

Hour by Hour: Women in Today's Workweek



MAY 2015

Cover image: Women are leading the effort to restore a fair workweek. A leader of Wisconsin Jobs Now pictured with her daughter; WJN is organizing low-wage workers in Milwaukee for fair work hours and a higher minimum wage.

This paper was written by Aditi Sen and Connie Razza. It was edited by Rachel Deutsch, Elianne Farhat, Carrie Gleason, and Shawn Sebastian.

Abstract

Nationwide, more than 38 million women work in hourly jobs. Most women, and most Americans, are paid by the hour, yet today's workweek is changing—the 40 hour workweek and the 8-hour day are no longer the norm for a significant part of this workforce. Our nation's workplace protections are badly out of sync with the needs of today's working families and we need policies that provide everyone an opportunity to get ahead. Particularly, labor standards have not kept up with rapid changes to the fastest growing industries like retail, healthcare, and food service. Part-time workers in the service sector—overwhelmingly women—have borne the greatest burden of these new just-in-time scheduling practices, which have largely gone unregulated. But what begins in these sectors will soon spread, as the distinctions between part-time and full-time work grow increasingly blurred, and more and more Americans experience work hour instability and economic uncertainty. Women – over a third of whom work part-time in order to juggle economic survival, family responsibilities, and advancing their careers – are at the greatest risk of being further marginalized in the workforce if unsustainable scheduling practices on the part of employers go unchecked. As we seek to create family-sustaining jobs in the burgeoning service sector, we must also consider scheduling practices in low-wage employment. Without an update to labor standards for these workers, more and more workers across the economy will be subject to this type of extreme economic uncertainty. New policies that ensure predictable schedules, give employees a voice in their schedules, ensure quality part-time employment and access to stable, full-time schedules will improve the lives of working people in general and especially benefit working women and mothers.

PREPARED BY THE FAIR WORKWEEK INITIATIVE—CENTER FOR POPULAR DEMOCRACY



The Center for Popular Democracy (CPD) works to create equity, opportunity and a dynamic democracy in partnership with high-impact base-building organizations, organizing alliances, and progressive unions. CPD strengthens our collective capacity to envision and win an innovative pro-worker, pro-immigrant, racial and economic justice agenda.

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The Fair Workweek Initiative (FWI), 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

A majority of women are employed in hourly jobs, yet irregular work schedules and low-quality part-time employment are straining women in the workforce in previously-unrecorded levels. This undue pressure, as documented through data and personal accounts in this report, means that more than ever, women face fluctuating incomes and barriers to advancement in the workplace. The precarious work schedules cause economic uncertainty and stress that is felt not just by these women but also their families.

A third of workers have a fluctuating monthly income and 42 percent of them cite irregular work schedules as the cause. Hourly workers experience these fluctuations more acutely than do other workers. Nationwide, more than 38 million women (61 percent of all women in the workforce) hold jobs paid on an hourly basis. Of women workers classified as part-time, 83 percent are paid hourly. These jobs are disproportionately low-paying: 80 percent of hourly part-time jobs for women pay below \$15 per hour. Indeed, nearly half of all women working hourly are employed in low-wage, yet fast-growing sectors such as: health care, retail and food service.

Twenty-five percent of women working part-time would prefer full-time work and half of women working part-time cite childcare problems, family obligations, or education as the reason. Yet, today's workweek is changing: unpredictable schedules make planning childcare, class schedules, and doctor's appointments nearly impossible. Our nation's workplace protections are badly out of sync with the needs of today's working families.

1. Employers increasingly require employees to offer full-time availability for part-time hours.
2. Part-time hourly workers suffer a pay penalty for being part-time, with wages significantly lower per hour than hourly workers who have full-time schedules.

New policies that ensure predictable schedules, give employees a voice in their schedules, ensure quality part-time employment and access to stable, full-time schedules will improve the lives of working people in general and especially benefit working women and mothers.

Predictable schedules with stable hours and a reliable paycheck make it possible for working people to plan ahead to meet their responsibilities on and off the job. Advance notice of schedules, with predictability pay for last-minute additions and reporting pay for shortened and on-call shifts, ensure that employers to establish stable, predictable scheduling practices.

Employee voice in determining schedules allow employees to set reasonable limitations on their schedules so that they can stay healthy, pursue educational opportunities, and spend time with their families. The right to request specific scheduling accommodations, the right to mutual consent to changes to the initial schedule, and the right to rest ensure that employer decisions about scheduling and schedule changes reflect for employee input.

Family-sustaining jobs allow people who work to support themselves and their families. Access to adequate hours and guaranteed minimum hours along with pay parity between part-time and full-time employees will ensure that part-time workers are paid more fairly and are able to transition to attain full-time work if they choose.

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Many Americans can no longer rely on stable earnings, and work hours play a central role in creating this economic uncertainty.¹ Hourly workers are most at risk of facing the income volatility resulting from irregular scheduling, as salaried workers have a set floor below which their income will not drop even if their hours are highly variable. Hourly positions now predominate in the U.S. labor market, with 75 million workers—3 out of 5 of all workers earning wages or salaries—paid by the hour. Women are disproportionately represented in the hourly workforce, with 61 percent holding hourly jobs, compared to 56 percent of men.

Women in hourly positions who work either dramatically more or less than 40 hours a week are hit the hardest by scheduling volatility, while those who report a 40-hour workweek on their primary job may continue to have a relatively steady schedule. Women working more hours are likely to experience the stressful effects of overwork and may often have no choice but to work overtime hours or lose their job. However, the over 12 million women working part-time^a in hourly jobs are at greatest risk both of highly erratic schedules and of extreme income fluctuation.² Insufficient work-hour protections and barriers to unionization mean that these women have little recourse to address these harmful scheduling practices that wreak havoc on their lives. Half of these women hold part-time jobs in order to balance the growing economic imperative to work outside of the household with social norms that still place primary responsibility for household, child care, and, increasingly, elder care on the shoulders of women. Another quarter would prefer to work a full-time job.

In this study, we focus on the women in hourly employment. We consider the sectors with the highest density of hourly positions for women, investigate the earnings and working conditions of the millions of women working in part-time hourly jobs, and examine the ways in which unscrupulous employers and antiquated work-hour policies have created obstacles that stand in the way of working women.

^a All data in this paper is based on CPD analysis of data from the Bureau of Labor Statistics' Current Population Survey, annual averages for 2014, unless otherwise specified. We examine the usual hours worked by employed women paid by the hour on their primary job. We define those women usually working 1 to 34 hours per week as holding part-time jobs.

Our review of this data illuminates two critical points.

