

# MINIMUM HOURS FOR MAXIMUM IMPACT:

**Creating Family-Sustaining Building Service Jobs in Today's Economy**

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## ABOUT THE AUTHORS

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**The Center for Popular Democracy** is a nonprofit organization that promotes equity, opportunity, and a dynamic democracy in partnership with innovative base-building organizations, organizing networks and alliances, and progressive unions across the country.



**Local Progress** is a network of hundreds of local elected officials from around the country committed to a strong economy, equal justice, livable cities, and effective government.



**Fair Workweek Initiative**, a collaborative effort anchored by CPD, is dedicated to restoring family-sustaining work hours for all working Americans. We partner with diverse stakeholders to advance an integrated set of strategies that include policy change, workplace-based demands and high road employer advocacy. Please contact Elianne Farhat (efarhat@populardemocracy.org) to learn more.

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## Executive Summary

As momentum for raising minimum wages builds across the country, minimum hours will complete the equation, stabilizing the incomes of the majority (60 percent) of working Americans who are paid by the hour. We need to get back to the idea of a family-sustaining workweek that ensures the opportunity to work enough hours to make ends meet, with both high enough wages and fair schedules. Today many workers are facing the problem that they are offered too few hours to support themselves and their families. Involuntary part-time employment more than doubled after the recession and persists today with more than 6 million Americans struggling to work enough hours to climb out of poverty.

During the post-recession recovery, economists have found that employers—particularly in the service sector—are deciding to increasingly rely on part-time, variable hour workers to cut costs. And, they have incentives that reward it, particularly because they are able to offer fewer benefits and lower wages to people working part-time. This trend prevails even in industries, like building services, that can bear full-time employment.

This current part-timing of the workforce costs taxpayers. According to a recent University of California study, the federal and state governments spend more than \$150 billion each year to supplement employers' meager wages paid to working people, accounting for 56 percent of all state and federal spending on public assistance. In other words, these businesses are passing along their labor costs to all taxpayers, and boosting their margins in the process.

While the momentum for higher minimum wages across the nation is promising, the movement for family-sustaining jobs is also picking up steam through the fight for a fair workweek: in 2015, legislators in 18 municipalities and states pursued some form of work-hours protections. With minimum hours, workers are no longer so vulnerable to being part-timed even in industries that can support full-time work.

For workers, work schedules with substantial hours contribute to more secure lives. In addition to access to employer health plans, these employees also benefit from more scheduled hours, which directly translates to more income. They are more likely to be able to make ends meet with one job, rather than having to juggle multiple jobs. Where parents' nonstandard work schedules challenge their ability to plan to meet family responsibilities, the stability of a family-sustaining job—with substantial hours and a livable wage—benefits working families.

With access to full-time positions for those who want it, employees stay on the job longer, reducing turnover costs to business. And, employees with more hours are also able to gain relevant expertise more quickly and completely. This expertise encompasses trade skills, but it also includes particular knowledge. In the case of building services, for instance, janitors and security guards are able to learn the names, habits, and preferences of tenants, and are able to notice the slight irregularities that might indicate a larger problem. In schools and office buildings, janitors often provide the first response, so these more stable schedules also increase the potential for a positive outcome.

One hundred years ago, workers needed protection from overwork and underpay. In the 21st century, we need to address another challenge to workplace fairness: underwork and underpay. Now, as earlier, jurisdictions have the power to set minimum standards through the traditional exercise of their police power.

Now is the time to ensure that the 21st century labor market is not marked by businesses splitting jobs into part-time shifts, leaving workers without benefits and with insufficient hours to make ends meet. A future in which all are assured of sufficient hours at living wages is a future in which working people can provide for themselves and their families, and can contribute to the economies of the communities, cities, states, and the country. Passing minimum hours legislation is a vital step toward this future.

