Council Meeting Date: August 17, 2020 **Agenda Item:** 9(b)

CITY COUNCIL AGENDA ITEM

CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Updates on Secure Scheduling
DEPARTMENT:	City Manager's Office
PRESENTED BY:	Emily Rankin, City Manager's Office Fellow Christina Arcidy, CMO Management Analyst
ACTION:	__ Ordinance ___ Resolution ___ Motion _X_ Discussion ___ Public Hearing

PROBLEM/ISSUE STATEMENT:
In March of 2017, Council discussed the City of Seattle's suite of workforce regulations regarding staff scheduling practices of large-scale employers in the retail, grocery, and food service sectors. Seattle's ordinance addressed staff scheduling and was intended to improve the consistency, predictability, and livability of workers' schedules in these workplaces. These regulations are commonly referred to as "secure scheduling." When Council discussed these regulations three years ago, they did not proceed with a similar ordinance at that time and instead requested a future discussion when more data became available around the implementation and impact of Seattle's ordinance. The analysis of the first two years the ordinance was in effect has recently been completed and will be presented tonight for Council to discuss.

RESOURCE/FINANCIAL IMPACT:
There is no financial impact to tonight's discussion. If Council decides to proceed with a similar secure scheduling ordinance to the ordinance enacted by the City of Seattle, there would likely be a budget impact for business education, worker education, and ongoing enforcement.

RECOMMENDATION

No formal action is required at this time. Staff recommends that Council discuss the findings from the implementation and impact of Seattle's ordinance and determine if there are further questions that staff should research and bring back to Council. Given the limited results achieved by Seattle's ordinance and the staff time a Shoreline ordinance would require, staff do not recommend that Council proceed with a Secure Scheduling Ordinance modeled after the City of Seattle's ordinance. If the Council does want to pursue enacting a secure scheduling ordinance, further public outreach, legal review, and policy development would be needed.

Approved By: City Manager ***JN*** City Attorney ***MK***

BACKGROUND

On March 27, 2017, staff presented a discussion summarizing the intent and scope of secure scheduling regulations implemented in the cities of Seattle and San Francisco. That staff report can be found at the following link: http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2017/staffreport032717-9c.pdf.

At the March 27th meeting, some Councilmembers expressed concerns about the limited scope of covered workplaces and the resources that would be required to implement and enforce such a regulation, while other Councilmembers suggested private right of action could be a solution for enforcement of a regulation such as this. Ultimately, Council decided not to proceed with a similar ordinance at that time and instead requested a future discussion when more data became available around the implementation and impact of Seattle's secure scheduling ordinance.

Seattle Ordinance Overview

The Seattle Secure Scheduling Ordinance (Ord. #125135), which was adopted by the Seattle City Council in the fall of 2016, became effective on July 1, 2017. The legislation applies to 1) retail and quick/limited food service establishments with more than 500 employees worldwide, and 2) full-service restaurant chains with more than 500 employees and 40 restaurant locations worldwide. Seattle's Secure Scheduling Ordinance was developed with significant input from the public and stakeholder groups such as managers, franchise owners, and employees. Key provisions include:

- **Good Faith Estimate:** Upon hire, employers must provide a good faith estimate of the median hours an employee can expect to work per week, including on-call shifts.
- **Right to Request:** Employees may request schedule preferences to balance their other commitments, like caring for a family member, working another job, and attending school. Employers must engage in an interactive process with employees to discuss these requests and must grant a request related to a major life event unless there is a business reason to deny it.
- **Advance Notice:** Employers must post employees' work schedules 14 days in advance.
- **Predictability Pay:**
    - Additional hours: If an employer adds hours to the employee's schedule after it is posted, the employer must pay the employee for one additional hour of "predictability pay."
    - Subtracted hours: If an employee is scheduled for a shift and then called off or sent home early, the employer must pay the employee for half of the hours not worked.
    - On-Call Protections**:** Employees receive half-time pay for any shift they are "on-call" and do not get called into work.