We find that women who are employed in part-time hourly positions are trapped in particularly adverse working conditions that further marginalize them in the economy. Employers have purposefully depressed the quality of part-time work. Aided by the rise of big data and sophisticated scheduling technology, they have begun to place the risk of doing business onto the backs of their workers, turning labor into a totally variable cost. In particular, employers do not provide predictable, regular, or stable schedules, requiring employees to accept full-time obligations for part-time hours. Thus while part-time work is often depicted as meeting workers' needs for flexible work schedules, part-time hourly work has become a source of economic insecurity, as well as scheduling uncertainty.

While there is significant attention to the pay gap for women, **the majority of women work in hourly jobs that are becoming more precarious and declining in quality—especially for part-time workers and women of color.** President Obama and others often cite the numerous studies that conventionally calculate the pay gap between men and women (women earning 77 cents for every dollar a male earns) by comparing the earnings of full-time women and men,³ on the assumption that a large percentage of women who work part-time do so by choice, are not primary breadwinners and, therefore, should be excluded from the comparison. Our study of part-time hourly workers shows what these studies have not: part-time hourly workers suffer a pay penalty for being part-time, with wages significantly lower per hour than hourly workers who have full-time schedules.⁴ By excluding part-time women workers from consideration, conventional analyses of the gender pay gap and the health of the economy overall obscures the impacts of the part-time pay penalty on the economic and social self-determination of these women.

Women across the economy all need more of a say in their work schedules. Existing worker protections, born out of the fight for the eight hour day, are no longer attuned to this new 24/7 economy. Policy solutions that promote flex-time and telecommuting help those employees whose work is not bounded by time or place. But for restaurant servers, retail sales clerks, call center employees, home health care aides, and janitors, working from home is not an option. In fact, many women, particularly those who are paid low wages and on an hourly basis, have more fundamental concerns: they are scheduled for too few hours to make ends meet or are overworked to exhaustion – sometimes experiencing both extremes within the same month – and their schedules, and thus their incomes, are highly unpredictable.

Without an update to labor standards for these workers, more and more workers will be subject to this type of extreme economic uncertainty. New policies that ensure predictable schedules, give employees a voice in their schedules, ensure quality part-time employment and access to stable, full-time schedules will improve the lives of working people in general and especially benefit working women and mothers.

Predictable schedules will allow workers to plan ahead.

Access to full-time work will promote a steady paycheck they can rely on.

A clearly defined and protected **role for employees** in determining their schedules will protect workers from overwork and ensure that workers have schedules that support their other obligations as well.

A guarantee that – regardless of gender, race, or the number of hours they work – workers receive **equal compensation for equal work** ensures a fairer labor market for all workers.

Hourly work—just-in-timed into instability

Workers paid by the hour account for nearly two-thirds of the total wage and salaried workforce. The vast majority of part-time women workers (83 percent) are paid on an hourly basis. In no small part, these numbers reflect the 20th century choices of employers to offshore the productive sector and by policy makers to redesign trade policy and restructure public assistance programs. The continuing growth of the service sector – with its high rates of part-time work, low wages, and workers who are women, immigrants and people of color, combined with low rates of unionization – significantly contributes to these numbers.

A 2013 study by the Federal Reserve highlighted that many Americans are facing income instability and, for the majority of workers, that instability is the result of variable work hours. Thirty percent of survey respondents stated that their household's monthly income fluctuates month to month.⁶ Irregular work schedules were the single most common reason given (42%) for this income instability. In fact, people were more than twice as likely to see swings in their income from changes to their work hours as from bouts of unemployment, demonstrating that the particular vulnerabilities that hourly workers face are shaping the economy overall.⁷

In a national survey of early career adults, 75 percent of hourly workers reported that the number of hours they worked per week fluctuated during the prior month by, on average, a full day's work. For part-time workers, variability in weekly work hours was even greater. These fluctuations are often impossible to predict, as 41 percent of all hourly workers reported that they know their work schedule a week or less in advance and that they have almost no say

in their schedules, without the right to request the most basic accommodations.⁸ A 2015 analysis of General Social Service data found in the workforce more broadly, 16 percent of hourly workers report having irregular, on-call, split or rotating shifts, with higher concentration in the retail, healthcare, food service, and transportation sectors.⁹

Equally, employers' control over their workers' time has expanded beyond the workplace into the rest of their lives. New workforce management technologies are re-shaping the nature of work in growing low-wage sectors, which now employ one quarter of all workers. These technologies, distributed by companies such as Kronos and Dayforce, enable employers to micro-adjust workers' schedules to match the real-time ebb and flow of commerce and to monitor workers' productivity, forcing the lowest paid workers to work harder and to absorb substantial fluctuations in hours and earnings. Keeping workers at variable hours allows employers to get as much labor as needed out of a worker, without needing to invest in any of the fixed costs, such as benefits, that would traditionally have come with the terrain. Now employers are free to change schedules on short notice, leaving workers scrambling to meet their other obligations.

Andrea Ruiz

Pico Rivera, CA | ACCE
Target

I'm a store customer service operator, I work for \$9 per hour on the day shift with two clopening shifts. On the nights I clopen, I get home around midnight prepare lunches and clothes for my kids, and then fall asleep for 5 hours. I wake up, get my kids ready for the day, and then open the store.

I started at \$8.25. After four years, I got myself up to \$8.92. When the [base] wage went to \$9.00 per hour, they didn't increase my wage to match what I had earned before the wage went up ... if they raised it to what I had already earned, I'd be making around \$9.92 or \$10.00 per hour. New employees start at the exact same rate I make, even after four years of service.

We're supposed to get our schedules two weeks in advance, but I usually get it less than a week. Because I have to set up child care, I often have to ask human resources to get my schedule. I've noticed business has not slowed down, but my hours were cut. Many of my coworkers and I recently got our hours cut. I went from 25 hours per week to 13 hour per week. I make ends meet now by picking up more hours wherever I can – by getting called in. But, those are last-minute notice; I get called in or maybe notified the night before.

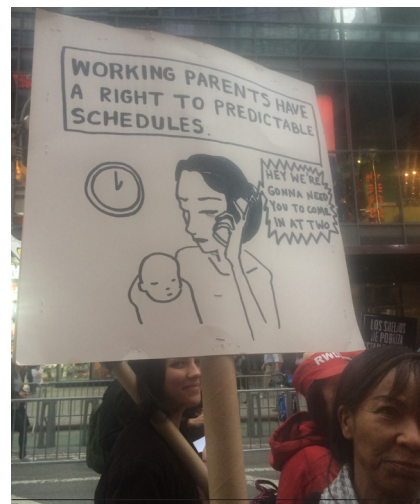
Often whoever makes the schedule will make a mistake and schedule me on a shift that I have already established I am not available to work. Not only do they still expect me to work the shift, but -- if I can't -- I have to find my own replacement on my own time!



