-time jobs experience reductions of hours or lay-offs when work is slow.

What could be done to alleviate the problems that just-in-time scheduling creates for many of America’s lowest-paid workers? A 2014 policy brief from the Center for Law and Social Policy, Retail Action Project, and Women Employed on “Tackling Unstable and Unpredictable Work Schedules” suggests two promising policy

responses, *reporting pay* and *minimum hours*, both of which have already been tried with positive results for employers and employees alike.

- **Reporting pay policies** – sometimes called “show up pay” – compensate workers for a minimum number of hours for scheduled shifts even if they are sent home because there is no work. This guaranteed pay helps workers offset transportation and childcare expenses and often prompts employers to search harder to find tasks for their employees to do whenever they are scheduled to report to work.
- **Minimum hours policies** guarantee workers a set number of hours each week at their usual rate of pay. If the employer is unable to provide the requisite number of hours, the employee is still paid.

Reporting pay policies have been tried through statutes or administrative regulations in eight states, the District of Columbia and Puerto Rico – and such policies have also been negotiated in a number of union collective bargaining agreements. For example, frontline healthcare workers for the Service Employees International Union United Healthcare Workers West have a clause in their contract stipulating that if any scheduled employee reports to work and the employer cannot utilize the employee, “s/he may leave work and be paid for his/her regular shift.” Unfortunately, many of these existing policies include multiple exceptions and are not easy to enforce. Often, the burden of enforcement falls on vulnerable low-wage workers themselves.

Guarantees for minimum hours have great potential to address a key concern for home care aides – and this approach has been used successfully by Cooperative Home Care Associates, a home care staffing agency in New York City with about 1000 direct care workers. This company is a national model, because it provides high quality care to its clients with employees who are well-supported and retained longer than usual. The company is owned cooperatively and provides health care coverage, paid vacations and sick time, and wages and benefits that equal more than 80% of the hourly contract rate. Employees can choose whether to participate in a program that, at the cost of some flexibility and predictability for work hours, guarantees at least 30 hours of pay per week. More than a third of the company’s employees choose to participate in this program, which started two decades ago. Worker participation has steadily increased.

Fixing the problem of unpredictable and unstable schedules for low-wage workers – many of whom are women with children – is the right thing to do. Solutions can be found that function well for both companies and employees, and everyone stands to benefit. Making work hours and pay more predictable will increase retention and worker loyalty, ease stress for workers who have to juggle paid work and family obligations, and improve compensation for wage-earners who will, in turn, spend more and boost economic activity in their communities