## The Time is Right for Change

From cries of “We are the 99 percent!” in 2011 to the Fight for \$15 chants of “We are worth it!” since 2012, the public has increasingly rallied around the need to stem the tide of rising inequality. And, with good reason: Income and wealth inequality have been on the rise since the 1970s.<sup>1</sup> In the aftermath of the Great Recession, that trend has intensified. Between 2010 and 2013, families at the bottom of the economic ladder continued to experience falling incomes; families in the middle and upper-middle range of incomes saw little change; and “families at the very top of the income distribution saw widespread income gains.”<sup>2</sup> Even as the top 1 percent of families saw their income increase by 34.7 percent between 2009 and 2012, rest of families experienced less than 1 percent in wage growth.<sup>3</sup> Those families have seen *something* rise: the number of children living in low-income families has grown 13% between 2007 and 2013, to 31.8 million children. In the same period, the number of children in poverty grew 23%.<sup>4</sup>

Americans are fed up with the yawning gap between the wealthy and the rest of us. In a 2013 poll, 67 percent of respondents were dissatisfied with the existing income and wealth distribution, including a solid majority of Republicans.<sup>5</sup> In a 2014 poll, 65 percent of respondents agreed that “the gap between the rich and everyone else” has increased. And, 50 percent of respondents believe that people are poor or rich because of circumstances or advantages beyond their control.<sup>6</sup> A 2015 poll regarding federal action shows that 63 percent favor a \$15 minimum wage by 2020.<sup>7</sup>

The groundwork laid over the past 5 years has led to significant victories raising wages in cities and states across the country. In the past 2 years, 21 states—and several cities—implemented raises to their minimum wages.<sup>8</sup> Oregon recently passed the most ambitious state wide minimum wage law in the country, setting a rate of \$14.75 for workers in major cities, while New York and California are responding to mass movements with state action to bring workers to \$15 an hour.

The importance of these protections has been highlighted in recent years. In the wake of the Great Recession, employment has grown most quickly in low-wage sectors, replacing middle- and high-wage sector jobs.<sup>9</sup>



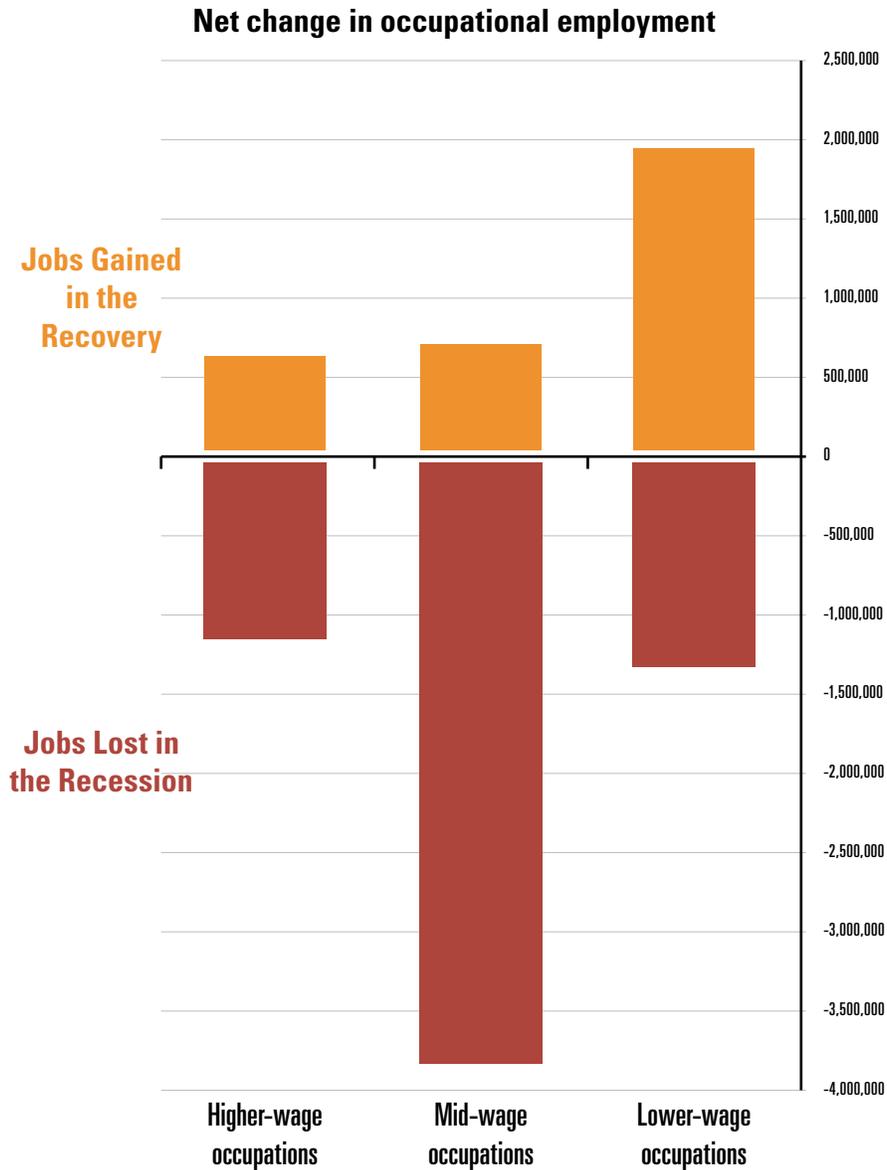
**“I’ve always done this work with pride but, I have to say, life is not easy for part-time cleaners. There is not enough money to pay for all the family needs. Paying for health-care alone is a struggle. We used to have to pay \$600 every month to cover my family.**