I rely on my family to care for my four kids and pay for child care when they can't watch them. Because I have to pick up shifts whenever I can this strains my family members who get last-minute notice that I need someone to watch my kids and if I can't find someone I miss out on that money.

If I could rely on a reasonable set of hours of work without having to pick up shifts I could work on going back to school. If I made a livable wage that would allow me to help out my family more and take the stress off of them by being able to pay for more child care instead of having to rely on them.

Increasingly, employers in a range of sectors require workers to be on call without compensation. Workers will be required to be available to work for an on-call shift, but will find out with just hours notice whether they will need to go into work that day. Employers treat on-call shifts as regularly scheduled shifts, even though workers do not receive compensation for being on-call, so if a worker is unable to work, employers will discipline workers as they would for calling out on a regular shift. Alternatively, workers may report for a full shift and be sent home early – sometimes even upon arrival – because of slack business. In both cases, workers bear the costs of employers’ lack of foresight about staffing needs. Workers must arrange childcare and, in the latter case, cover transportation costs, which may amount to more than they will make that day. Furthermore, workers are unable to reliably schedule themselves to fulfill their other obligations – school, community, or family responsibilities – if their job depends on their being available on such short notice.



Retail workers call for predictable schedules at a march for striking fast food workers on Apr. 15, 2015.

Another outcome of this kind of workforce management is the “clopen,” or practice of scheduling a worker for the closing shift one night and the opening shift the next morning. Many industry experts agree that clopenings are bad for business—as workers are forced to work with inadequate rest. For workers – who often have to provide open availability in order to get hired – back to back shifts often leave workers with insufficient time to safely commute and get enough sleep. These schedules create chaos for their families, and often mean a disruption to family routines and a healthy night’s sleep for kids.

NYS Attorney General Investigates the Rise of On-Call Shifts

In April 2015, the New York State Attorney General’s (AG) office began an inquiry into the pervasive use of on-call shifts within the retail industry.¹² The AG sent a letter to 13 of the nation’s largest retailers requesting information and documents to determine whether on-call shifts are in violation of New York’s existing reporting pay law, which requires workers to be paid the equivalent of four hours of wages when they report for work on a given day. The letter cited the negative health and financial impacts on-call shifts have on workers and their families

The companies who received the information request were:

Gap Inc.
Target Corp.
Abercrombie & Fitch Co.
Ann Inc.
Burlington Stores Inc.
Crocs Inc.
J.C. Penney Co.

J. Crew Group Inc.
L Brands Inc.
Sears Holdings Corp.
TJX Cos.
Urban Outfitters Inc.
Williams-Sonoma Inc.

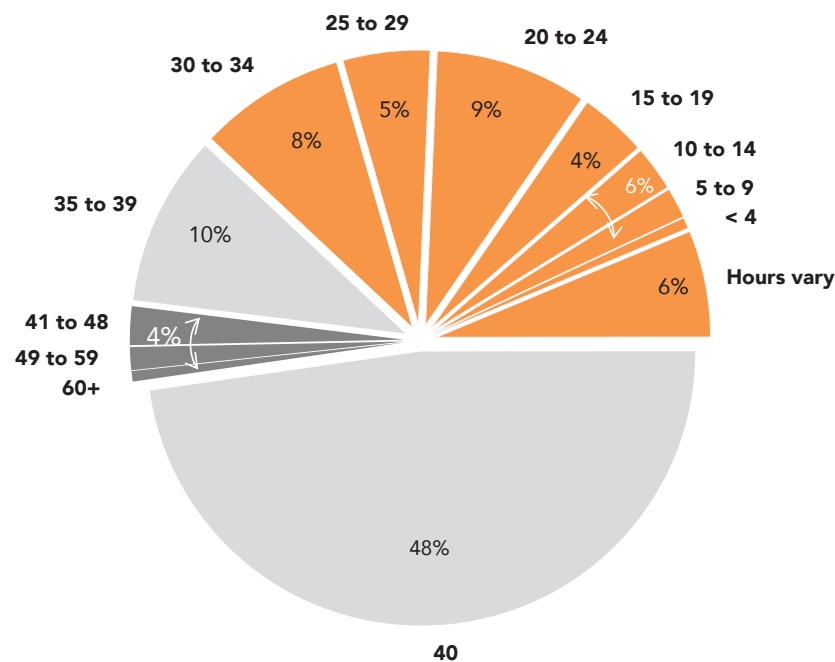
Source: <http://online.wsj.com/public/resources/documents/laborletter.pdf>

Millions of women are trapped in low-wage, volatile hourly jobs

The challenges facing hourly employees concern women disproportionately. The hourly workforce is essentially evenly split by gender, with 38.8 million women paid by the hour compared to 38.4 million men; however, because of different rates of labor participation, women are more likely (61%) than men (56%) to be hourly workers.

The decreasing quality of hourly jobs particularly harms women who do not work the traditional 40 hour workweek (Fig.1). One in three women paid by the hour hold part-time jobs, (34 hours or fewer), which increases their risk of schedule instability and income fluctuation. Part-time workers are twice as likely as full-time workers to have variable hours. Employers are hiring high numbers of part-time workers to buffer stability for their existing full-time workforce.¹⁴