- <u>Exceptions to predictability pay:</u>
    - When an employee requests changes to a schedule (e.g. when an employee requests to leave work early to attend a concert).
    - When an employee finds replacement coverage for hours through an employee-to-employee shift swap.
    - When an employer provides notice of additional hours through mass communication and an employee volunteers to cover hours.
    - When an employer conducts an in-person group conversation with employees currently on shift to cover new hours to address customer needs and an employee consents to take the hours.
- **Right to Rest:** If the gap between a closing and opening shift (i.e. "clopening") is less than 10 hours, the employer must pay the employee time-and-a-half for the difference.
- **Access to Hours:** Employers must offer additional hours of work to qualified existing employees before hiring external employees.
- **Record-Keeping Requirements:** Employers must keep records for three years to show compliance.
- **Protection from Retaliation:** Employees have the right to decline any hours not on the originally posted schedule.
- **Workplace Poster:** Employers must display the City of Seattle's workplace poster in a conspicuous and accessible place at the worksite, in English and the employees' primary language(s). The Office of Labor Standards will create the poster and provide translations.

The Seattle Office of Labor Standards is responsible for the development, communication, outreach, and enforcement of all of Seattle's workforce regulations, including the Secure Scheduling Ordinance. The office consists of 29 FTEs, a Labor Standards Advisory Commission, and a Domestic Worker Board. Potential violations of labor laws are identified and investigated upon an employee complaint; the office does not do proactive audits of employer records. Ongoing training and assistance are key parts of the enforcement strategy, as managers also frequently turn over at the businesses impacted by this ordinance. New managers must be made aware of labor regulations, particularly those relating to scheduling staff, as well as how to document compliance and where to access additional information.

The Seattle ordinance included provisions to evaluate the Secure Scheduling ordinance. The baseline report was published in March of 2018 and Year 1 findings were published in December 2019. These two reports form the basis of the additional data that Council requested, and staff has reviewed to bring forward this follow up discussion.

<u>DISCUSSION</u>

The City of Seattle contracted the West Coast Poverty Center at the University of Washington to conduct an evaluation of the Secure Scheduling ordinance, with outreach both to managers at employees at covered businesses, in the two years after the ordinance took effect.

Baseline Report Findings

The Baseline Report (Attachment A) was published in March of 2018 and sought to understand employers' practices and employees' expectations and experiences with respect to scheduling shifts as well as awareness going into implementation of the ordinance. The baseline study surveyed 700 workers at covered firms in Seattle and interviewed 52 frontline managers.

Key baseline findings included:

- Workers' hours varied greatly week-to-week, in part due to many of the scheduling practices the ordinance sought to change;
- Most workers lacked control over their schedules and expressed an interest in a more predictable schedule;
- Many workers reported that scheduling practices at their workplace interfered with their non-work lives and responsibilities;
- Awareness of the upcoming implementation of the ordinance was low among workers and managers;
- Managers reported many company-wide policies already closely aligned with the spirit, if not the letter, of the law, such as minimum time between shifts and offering current employees more hours before hiring additional workers; and
- Managers expressed worries that while they supported the intention of the ordinance to make conditions better for employees in certain workplaces, it would be extremely difficult to comply with the law given corporate restrictions and recordkeeping requirements.

Year 1 Report Findings

For the Year 1 evaluation (Attachment B) evaluation, the research team collected data from a similar set of employees with a follow-up survey and compared it to online survey data from several comparison cities with similar conditions to Seattle but without scheduling regulation like Seattle's. They also interviewed 37 frontline managers, some of whom had also been interviewed during the baseline study but most were new.

Key Year 1 findings included:

- Employees experienced few statistically significant impacts, with the biggest improvements in advance notice of schedule (54% receiving at least two weeks' notice) and compensation for employer-initiated shift changes (14% of workers surveyed);
- Less than half (44%) of workers surveyed had knowledge of the ordinance, and awareness was even lower among limited-English proficiency workers (35%);
- Workplaces generally experienced higher levels of alignment with provisions regarding employees' right to rest between shifts and receive two weeks' notice of their schedules, and poorer alignment with requirements to document schedule changes and provide written, good-faith estimates of hours upon hire;

- Managers expressed frustration with the amount of time it takes them to document schedule and shift changes and whether an employee should receive predictability pay;
- Manager interviews revealed significant misunderstanding when it came to predictability pay, resulting in underpayment of this compensation;
- Corporate response and engagement varied widely: some managers received significant and ongoing support from corporate human resources personnel while others were left to develop and implement their own practices; and
- Corporate policies regarding how many hours part-time employees may work per week also constrained managers' ability to offer more hours to existing employees before hiring new people.
- The study revealed a wide spectrum of the extent to which managers are familiar with the regulations and the support they receive from corporate offices and the City of Seattle.
- In the first two full years the ordinance was in effect (2018 and 2019), the Seattle Office of Labor Standards investigated 29 complaints and awarded a total $376,741 in back pay to 1,594 employees. Secure Scheduling complaints account for less than 10% of all complaints received and investigated by the OLS.