**It’s only 5 hours more [to be full time], but it makes a big difference. The extra money always helps to pay groceries and this and that bill. The benefits have been a lifesaver for us too. By having employer-paid family healthcare we no longer have to pay \$600 every month to keep our family covered. It has been a blessing.**

**But it shouldn’t have to come to luck. Everyone should be able to make ends meet and have enough hours to pay the bills.”**

**—Martha Duque, Cleaner, New Britain (CT) Courthouse**

\* In 2013, low-income families earned less than 200 percent of the federal poverty line, or \$47,248 for a family of four.



*Source: NELP analysis of Current Population Survey.  
Recession is 2008 Q1 to 2010 Q1; recovery is 2010 Q1 to 2012 Q1.*

As the momentum for raising minimum wages builds across the country, minimum hours will complete the equation, stabilizing the incomes of many working people who are paid by the hour. Indeed, 60 percent of working Americans are paid by the hour.

As momentum for raising minimum wages builds across the country, minimum hours will complete the equation, stabilizing the incomes of the majority (60 percent) of working Americans who are paid by the hour. We need to get back to the idea of a family-sustaining workweek that ensures decent wages and the opportunity to work enough hours to make ends meet. Today many workers are facing the problem that they are offered too few hours to support themselves and their families. So often, our calculations of the value of an hourly wage is based on assumptions of full-time work; however, these assumptions are less and less sound, particularly for low-wage workers.

Legislators across the country have begun to respond to this urgent need by crafting policy solutions to promote a fair workweek. San Francisco, Sea-Tac, and Santa Clara County have already

passed legislation requiring more predictable schedules and guaranteeing part-time workers the opportunity to work more hours before new staff is hired. The federal Schedules That Work Act, championed by Senator Elizabeth Warren and others, would likewise require predictable scheduling and give workers a voice in their schedules. Legislatures in ten states, including California, introduced fair scheduling bills in 2015. Several municipalities, including Seattle and Washington DC, are now considering similar legislation, and community leaders in San Jose are gathering signatures to place an Opportunity to Work initiative on the ballot that would promote access to full-time work.

## Part-Time Jobs Do Not Support Full-Time Lives

In fact, not only are occupations that traditionally have low wages recovering more quickly than those with high wages, but also part-time positions are gaining prevalence in the aftermath of the financial crisis. In November 2014, Federal Reserve Bank of Atlanta economists wrote, “One of the

**\$15 Minimum Wage with Adequate Hours Brings Workers Closer to What They Need to Live**



Note: all scenarios assume consistent hours for 52 weeks of work in a year

Source: Economic Policy Institute, Family Budget Calculator; City & state governments.



**“Despite wanting more work, I work only five hours a day. I don’t have a choice—that is all that is offered. I wish that I had more hours at my job. It would benefit my family and would help keep the building cleaner.**

**I have two children... All I want is for my children to succeed and to have enough money to live a decent life. I need more hours to be able to pay my bills. Recently, I’ve had a difficult time paying my electric bill for \$800; it was almost turned off....**

**If the companies gave us the option to work full time, I would love to work more hours. It would change my life. I currently also care for my mother. Getting a second job would be difficult because I would be spending so much time commuting to each job that I would not have time to care for my mother.**

**Transportation costs me so much money! The bus is filled with single working mothers like me, who can’t afford their bills or rent. We need one full-time job.**

**Right now I rely on DC Alliance and Medicaid. I shouldn’t have to rely on the government for health care.”**

*—Leticia Reyes, Cleaner, Washington, DC*

defining features of the recovery from the Great Recession has been the rise in the number of people employed part-time.”<sup>10</sup> While the momentum for higher minimum wages across the nation is promising, the movement for family-sustaining jobs is also picking up steam through the fight for a fair workweek: in 2015, legislators in 18 municipalities and states pursued some form of work-hours protections. Without these minimum hour protections, workers are vulnerable to being part-timed even in industries that can support full-time work.