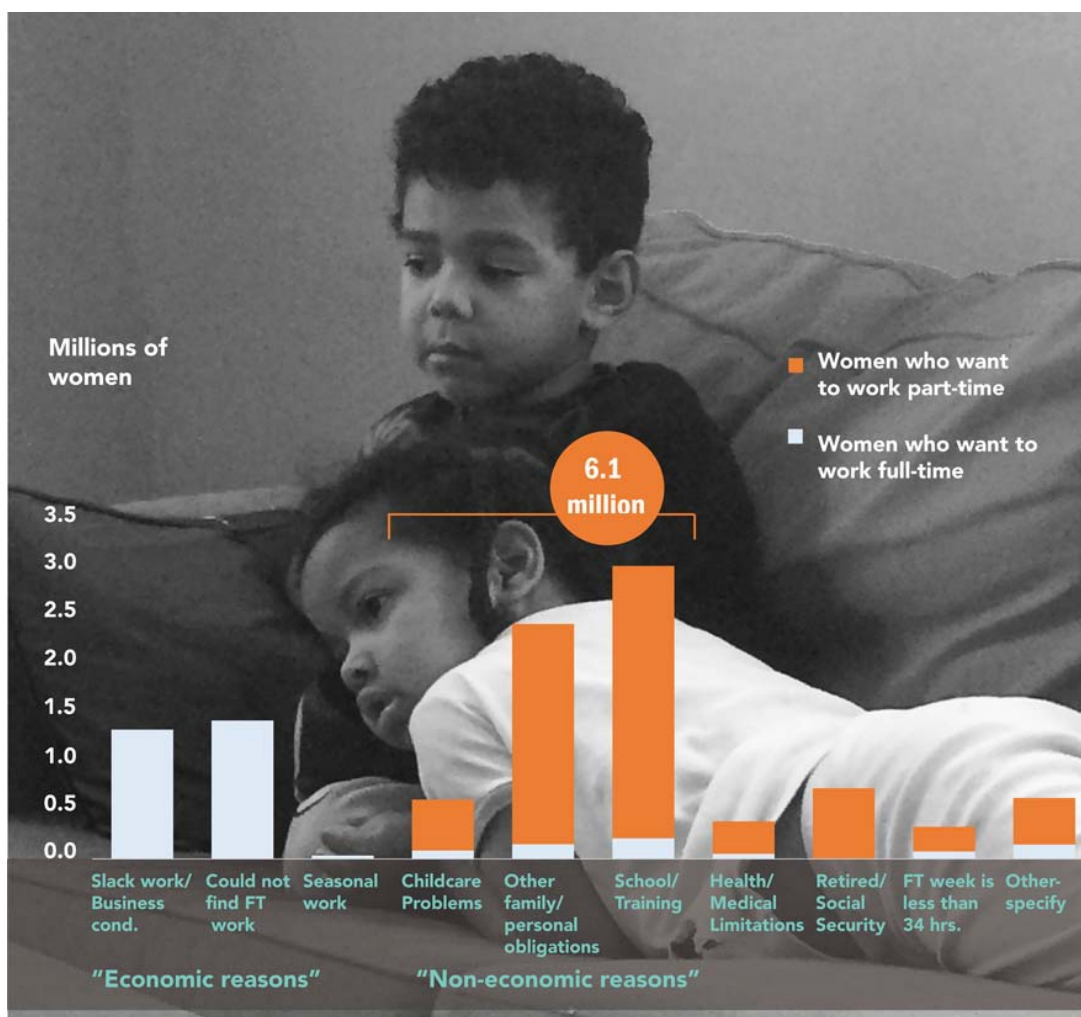
Fig. 1 Usual hours worked per week by women on their primary job



The common narrative that part-time work creates flexible opportunities for women does not account for the number of women workers with hourly part-time positions who would prefer to work full-time – 3.2 million (25% of hourly women working part-time) – nor the risk of scheduling volatility faced by the additional 6 million women who are working part-time in order to fulfill other obligations. For the latter group, when employers require these workers to remain on call or be available for more hours than they are needed, their part-time job can become an ever-present full-time commitment. When managers fail to provide workers with adequate notice of schedules (including changes to their schedules), many women workers find it difficult to maintain employment, as they cannot make adequate plans to meet the many other demands on their time.

Women choose to work part-time hours for a range of reasons. Based on Bureau of Labor Statistics surveys, 3.1 million women paid hourly are currently working part-time because of “childcare problems” or “other family obligations” and another 3.1 million women because of school or training commitments. Together, these categories account for half of all women part-time hourly workers (Fig. 2). However, the realities of part-time hourly work in the sectors with the most female hourly employees make it increasingly difficult for women to meet their responsibilities outside of work. Being on call can make it impossible to line up child care when it is needed, to attend class, or take a parent to the doctor. For example, the Current Population Survey shows that each week over 80,000 part-time workers had to take unpaid leave because of school or family obligations, over double the number of full-time workers who had to do the same. Among full-time workers, such breaks in employment were much more likely to be paid—but they were also less likely to be absent from work for these reasons in the first place.

Fig. 2 Reasons why women paid hourly work part-time



>>> Measuring the mismatch of work hours

Labor economists often focus on the measure of workers who are “involuntarily part-time” to understand how many people are underemployed in the economy and assess the health of the economy overall.

People are conventionally considered to be “involuntarily” part-time if they would prefer a full-time job, but, because of economic conditions, had to take a job with fewer than 35 hours a week. And certainly, by this measure, there is still a way to go: while the involuntary part-time rate is trending down, at to 6.7 million people in March 2015 — 27 percent from its height during the recession of 9.2 million people in September 2010 — it remains 56 percent above where it was in January 2007 (Fig. 3).

Fig. 3 Involuntary part-time work remains elevated



Randa Jama

Minneapolis, MN | SEIU Local 26
Airserv



When Randa Jama first took a job as a wheelchair attendant with AirServ, a Delta airlines subcontractor, at the Minneapolis-St. Paul International Airport last fall, it had been a full-time position. Then, her employer suddenly cut her to only 12 hours a week. “They told me that you’re working only Saturday and Sunday from now.”

Her supervisors would still sometimes ask her at the last minute to stay late or do an extra shift. But she can’t work at such short notice even though she needs the hours, because she had to cut back on her babysitter: “I let them go because they can’t just wait for me to get full-time. Now that I want to work full-time, I can’t because obviously I changed everything,” Jama says.

But studies like the Federal Reserve’s survey on income instability demonstrate the limits of both our longstanding assumptions about underemployment and our notion of involuntary part-time work. Both **the way part-time work is defined and the distinction between what counts as voluntary and involuntary part-time fail to fully** capture the nature of overwork and underwork in the 21st century economy.

1) Discussions of part-time work need to be diversified from a bright-line distinction between workers who consistently work more than 34 hours per week versus those who do not. Such a distinction fails to account for the new uptick in variable work hours that are shaping peoples’ experiences on the job and in the economy.

Labor statistics collected at the national level are designed to smooth variations and fluctuations between weeks, asking workers how many hours they usually work instead of capturing these newer elements of scheduling instability. For many workers, there is no longer such a thing as a “usual” workweek. However, new analysis of early career workers captures the experiences on the frontlines of the new economy. The instability that has started in retail, health care and food service – giant, and growing, segments of the economy – will soon spread to other sectors, particularly if such “disruption” goes unchecked. Researchers have been exploring new ways to adapt labor statistics collection in order to appropriately capture this new type of underemployment.

2) Our current measures of underemployment center on a false – and fundamentally gendered – dichotomy between “voluntary” and “involuntary” part-time work. A worker is considered “involuntarily” part-time when they work fewer than 35 hours a week, both state that they want to work full-time and are available to do so, and they gave an **“economic reason”** for why they were working part-time when surveyed.