Shoreline Policy Development and Legal Review

If the City Council were interested in developing a robust secure scheduling policy that meets the needs of Shoreline workers while balancing business interests, additional analysis and policy development would be required. Staff would recommend the following actions if Council were interested in considering implementing secure scheduling regulations in Shoreline:

- Outreach to employees, businesses owners, and managers with some combination of surveys, focus groups, interviews, and public meetings would help inform which regulations would benefit workers, which workplaces they should apply to, and how to ensure compliance.
- Determine the scope of which businesses an ordinance would apply to and which would be exempt.
- Comparison of Seattle's Secure Scheduling Ordinance with the handful of others that have been implemented or proposed in other major cities such as San Francisco, New York, San José, and Emeryville, California.
- Evaluation of the appropriate enforcement mechanism and the City's capacity for ongoing outreach and enforcement after a new workforce regulation has gone into effect since the City does not currently have staff dedicated to developing and enforcing labor standards.
- Adapt existing tools or developing new ones as needed to help managers document and show compliance with the ordinance and troubleshoot any issues.
- Establish clear guidelines for how employees would file claims and what appropriate penalties would be.

Concurrent legal review would also be required to track which parts of the Shoreline Municipal Code would need to be changed and ensure that no new regulation is at odds with county- or state-level laws. If an ordinance were modeled after Seattle's in terms of covered workplaces, there are approximately 65 establishments in Shoreline that would be subject to its provisions. There are approximately 2,880 businesses with a Shoreline business license as of June 2020.

Staff Analysis and Recommendation

Given the associated costs and likely limited potential impact to workers, staff does not recommend Council proceed with a Secure Scheduling Ordinance modeled after the City of Seattle's ordinance. Education for eligible employees and local management at eligible businesses would be a costly undertaking for the City given that it would require an on-going approach due to the nature of turnover in these businesses. Enforcement actions would require City staff time to intake complaints, conduct investigations, and issue penalties. While the City could choose a "private right of action" enforcement approach, to do so puts the burden of enforcement on the very people this ordinance seeks to help and therefore would not be recommended by staff.

While intended to provide predictability in low-wage worker's schedule and wages, the Seattle ordinance has yet to substantially realize these goals despite the education and enforcement actions taken to date by Seattle's Office of Labor Standards. Finally, with only 65 (2.25%) of Shoreline businesses being eligible, it would be a significant investment with likely minimal impact to eligible workers.

FINANCIAL IMPACT

There is no financial impact to tonight's discussion. If Council decides to proceed with a similar secure scheduling ordinance to the ordinance enacted by the City of Seattle, there would likely be a budget impact for business education, worker education, and ongoing enforcement.

RECOMMENDATION

No formal action is required at this time. Staff recommends that Council discuss the findings from the implementation and impact of Seattle's ordinance and determine if there are further questions that staff should research and bring back to Council. Given the limited results achieved by Seattle's ordinance and the staff time a Shoreline ordinance would require, staff do not recommend that Council proceed with a Secure Scheduling Ordinance modeled after the City of Seattle's ordinance. If the Council does want to pursue enacting a secure scheduling ordinance, further public outreach, legal review, and policy development would be needed.

ATTACHMENTS

Attachment A – Evaluation of Seattle's Secure Scheduling Ordinance - Baseline Report
Attachment B – Evaluation of Seattle's Secure Scheduling Ordinance - Year 1 Findings

Attachment A

West Coast **POVERTY CENTER**

UNIVERSITY *of* WASHINGTON

THE EVALUATION OF SEATTLE'S SECURE SCHEDULING ORDINANCE:

Baseline Report and Considerations for the Year 1 Evaluation

March 2018

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Executive Summary

In September 2016, Seattle adopted a Secure Scheduling Ordinance (SSO), making Seattle an early adopter of guidelines for employer scheduling of employees designed to promote work hour and income predictability. The ordinance went into effect on July 1, 2017.

The Secure Scheduling Ordinance (SSO) calls for a baseline study, as well as impact evaluations in the first and second years after implementation. The City of Seattle's Office of City Auditor (OCA) has contracted with a team of academic researchers to conduct these evaluations for both workers and employers. The Secure Scheduling research team includes national experts on labor standards, employer practices, and the conditions of work, coordinated by a local team at the University of Washington's West Coast Poverty Center. [1] More information about the research team and team member biographies are available in Appendix A.