For many people responsible for contributing income to their households, working less than 30 hours at a job places them in an untenable financial situation, particularly when their wages are low.

People across the country whose employers limit their hours to 25 hours a week make significantly less than is needed to live in cities and suburbs across the country. Raising the minimum wage to \$15 an hour makes a significant difference in the income of these workers. However, ensuring that workers have at least 30 hours at a single employer increases the value of a \$15 minimum wage by an additional \$7800. Such an increase, however, would result in greater benefits for working people and their families. At 30 hours a week, employees have access to employer-provided health-care and other critical employer-provided benefits.<sup>11</sup> During the recent economic recovery, Federal Reserve economists have noted, wage growth among part-time workers has lagged significantly behind wage growth for full-time employees.<sup>12</sup> Based on March 2015 survey data, the Bureau of Labor Statistics analyzed the disparities in employer-provided benefits to part-time employees:<sup>13</sup>

## Civilian Workforce Access to Employer-Provided Benefits, by Full-Time or Part-Time Hours (March 2015)

	Full-Time	Part-Time
Medical Care Benefits	88%	22%
Paid Sick Leave	78%	26%
Retirement Benefits	80%	38%
Life Insurance Benefits	75%	14%
Paid Vacation	87%	33%
Paid Holidays	88%	36%

Source: National Compensation Survey, March 2015.

In addition, lower income workers spend a significantly higher proportion of their income on basic expenses. For instance, workers making between \$20,000 and \$29,999 spend roughly \$5,749 each year on transportation, or about 23 percent at the median; however, workers making between \$50,000 and \$69,999 spend \$9,488, or about 16 percent at the median.<sup>14</sup> With more hours at a single employer, it is likely that working people experience a decrease in transportation costs because they may rely less on piecing together multiple jobs at different worksites, each requiring transportation.

The costs of these problems fall disproportionately on women, who work part-time at twice the rate of men and make up 64 percent of all part-time workers.<sup>15</sup> Based on Bureau of Labor Statistics data, women working part-time for “economic reasons” (such as, slack work or business conditions, the unavailability of full-time positions, and seasonal work) have median family incomes well below those working part-time for “non-economic reasons” (which are characterized by decisions workers make, often because of caregiving obligations or education and training opportunities).<sup>16</sup>



**“We all do better work when we know that we are not a sickness away from being bankrupt.**

**So many of my part-time coworkers struggle because they don’t have employer paid insurance. I know this woman who has 3 kids who prays for her family to stay healthy because every time they get sick she has to pay her medical bills out of pocket. And if you don’t have full-time hours, you don’t get employer paid healthcare. This is not fair.**

**So much time is wasted replacing workers who quit because they need more hours and they go elsewhere. Part-time may be necessary sometimes, but we should aim at making sure that good quality full-time jobs are created first.”**

**—Freddie Vargas, Cleaner, Sikorsky Aircrafts**

## Employers are Choosing to Part-Time Work

Recently, economists at the Federal Reserve Bank of San Francisco made a notable finding about involuntary part-time employment rates. Traditionally an important measure of labor slack, involuntary part-time rates track workers who report that they want a full-time position but cannot find one because such positions are scarce. Historically, these rates have tracked with unemployment rates, both of which “represent available but unused labor resources.”<sup>17</sup> The causes of involuntary part time work can be broken down into two categories: involuntary part-time work caused by slack work or business conditions and involuntary part-time work caused by a lack of available full-time jobs. A study by Federal Reserve System central staff shows that the rate of involuntary part-time work due to slack work conditions or business conditions continues to more or less follow the unemployment rate, as expected. But five years into this recovery, the rate of involuntary part-time due to the lack of available full-time jobs has risen substantially, particularly in private-sector service-providing industries, despite falling unemployment.<sup>18</sup> This illustrates that even as the economy improves, employers are eliminating full time jobs, forcing people into involuntary part-time work.

