

# RWDSU

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## Retail, Wholesale and Department Store Union

### Testimony by Ruth Vargas

Hearing before the New York State Department of Labor on Scheduling Practices in Retail  
October 17, 2017

Good morning. My name is Ruth Vargas. I am a member of the Retail Action Project, a worker center initiative of the RWDSU.

The Retail Action Project (RAP) is an organization of retail workers dedicated to improving opportunities and workplace standards in the retail industry. RAP was founded in 2005 as a community-labor partnership which helped thousands of low-wage New York City retail workers fight wage theft and win millions in unpaid wages, and has since expanded into a membership organization.

I am submitting testimony today because I worked retail for two years and spent that time trying to juggle an unruly schedule that was incredibly stressful. At the time, I worked for David's Tea. I took the job to pay for college, but after I started I learned I was only going to get about 5-6 hours a week on my schedule. Not the amount of hours I needed, but I figured I could use my off days to get my food handler's license and eventually pick up another job. Except the store often called me in when I needed to study. Soon I learned they expected me to pick up hours whenever they needed me.

The store prepared our schedules two weeks in advance and required that we provide our availability. Yet, my manager didn't really use it to set the schedules. In fact, rather than adjust schedules ahead of time, the store preferred people to call out at the last minute and have those of us eager for more hours called in. Turning down a shift was never an option. It meant I might have my hours cut the following week. I never even got a day's notice about a schedule change; usually it was just two or three hours. I always had to rush to get ready and make the hour commute. And I couldn't be late for work.

Being pressured and rushed would be stressful for anyone. For me it was even more so because my family also depended on me to help out with my grandmother. I am not her sole caregiver, but I live with her and she relies on me to help her out as needed. It was really hard to arrange to take her to the doctor or run an errand with her, when my manager could call me to go in even on my days off.

As you probably know, David's Tea agreed to stop using on-call schedules because of efforts by the Attorney General. My hope is that all companies are forced to stop using this scheduling practice. It hurts workers, and I suspect hurts companies too. I hope you put an end to this type of scheduling practice. Thank you for listening.