Baseline research activities sought to understand and document employers' practices and workers' experiences with respect to scheduling, as well as both groups' awareness of the SSO heading into implementation. Between March and June 2017, the research team collected baseline data from more than 700 workers at firms in Seattle that are covered by the Ordinance as well as from 52 frontline managers– who were responsible for scheduling more than 2,700 employees – at covered firms.

Looking forward, the Years 1 and 2 impact evaluations will investigate how employer scheduling practices change after SSO implementation; the costs and other challenges as well as supports for employer implementation across diverse, covered industries; and the effects of implementation on workers' schedules, economic stability, health, and well-being.[2]

The current report presents results of an examination of baseline scheduling conditions. It is organized in three sections:

- this executive summary, providing a brief overview of key findings and next steps for the research;
- a report from the employee experience component of the baseline evaluation, and
- a report from the employer practices component of the baseline evaluation.

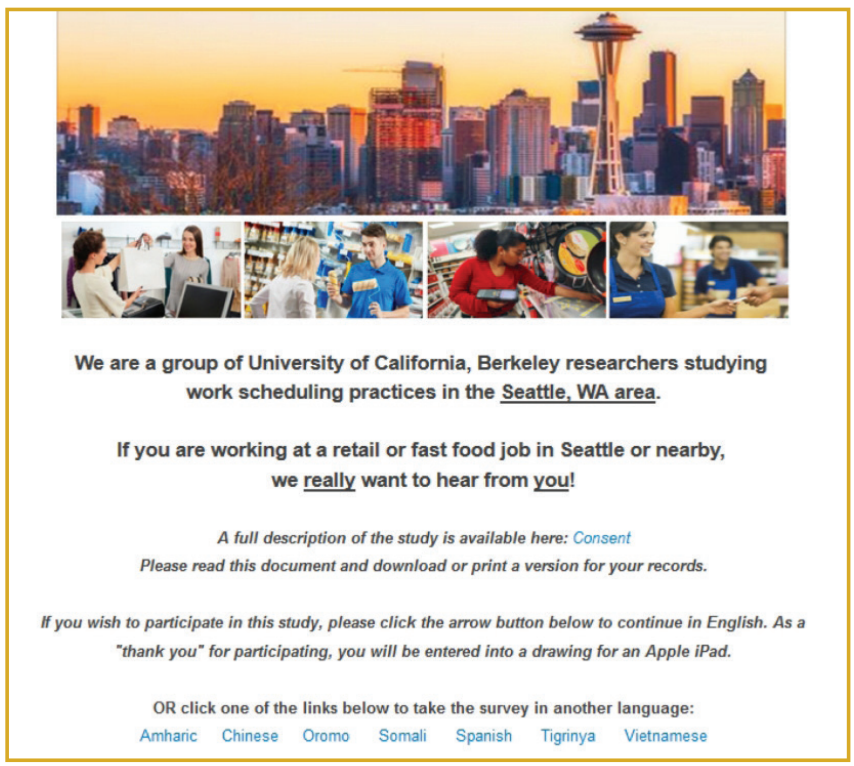
1 Additional funding for some of this research is being/will be provided by other entities including the University of Chicago and the U.S. Department of Labor.

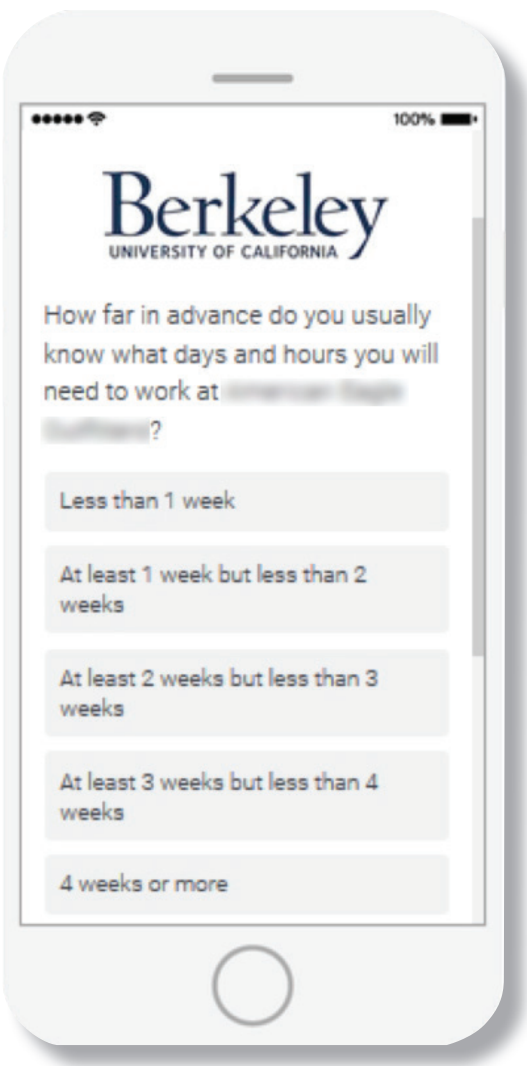
2 From the Ordinance, Section 12.22.130, "Areas of evaluation shall include, but not be limited to the impacts to businesses, including costs, and the impacts on employees of the requirements of [the Ordinance], differences and challenges between limited and full service restaurants in implementing the ordinance, and the interplay of diversity programs and access to hours lists."