**“I’ve been cleaning the World Bank/IFC for over 17 years. I always request full-time hours, but they never hire me. They only let me work four hours a day. I try to babysit whenever possible to make extra money, but it’s never enough. My husband works just 5 hours a day cleaning offices in DC, too, and has no health insurance...**

**My husband and I both need more hours so we can earn more money to stay up to date on our rent and get health insurance. I need treatment for my high blood pressure and high cholesterol. My medicine is very expensive, so I’ve had to alternate, taking one medicine one month and then the other medicine the following month....**

**I work hard every day and want my 4 children to do better than I do. But without full-time hours, I fear they won’t. Full-time hours would help the tenants in the buildings and it would help our families, and it would help the City because we could have more money in our pockets to fuel the economy.”**

**—Norma Pineda, Cleaner, World Bank/IFC**



## A Case Study—Building Services

The building-services subsector provides a straightforward example of an industry in which employer decisions, rather than shifts in demand, account for shifts to part-time jobs. Demand for building services is primarily driven by building size and use. In a study of the building-services work patterns in some of the nation’s metropolitan areas and cities,\* the Economic Policy Institute (EPI) finds that some markets are characterized by the work weeks of 30 or 35 hours or more per employee, while others with comparable demand are characterized by part-time (less than 30) hours.

### Janitors’ Work Hours—Metropolitan Areas

Metro Area	Shares with Weekly Work Hours							
	0-20	20-25	25-30	30-35	35-40	40-45	45+	30 +
Chicago	13.1%	3.4%	6.7%	5.8%	63.5%	2.3%	5.3%	76.8%
Los Angeles	13.5%	5.4%	5.9%	7.1%	61.3%	0.9%	5.9%	75.3%
New York	8.2%	4.4%	7.4%	5.4%	66.0%	2.3%	6.3%	80.0%
San Francisco—Oakland, CA	16.6%	4.2%	12.1%	3.7%	57.1%	0.5%	5.8%	67.1%
Washington, DC	23.1%	5.1%	5.3%	4.8%	52.9%	1.6%	7.1%	66.5%

### Janitors’ Work Hours—Cities

City	Shares with Weekly Work Hours							
	0-20	20-25	25-30	30-35	35-40	40-45	45+	30 +
Chicago	7.2%	2.1%	3.8%	5.0%	74.7%	2.9%	4.4%	86.9%
New York	7.6%	4.3%	7.6%	5.8%	66.0%	2.4%	6.3%	80.5%
Washington, DC	20.2%	9.8%	8.6%	1.3%	50.6%	1.7%	7.8%	61.5%

Source: Economic Policy Institute analysis of Census Bureau’s American Community Survey, 2011-13.

In Washington, DC (both metropolitan area and city), and the San Francisco – Oakland metropolitan area, employers have clearly emphasized short-hour work; whereas, the other cities in the study have a much higher propensity of full-time work. The table suggests that employers face a range of options in how they structure the work. According to the EPI analysis, “[t]hese differences reflect choices made by employers in providing services and it is possible to emphasize either short-hour work or full-time work.”<sup>22</sup>

The demand for building services can sustain substantial and full-time schedules. However, employers in some markets have made the decision to divide the work into shorter shift patterns, each with fewer hours. The incentives for this structure are clear: employees working more than 30 hours must be able to access employer-provided full-time health benefits; however, employers can leave those workers with fewer than 30 hours on their own.

\*EPI analyzed metropolitan areas (which include cities and surrounding suburbs) in order to include a broader set of geographies. Where city-level data was available, they analyzed those as well.

In fact, the average workweek in the service sector has declined fairly steadily since the start of the recession in 2000, as the percent of the service-sector labor force that could only find part-time work continued to rise.<sup>19</sup> Researchers at the Atlanta branch of the Federal Reserve have found that general-service occupations (e.g., food preparation, janitorial services, and sales) have continued to have a more persistent elevation in part-time employment than production occupations. Further, the people filling these new part-time positions in general service want to work full time.<sup>20</sup>

In addition to the labor market slack trailing the Great Recession, the Federal Reserve economists conclude, these higher rates of involuntary part-time work reflect core facts:

- Certain industries (particularly, general service sectors) structure their work to heavily rely on part-time employees.
- Workers under the age of 25, who are more commonly seeking part-time work, make up less of the labor force than in previous years.
- Employers benefit from the part-time compensation penalty of lower wages and reduced benefits that part-time workers suffer.
- Workforce management technologies reduces the complications previously associated with creating part-time schedules.<sup>21</sup>

In other words, employers—particularly in the service sector—are *deciding* to shift the structure of work. They have new tools that ease the decision. And, they have incentives that reward it.



