



Testimony of Local 1102 of the Retail, Wholesale and Department Store Union

Hearing before the New York State Department of Labor on Scheduling Practices in Retail

October 17, 2017

My name is Eileen Crosby and I am a Representative of Local 1102 RWDSU.

Local 1102 represents over 10,000 workers in the US, including over 3,000 retail workers in New York City. Our retail membership includes employees at H&M, Zara, NY & Co. and Modell's Sporting Goods. We work tirelessly to improve not only the working conditions of our members, but also augment their lives through collective bargaining and supplemental programs. Our union is also dedicated to raising the bar for all workers through legislation and social justice initiatives.

On Call Scheduling has been the plight of many retail employees. It prohibits any worker from having the ability to effectively budget for expenses, plan for childcare, or continue their education. Part-time workers make up a majority of retail employees, and these workers are compelled to full-time ambiguity because they MAY or MAY NOT have to work; then they MAY or MAY not be able to pay their rent; MAY or MAY NOT do anything.

There is no on-call scheduling within any of our collective bargaining agreements, as we do not believe employees should have to be solely dedicated to the will of their employer and "the needs of the business." Our members, by being able to effectively predict their schedules, do not find it necessary to call out of work, simply because they cannot get a babysitter; or because they cannot afford to load their MetroCard.

Companies spend millions of dollars on tracking systems to accurately predict their needs and labor cost for each day of business. It is foolish to believe that "on-call" scheduling is necessary to stay on budget. Predictable and sustainable scheduling will increase employee attendance, and decrease employee turnover.

Some companies hire workers to always be on-call – as we call them "0" hour employees? I prefer the more accurate term, unemployed. Workers receiving "0" hour workweeks and "on-call" shifts are pushed into a position of indentured servitude, and left pleading for hours; or filing for at least partial unemployment to soften this hardship.

Workers have the right for both predictable and sustainable scheduling; moreover, the right to be SCHEDULED. I strongly encourage the Department of Labor to consider issuing regulations that empower workers and give them a real voice in setting their schedules. Thank you for your time and the opportunity to testify.