Workers' Experiences at Baseline

Data about workers' experiences with scheduling prior to implementation were collected by Professors Kristen Harknett (University of California, San Francisco) and Daniel Schneider (University of California, Berkeley) through online surveys targeting workers who would be covered by the ordinance. Survey questions sought to capture the work scheduling practices respondents experience, as well as worker characteristics, worker preferences around scheduling, and worker health and well-being. Participants were recruited through Facebook advertisements that were targeted to employees who had previously identified themselves to Facebook as affiliated with covered employers in Seattle. Respondents completed the survey on a computer, tablet, or smart phone, and were provided a modest incentive (either a chance at winning an iPad or an individual gift card worth $5, $10, or $15) for participating.

Clockwise from top right, these images show an example of a Facebook ad targeted at covered workers and the steps that potential participants would go through to access the survey; a screenshot of the survey landing page; and a sample survey question on a mobile phone interface.





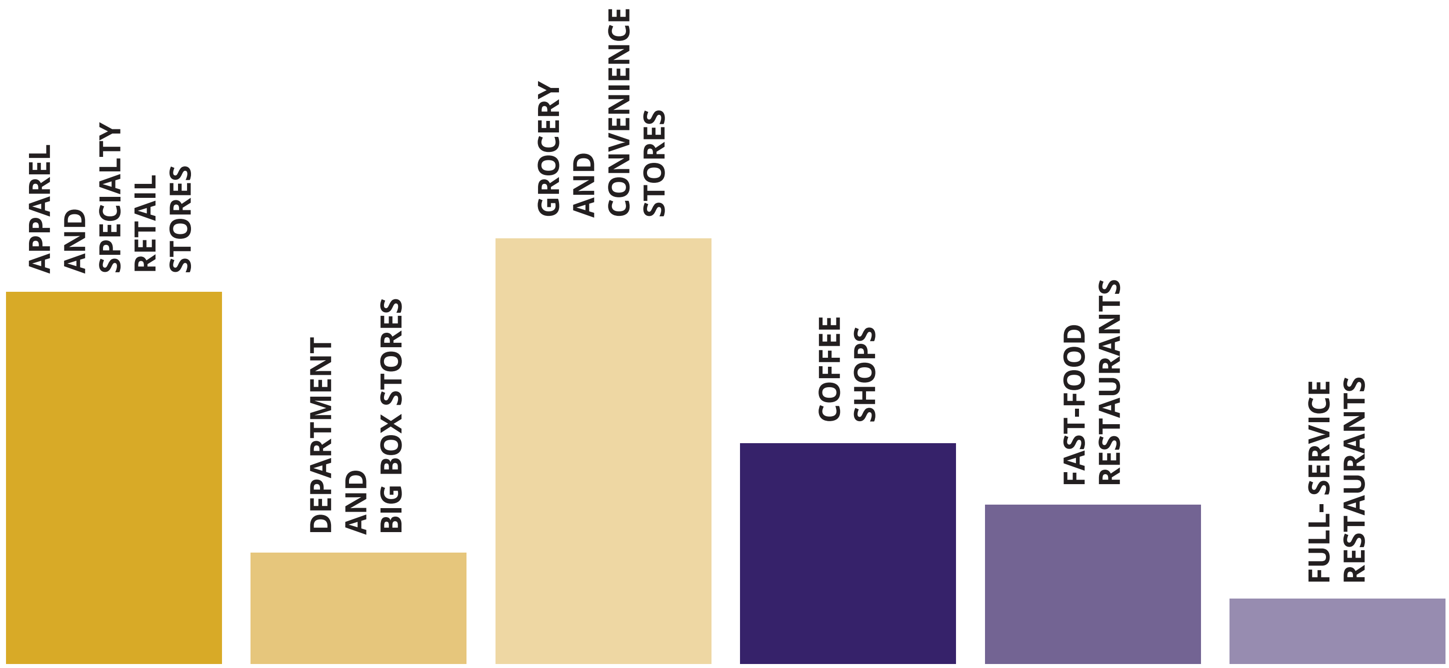


TABLE 1. Distribution of Surveyed Workers by Business Category (N=706)