These economic reasons are either:

1) a worker did not work full-time because of slack work or business conditions. Slack work means that a worker did not get a full-time schedule (their hours were cut) because either there was not enough demand, people were taking inventory, there were plant breakdowns, shortages of materials, or seasonal slowdowns.

2) a worker could not find full-time work. These workers had looked for a full-time job, but were only able to get a part-time job.

HRRSN1, Reason for working part time: provides both economic and non-economic reasons for part-time work in order to give the respondent an indication of the type of information we are looking for. The number of people working part time for economic reasons is a closely watched economic indicator, as it is a measure of “underemployment” and of the inability of the nation’s economy to generate the types of jobs desired.

Categories of economic reasons are “slack work/business conditions,” “could only find part-time work,” and “seasonal work.” These indicate a business related reason for working part time. The remaining categories are non-economic reasons since they reflect personal, rather than business, reasons for working part time.

An excerpt from the Bureau of Labor Statistics’ Current Population Survey Basic CPS Interviewers Manual.

A worker would be considered “voluntarily” part-time for “non-economic” reasons, which arise within the individual’s own circumstances, rather than as a result of macroeconomic trends, include going to school and getting training, “childcare problems,” and “other family/personal obligations” – reasons for working part-time that are more likely to be chosen by women. Of the 3.4 million hourly part-time workers who say they are part-time due to “childcare problems” or other responsibilities at home, 91 percent are women.

While many of the people working part-time for non-economic reasons state they would currently prefer part-time over full-time work, the increasing instability of part-time work, particularly around scheduling and hours, makes this more and more untenable. Two in three workers who currently prefer to work part-time say it is because they have caregiving responsibilities or other obligations at home, or they are in school or seeking further training.

But it is precisely these activities that become impossible in the face of proliferating “just-in-time” scheduling practices. Of early career hourly part-time workers, 39 percent have no say in their schedules, making it extremely difficult to balance their part-time job – often with deeply fluctuating hours – with the constraints and other responsibilities that made them “choose” to work part-time in the first place.

If public institutions interested in the health of the economy continue to place exclusive importance on the involuntary part-time figure—a measure that affects proportionately more men working in parttime hourly jobs (33%) than their female counterparts (22%)—we as a society will miss crucial indicators of “the inability of the nation’s economy to generate the types of jobs desired.” In order to better understand the shortage of sustainable and good jobs that meet the needs of the workforce, and particularly the needs of women and families, economists and public officials must also consider that there remain millions of women who select part-time positions because of constraints related to child-care or family obligations, and that their inability to have a workable schedule is of equal significance.

Child care problems [include]... reasons such as unable to find adequate childcare or if the babysitter was on vacation or ill.

Other family/personal obligation [includes]... family responsibilities other than child care problems... Include taking care of a family member, such as a child or parent.

An excerpt from the Bureau of Labor Statistics’ Current Population Survey Basic CPS Interviewers Manual.



An OUR Walmart member and her son supporting the Respect the Bump protest in Chicago related to Walmart’s failure to provide appropriate accommodations to pregnant workers.

Hourly jobs in the service sector: the “canary in the coalmine”

The service sector has the highest concentration of women workers paid on an hourly basis. Three industries alone employ nearly half of all women paid by the hour: 23 percent of women paid hourly work in health care, 15 percent are employed in the retail industry, and 10 percent hold hourly jobs in food service (Fig. 4). Women who are paid hourly are concentrated in healthcare, retail and food service in part because these sectors disproportionately hire women in hourly positions: more than 80 percent of hourly workers in the health care sector are women, while 55 percent of hourly food service workers and 52 percent of hourly retail workers are women. In contrast, women make up less than one third of the hourly workforce in manufacturing, which remains the second largest industry with hourly jobs overall.

Fig 4. Industries with the greatest numbers of women hourly workers

INDUSTRY	HOURLY WORKERS	WOMEN HOURLY WORKERS	WOMEN AS % OF HOURLY WORKERS	% OF ALL HOURLY WOMEN IN INDUSTRY	% OF ALL WORKERS IN INDUSTRY PAID HOURLY
Retail trade	11.2	5.9	52%	14%	73%
Manufacturing	9.3	2.8	30%	12%	64%
Food services and drinking places	7.1	3.9	55%	9%	83%
Health care services, except hospitals	6.4	5.4	84%	8%	70%
Construction	5.1	0.4	8%	7%	69%
Educational services	4.6	3.2	70%	6%	35%
Hospitals	4.4	3.4	80%	6%	66%
Transportation and warehousing	3.5	.9	25%	5%	61%
Admin. and support services	3.4	1.4	42%	5%	70%
Public administration	3.3	1.5	47%	4%	49%

The industries with the greatest concentration of hourly jobs for women—retail, healthcare, and food service—are also projected to be among the fastest growing sub-categories of the service sector in the next decade. These three sectors already employ nearly half of all women in hourly employment, and are characterized by high rates of part-time work and irregular schedules. Forty-three percent of hourly jobs the retail sector, 56 percent of hourly jobs in food service and nearly 30 percent of jobs in the healthcare sector outside of hospitals are part-time hourly jobs employing women workers. Nearly 30 percent of retail workers report having irregular schedules, with another 15 percent working rotating or split shift. For food service workers, 21 percent report having irregular schedules.

The high concentration of women in hourly jobs reflects the structure of economic opportunities available to women in a time of ongoing occupational segregation along the lines of gender and race. Most women in hourly positions are not recent entrants to the workforce. A full 60 percent of women paid hourly are of prime working age, between 25 and 54 years old. Of these prime-working age women, 29 percent are in jobs with hours that vary week to week or are part-time.

Women of color are most subject to unfair workweeks

Women of color are twice as likely to work in an hourly job as in a salaried one, while white women are only 1.4 times more likely to work in an hourly job than in a salaried one. Additionally, women workers of color make up 38 percent of the hourly workforce, compared to 30 percent of the salaried workforce. While a majority of white women workers are paid hourly, the proportion of Black and Latina women paid hourly is significantly greater (Fig. 5).