## Who Pays When Employers Cut Corners?

In markets where employers overwhelmingly design short-hour work, taxpayers foot the bill for health care costs, in effect, awarding low-road employers with public subsidies and punishing responsible employers with unfair competition. The stabilized income of workers with predictable and adequate weekly hours of work might also reduce employees' need to participate in other public safety net programs, enabling those programs to serve more of the neediest residents. While it is essential that the State provide essential supports to those in need, it is not fair for profitable businesses to transfer these costs to the State in order to cut costs.

In an effort to argue against minimum-hours rules, Shelton, Connecticut mayor Mark A. Laretti posited that the costs of healthcare, "would be a direct pass-along to building and business owners."<sup>23</sup> Despite Mayor Laretti's suggestion that these would be new costs, employer-provider health insurance has long been the backbone of health security for working families. However, when employers deliberately part-time their work, they are skirting that responsibility. As it stands, according to a recent University of California study, the federal and state governments spend more than \$150 billion each year to supplement employers' meager wages paid to working people, accounting for 56 percent of all state and federal spending on public assistance.<sup>24</sup> In other words, these businesses are passing along their labor costs to all taxpayers, and boosting their margins in the process.

## A Stable Full-Time Workforce Boosts Business

For workers, work schedules with substantial hours contribute to more secure lives. In addition to access to employer health plans, these employees also benefit from more scheduled hours, which directly translates to more income. They are more likely to be able to make ends meet with one job, rather than having to juggle multiple jobs. Where parents' precarious work schedules challenge their ability to plan to meet family responsibilities<sup>25</sup> and contribute to their children's poorer cognitive, behavioral, and mental health status,<sup>26</sup> the stability of a family-sustaining job—with substantial hours and a livable wage—benefits working families.

With more stable, predictable, and sufficient hours, employees stay on the job longer. An analysis of SEIU 32BJ fund data reveals that turnover rates among part-time building services workers is roughly double that among full-time workers.<sup>27</sup> A 2012 study by Heather Boushey and Sarah Jane Glynn for the Center for American Progress found that "[t]hirty case studies taken from the 11 most-relevant research papers on the costs of employee turnover demonstrate that it costs businesses about one-fifth of a worker's salary to replace that worker."<sup>28</sup>

Employees with more hours are also able to gain relevant expertise more quickly and completely. This expertise encompasses trade skills, but it also includes very particular knowledge. In the case of building services, for instance, janitors and security guards are able to learn the names, habits, and preferences of tenants, and are able to notice the slight irregularities that might indicate a larger problem. In hospitals, schools, and office buildings, janitors often provide the first response,<sup>29</sup> increasing the potential for a positive outcome.

## Achieving a Fair Workweek Today

One hundred years ago, workers needed protection from overwork and underpay. In the 21st century, we need to address another challenge to workplace fairness: underwork and underpay.

Jurisdictions have the power to set minimum hours requirements through the traditional exercise of their police power, which also enable minimum wage, paid sick time, and anti-discrimination protections. In fact, some of the earliest court decisions upholding state's police power to establish such standards focused on statutes regulating hours of work. In the face of business arguments that states should not interfere with the ability of employers and employees to establish terms and conditions of work solely through private contracts, courts have held that a state's police power springs from its interest in establishing baseline standards in order to preserve the public health, safety and well-being.

The case of building services offers an example of how to address the profit-driven race to the bottom. In states (Connecticut and New York), counties (Montgomery County, MD) and cities (Washington, DC and Jersey City, NJ), legislatures are creating models for minimum hours rules that apply to building services and will provide lessons for expanding into other sectors. The Better Jobs legislation matches the demand for building service work in larger buildings and facilities with the supply of workers who need sufficient hours of work to protect themselves and their families. The Better Jobs legislation requires that workers performing janitorial, building maintenance, or security services at office locations over a market-appropriate significant square footage be provided no less than 30 hours of work per week. This targeted legislation can then serve as the basis for expanded minimum-hours protections.

Now is the time to ensure that the 21st century labor market is not marked by businesses splitting jobs into part-time shifts, leaving workers without benefits and with insufficient hours to make ends meet. A future in which working people are assured of sufficient hours at living wages is a future in which workers can provide for themselves and their families, and can contribute to the economies of the communities, cities, states, and the country. Passing minimum hours legislation is a vital step toward this future.



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