RETAIL (n=474)			FOOD SERVICE (n=232)		
			Limited-service		
Apparel and specialty retail stores	*Department and big box stores*	*Grocery and Convenience stores*	*Coffee shops*	*Fast-food restaurants*	*Full-service restaurants*
194	**58**	**222**	**115**	**83**	**34**

The main sample of survey respondents, engaged between March and June 2017, includes more than 700 workers employed by 109 businesses now covered by the Secure Scheduling Ordinance[3]. **Table 1** summarizes the composition of employee respondents by employer business category.

The City of Seattle's Office of Labor Standards worked with community-based organizations to help collect a small supplementary sample of 34 covered workers with limited English proficiency (LEP). In addition, 20% of respondents who took the survey online noted that they spoke a language other than English in their homes. The researchers combined these two groups to compare LEP respondents' scheduling experiences with those of the rest of the sample.

3 Harknett and Schneider also surveyed comparison samples from Washington State outside Seattle and other cities across the nation. The comparison samples are not included in the baseline report, but will play an important role in the future evaluation of the impacts of the Secure Scheduling legislation.

KEY FINDINGS FROM THE EMPLOYEE SURVEY

- For many workers, work hours varied a great deal from week-to-week. More than half of workers (54%) reported irregular weekly work schedules. Respondents reported working an average of 31 hours per week, but reported an average gap of 12 hours between the week they worked the most and the least hours in the past month.

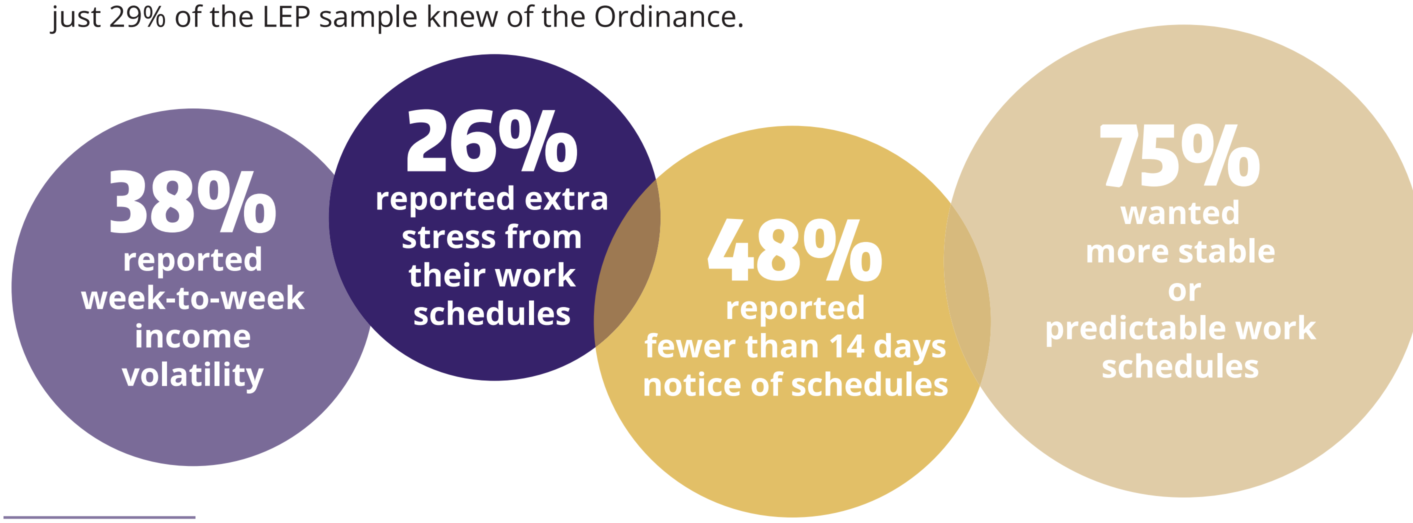
- Most workers lack control over their schedules and desire more stable work schedules. Eighty-one percent reported having limited or no input into their schedules, and 75% reported wanting more stable and predictable work schedules. One-quarter reported working both part-time (less than 30 hours a week) and wanting more work hours.