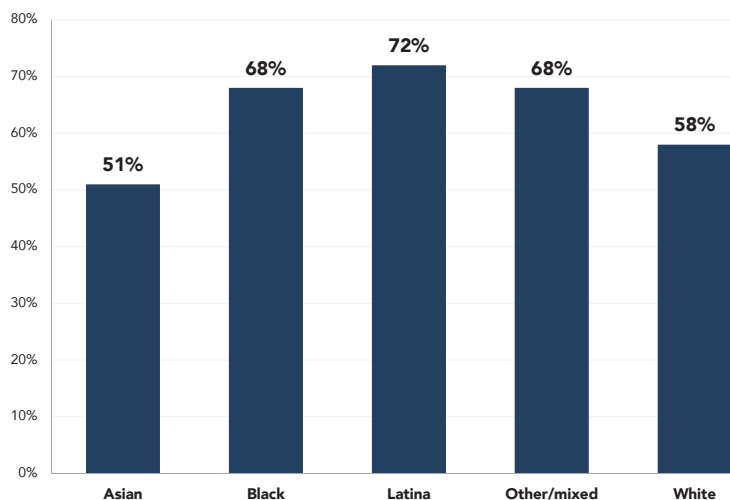
Fatmata Jabbie

Northern VA | UFCW
Walmart

When I started at a Walmart in Northern Virginia, I didn't realize that my low wages, along with few and erratic hours, wouldn't be enough to pay my bills. Even three raises later, I'm still making just \$9.00 an hour as a cashier. I love working with customers, but my hours change so much that I'm forced to turn to the government to help me cover my rent and childcare for my two young children.

I want full-time hours and have asked many times for more, but my schedule remains all over the place and my hours are inconsistent. Some weeks I work 36 or 26 hours, while other weeks it is as few as 18, which means my take-home pay is less than \$200 each week. With too few hours, I struggle to cover the basics, let alone diapers and clothes for my fast-growing toddlers.

Fig. 5 Large share of women of color paid by the hour



Mothers face particular pressures

Over 13 million women paid hourly have children below the age of 18 and of these, two in five have no spouse present. The negative effects of out of sync labor standards reach millions of children. Although part-time work is frequently touted as a flexible solution for mothers, inadequate or fluctuating work hours may make it extremely difficult for primary caregivers to be able to provide for their children or retain access to child care.¹⁹ These scheduling pressures compound the challenges already inherent in low-wage work. Roughly 1.8 million single mothers paid hourly earn \$10 per hour or less, with another two million single mothers earning between \$10 and \$15 per hour, while roughly 40 percent of single mothers spend up to half of their income on childcare alone.²⁰ These combined income pressures make it clear why single mothers are 40 percent less likely to be working fewer than 20 hours a week than their married counterparts.

Labor trends that burden women also undermine families, as women still disproportionately hold primary responsibility for household upkeep, child care, and elder care. Forty percent of households are headed by women who are the primary wage earners²¹ – and 63 percent of those are headed by single mothers.²²

Fluctuating work hours may even complicate the ability of primary caregivers to access public supports for which they qualify or retain access to child care, as eligibility for subsidies is often based on the number of hours worked by a parent.²³ The scheduling inconsistency may mean that mothers need to update their status more frequently. However, the unpredictability impedes their ability to keep appointments to update their files.

In addition to the difficulty securing quality childcare, families burdened by these erratic work schedules face other challenges. A 2007 study linked children's poorer cognitive, behavioral, and mental health status to the stress experienced by their parents with non-standard work schedules.²⁴ Further, children of parents with irregular work hours may have their sleep patterns disturbed, which has been linked to greater risks for poor academic performance, disruptive behavior, or mood issues during the day.²⁵



Shannon Henderson, who works at Walmart, struggles with fluctuating hours and a variable schedule that strains her family.



Walmart workers protesting for \$15 and full-time hours in front of Walmart's Bentonville, AR headquarters.

The part-time pay penalty

Simple mathematics tells us that the fewer hours an hourly employee works, the less income they have, but, the math is actually more complicated. Data shows that part-time workers also earn less than their full-time counterparts for each hour worked²⁶ and are much less likely to enjoy employer-provided benefits (Fig. 6).²⁷ This disparity reflects employers' decisions to cut labor costs by lowering wages and eliminating benefits for part-time hourly workers - who are disproportionately women- rather than simply a difference between salaried and hourly workers. For example, the average hourly rate for part-time hourly workers at Walmart, who make up half of their workforce, will soon be \$10 an hour, compared to \$13 an hour for full-time hourly workers. Part-time positions also offer little promotion opportunity, so that women who need to work part-time face a future of stagnant wages and little prospect of improvement or advancement on the job.

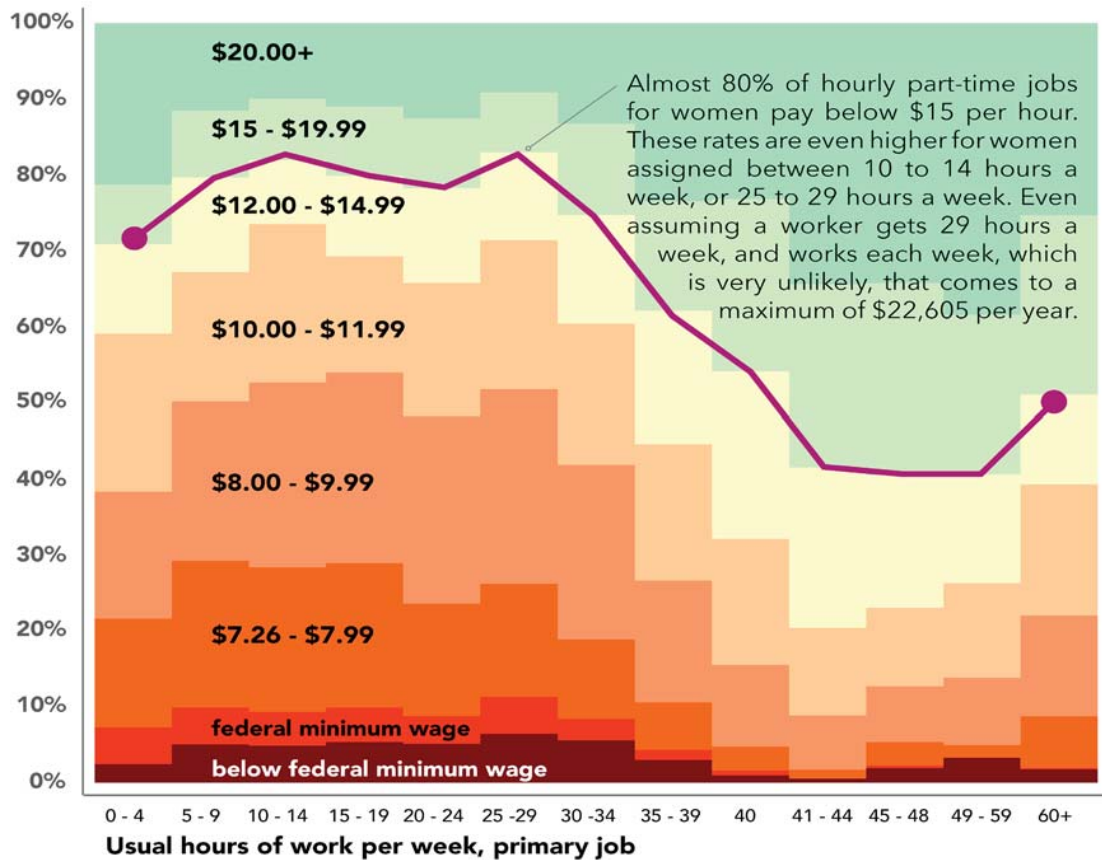
Fig. 6 The poor job quality of part-time work^b

	FULL-TIME	PART-TIME
Hourly wage	\$24.91	\$12.72
Employer-provided healthcare	88%	23%
Paid sick leave	74%	24%
Paid holidays	87%	36%
Paid vacation	87%	34%
Retirement benefits	74%	37%

b This chart represents data for both men and women, and does not break down workers based on their pay status (hourly/nonhourly.)

Fig. 7 Fewer hours, lower wages

Share of women earning... per hour



Among women who are paid on an hourly basis, those who work fewer hours also earn lower wages per hour (Fig. 7). For example, over half of the women working between 10 and 15 hours per week earned eight dollars per hour or less, while only 30 percent of women working between 35 and 39 hours per week earned such low wages. A woman paid by the hour who works part-time is over eight times more likely to be earning \$8 or less than her full-time counterpart.

Elidel Garfias

Greenwich, CT | SEIU Local 32BJ
United Services/Melilio

I have been working as a cleaner in Greenwich Office Park for 13 years. For over 10 years, I worked there part-time. Part-time workers cannot support a family. That's a fact. For someone like me, a mother with a school-aged son, it was hard to make ends meet and almost impossible to send money to my daughter who lives in Mexico.

Thank God, three years ago I was able to become full-time. My life changed overnight. The worry about what bills to pay was gone. All of a sudden, I had health insurance, and being able to send money to help support my daughter and my two granddaughters wasn't just a dream. Now, my son just turned 18 and we are looking at how we get him to college. Three years ago, this would have been unthinkable. We live modestly, but now we can pay bills and rent, and I am able to dream of a better life for my family.

Nancy Chacon

*Albuquerque, NM /
Communications Workers of
America*

T-Mobile Call Center

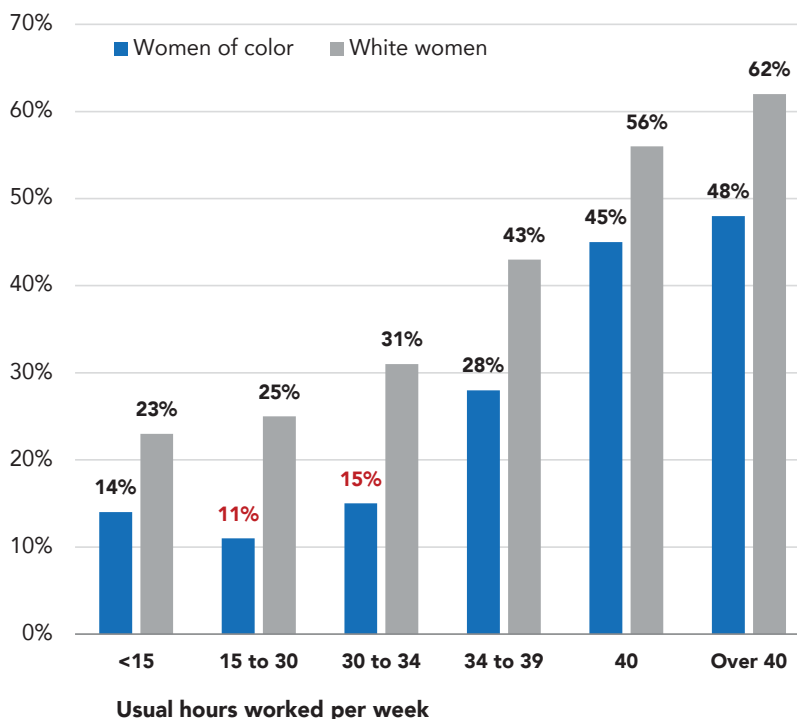
I have been working at the T-Mobile call center for over a year. I like my job, although it can be stressful at times – especially when I’m trying to finish the month with good numbers to get the desired schedule. This is very important for me because I go to school and I need to be able to pick a schedule so I can finish my school. But I don’t have only school, I have a family as well and like spending time with them. My mother lives in a different state and I would like to visit her more. To get time off on a weekend, if you are scheduled to work, is very hard. I had a situation where I needed a day for a doctor’s appointment and one for a school exam. Both dates were denied for approval even though I had requested them 3 months in advance. We really need a better scheduling system that works to balance life.

Low-wage work for women is clearly concentrated most densely among employees scheduled for less than 35 hours per week and swings up again for women working over 60 hours per week—the population that may be earning more income, but faces a greater threat of overwork and exhaustion.

Employers attempt to keep work hours low for individual employees in order to minimize their overall labor costs, which significantly undermine the economic well-being of those who have already been marginalized in this low-wage economy - namely, women workers of color. When compared to their white counterparts, women of color are more likely to be in the hourly jobs that pay lower wages, with 71 percent earning below \$15 per hour versus 58 percent of white women.

Even when controlling for hours, women of color are in jobs that pay lower wages (Fig. 8). For example, among women working 15 to 30 hours a week, white women are twice as likely to earn at or above \$15 per hour as women of color.

Fig. 8 Percentage of hourly workers earning \$15 per hour or more



Recommendations

America's workforce and work schedules have changed, and new policies are needed to ensure that our jobs work for American families. Across the country, people are coming together to demand policy solutions to promote a fair workweek. San Francisco passed a landmark Retail Workers Bill of Rights, guaranteeing predictable scheduling, and requires employers to offer existing employees a chance to work additional hours before hiring new staff. The federal Schedules That Work bill, championed by Senator Elizabeth Warren and others, would require predictable scheduling and reporting pay, and give workers a voice in their schedules. Legislatures in ten states introduced fair scheduling bills in 2015, and several municipalities are now considering similar actions. These efforts promote common sense policy solutions that invest in working families and give women hourly workers a chance to succeed.

Predictable schedules.

Predictable schedules with stable hours and a reliable paycheck make it possible for working people to plan ahead to meet their responsibilities on and off the job.