- Many scheduling conditions that workers currently experience will be affected by the Secure Scheduling Ordinance. Last-minute scheduling and schedule changes imposed by employers were extremely common, with 48% reporting receiving fewer than 14 days of advance notice of their work schedule; 21% reporting working on-call[4] in the last month; 13% experiencing a shift cancellation; 39% being sent home early from a shift; and 37% having their shift timing changed after the schedule had been posted. In addition, a third of respondents indicated they had worked back-to-back or "clopening" shifts in the prior month.

- Many covered workers report that scheduling practices interfere with their non-work lives. Roughly one-quarter (26%) of survey participants said their work schedule "often" or "always" causes extra stress for them or their family; 47% reported that they "sometimes" or "never" have enough flexibility in their work schedule to handle their family needs; and among those enrolled in school, 40% reported that their work schedule makes it hard for them to attend class and complete school work. More than a third (38%) said that their income goes up and down from week-to-week.

- LEP survey respondents fared better than their primary English-speaking peers in some aspects of job scheduling, but worse in others. LEP workers were less likely to report a variable schedule (44% versus 56%), as well as less likely to report shift cancellations, being sent home early, or working a "clopening" shift. However, the LEP sample was more likely to report having less than two weeks' advance notice of work schedules compared with the English language sample (62% versus 47%), and more likely to report on-call shifts compared with the English language sample (26% versus 19%).

- Awareness of the SSO was low. Among survey respondents, 39% of the English language sample and just 29% of the LEP sample knew of the Ordinance.



4 "On-call" shifts require employees to be available to work at a given time. Employees may either be contacted by the employer or must contact the employer shortly before the shift begins to see if they will, in fact, be working during that shift.

Employers' Practices at Baseline

Information about employers' scheduling practices and familiarity with the scheduling ordinance was gathered via surveys and in-person interviews with 52 frontline managers conducted by a team led by Professors Susan Lambert (University of Chicago) and Anna Haley (Rutgers University). As a starting point, Lambert and Haley's team generated a comprehensive set of SSO-covered businesses and worksites, and then sampled both using a strategy that incorporated intentional variation at the business level, by:

(1) covered business type (retail and food service);

(2) business subsector (e.g., apparel, specialty, grocery, fast food); and

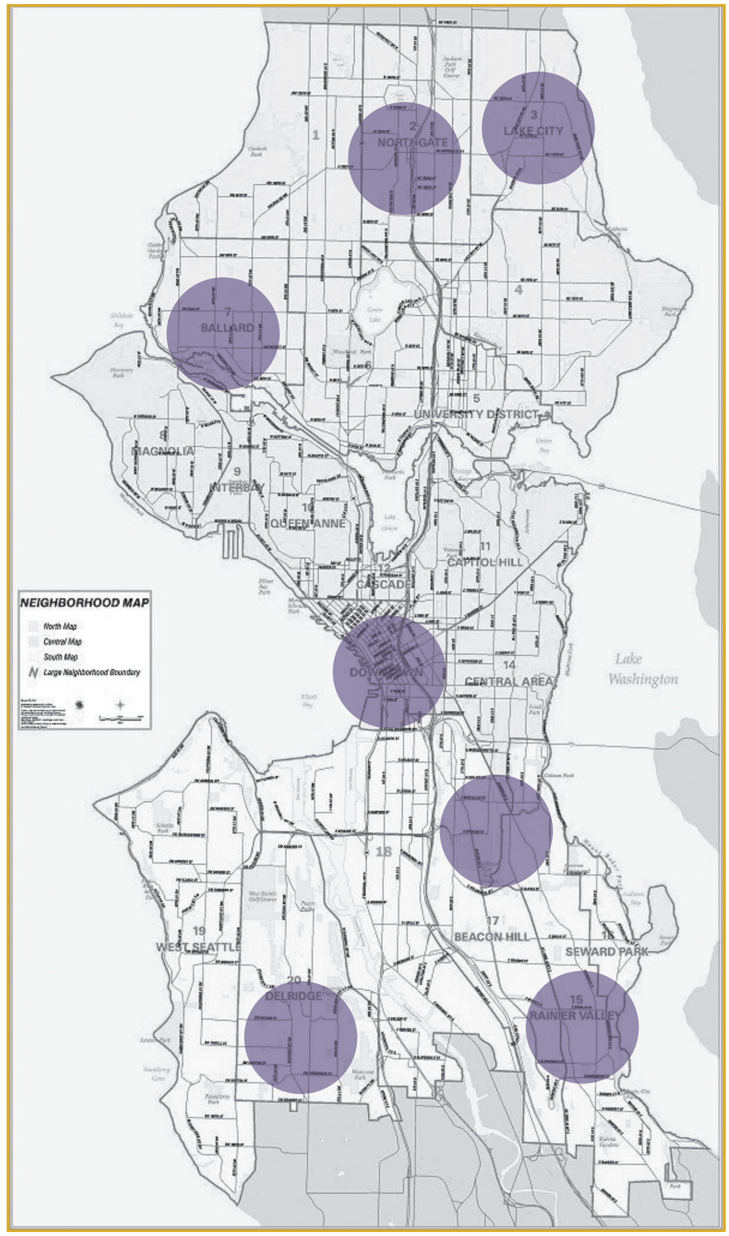
(3) market niche (price point);
and at the site level, by