Advance notice of schedules allows working people to have a schedule they can count on and manage even when their schedule varies from week to week. Although 45 percent of hourly workers currently know their schedules three weeks in advance or more, a startling 41 percent of hourly workers know their schedule less than one week in advance.²⁸ Yet technological innovations make it easier than ever for employers to plan work schedules in advance so hourly employees can manage the many demands on their time, work hard, and plan a budget to pay their bills. Three weeks' notice has emerged as a consensus baseline for notice, though far more advance notice is possible: employees at Ikea in the United States receive their schedules three weeks in advance, but in Sweden Ikea workers receive their schedules one year in advance.²⁹

After providing notice to employees, employers could continue to update schedules as necessary, but employees would have the choice to decline any unscheduled hours when they would conflict with other obligations.

Predictability pay compensates employees at one additional hour of pay at their regular rate when accommodating their employer's last-minute scheduling changes. Predictability pay is similar to overtime pay, because it rewards employees who go above and beyond in order to be available on short notice.

Predictability pay also creates an incentive for managers to plan ahead instead of determining work schedules at the last minute.

Reporting pay, already a standard in several states,³⁰ provides employees minimum compensation when they report to work but are sent home early. Reporting pay protects workers from bearing the full economic burden of a shift that is cancelled or reduced at the last minute, after the employee has forfeited opportunities for other work or incurred costs for travel or childcare. Hourly workers in states such as New York and California are eligible for as much as four hours of reporting pay.

Many employers evade current reporting pay laws by requiring employees to be “on-call” to work: employees must call their manager just a few hours before the shift to find out if they are supposed to work. But whether employees physically report to the worksite or not, on-call scheduling requires them to be available for work and they deserve fair compensation for setting that time aside for their employer. Like predictability pay, robust reporting pay requirements encourage employers to establish stable, predictable scheduling practices.

Employee voice in determining schedules.

Employees should be able to set reasonable limitations on their schedules so that they can stay healthy, pursue educational opportunities, and spend time with their families. Employers often require that all employees have “open availability” to work at any hour that the workplace is open, but this policy exists for employer convenience, not out of necessity. We can restore a balance that gives working people some input into their schedules.

A right to request allows employees to request specific scheduling accommodations without being unfairly penalized; making it possible for hourly workers to meet their responsibilities off the job, such as for the ability to attend college classes, an aging parent’s doctor’s appointments or a parent-teacher conference without losing needed work hours. One third of early career workers currently have some input in their schedules but half have no say at all and many employees report facing retaliation for simply requesting that their employers accommodate their obligations outside of work.³¹ Although a right to request does not guarantee an employee’s request will be granted, employers must engage in a timely, good-faith interactive process to evaluate the request and justify any denials.

Mutual consent requires that employees agree to any employer-initiated changes to their schedule after it has been posted. This provision protects employees from retaliation when they choose to decline hours not included in their originally posted schedule and requires employers to obtain written consent to add hours.

A right to rest protects employees from unhealthy work schedules. Many states already guarantee protections against overwork, such as daily overtime and a day of rest, which should be replicated and extended.³² These common sense protections are tried, tested, and should be available to all workers.

In addition, **allowing employees to rest** for 11 hours between shifts is crucial to community well-being. The practice of “clopening” (requiring an employee to close late at night and open early the next morning, often with as little as six hours in between to commute and sleep) is dangerous for hourly workers and those who share the road with them.³³ A right to decline such shifts, and to earn premium pay when an employee agrees to work them, gives employers and employees flexibility to take shifts with shorter rest periods if they come to mutual agreement. Adequate weekly rest is no less important. Employees should have one guaranteed day of rest in seven and the option to decline more than 55 hours of work in a week without retaliation. These policies protect working families and also promote productivity, since employees will be refreshed and ready to work when they are on the job.

Restore family-sustaining jobs.

Millions of Americans want to work more hours to support their families. Policies that ensure minimum hours and opportunities for employees to pick up extra hours will help hourly workers achieve stable, adequate incomes. And guaranteeing that part-time workers earn the same hourly wages as their full-time counterparts eliminates a discriminatory practice that holds women back.

Pay parity guarantees employees receive equal compensation for equal work, regardless of their gender, race or the number of hours they work. Employers should be required to provide part-time workers the same wages, plus pro-rated benefits or wages equally the value of the salaries that they offer to full-time workers.

Access to hours requires employers to offer extra shifts to current employees before hiring additional staff. This simple commitment allows employees who want to work more hours to do so at their current job – an arrangement that is more stable for working people, and especially those with family responsibilities – and increases both productivity and retention.

Guaranteed minimum hours gives employees a stable baseline of weekly hours, which many employers already provide. Employers should be required to tell workers the minimum number of hours they can expect to work when hired, and should be encouraged to offer most employees full time work.

Fair scheduling means that moms who are juggling the many pieces of raising a healthy family, adult children caring for aging parents, and students striving for a college degree can work hard and get ahead. Unpredictable schedules, short-notice shift changes, unpaid on-call time and dead-end part-time jobs are outdated scheduling practices that hurt working families and slow our economic recovery. The common-sense scheduling standards outlined above can be implemented without undue expense to employers, while going a long way toward restoring a fair workplace. Women, especially mothers, stand to benefit most from these policy innovations that promote stable, predictable hours, the ability to set reasonable limits on availability, and fair pay.



Tiffany Beroid from OUR Walmart, Melody Pabon, a member of the Retail Action Project/Retail, Wholesale and Department Store Union who works at Zara, Sandy Kossangba, a restaurant worker and member of ROC United, share their stories with unpredictable, part-time hours at the Schedules that Work Act hearing and Fair Workweek Initiative launch on July 17, 2014.

Conclusion

Achieving real economic opportunity and fairness for women requires tackling the growing scheduling challenges faced by the 38 million women working in hourly jobs. **Unpredictable, last-minute schedules with shrinking and fluctuating hours are contributing to under-employment, occupational segregation along the lines of race and gender and attendant economic insecurity for workers - especially women and people of color.**

Women – over a third of whom work part-time in order to juggle the myriad demands on their time and still just barely get by – are at the greatest risk of being further marginalized in the workforce if unfair scheduling practices continue to go unchecked. As the distinctions between part-time and full-time work grow increasingly blurred, more and more Americans are vulnerable to experiencing work hour instability and economic uncertainty. These trends are undermining women’s earning potential and bargaining power to achieve equal pay, higher wages and advancement. **Restoring a fair workweek has become as essential to addressing economic inequality as raising the minimum wage and ensuring equal pay.** New policies that ensure predictable schedules, give employees a voice in their schedules, ensure quality part-time employment and access to stable, full-time schedules will improve the lives of everyone – especially working women and their families.

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