(4) number of employees per site; and

(5) geographic location of the site within Seattle.

To capture diversity in customer and workforce bases, Lambert and Haley targeted the neighborhoods of Northgate, Lake City, Ballard, Downtown, Columbia City, Rainier Valley, and the area of Seattle near White Center.

At each site, the research team sought to recruit a front-line manager responsible for employee scheduling through a combination of cold- calls, personal visits to worksites, and referrals from professional contacts. If a manager declined to participate, that site was replaced with, if possible, another site of the same chain in the same neighborhood; otherwise, a site of a comparable (competing) chain in that neighborhood. Whenever a manager referred the team to a corporate contact for study approval, recruitment at that site ceased. In the few cases where corporate-level representatives declined study participation on behalf of the firm, we stopped recruitment efforts at all sites of that business.



Map: Seattle City Clerk's Geographic Indexing Atlas

Data collection period March–June 2017

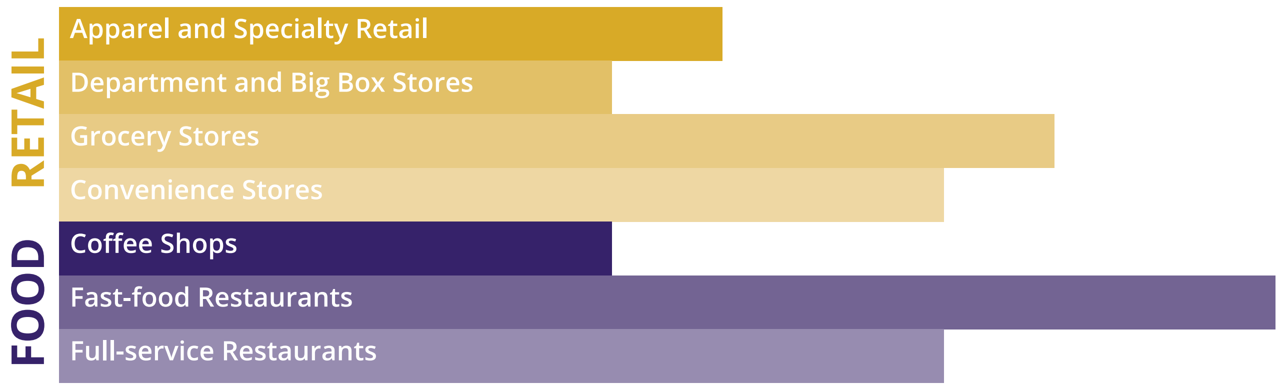


TABLE 2. Distribution of Managers Across Sampled Business Sites (N=52)

RETAIL (n=28)*				FOOD SERVICE (n=24)		
				Limited-service		
Apparel and specialty retail stores	*Department and big box stores*	*Grocery stores*	*Convenience stores*	*Coffee shops*	*Fast-food restaurants*	*Full-service restaurants*
6	**5**	**9**	**8**	**5**	**11**	**8**

** Interviews were completed with more than one manager at a few businesses.*

The types of business sites at which interviewees work are shown in **Table 2**.

The surveys and interviews completed by recruited managers asked them about their pre-Ordinance scheduling practices and their businesses' policies, the forces that shape how they schedule employees and the tools they use to do so. Interviews also asked about challenges employers anticipated and changes they were expecting to make as they implemented the Ordinance. Interviews averaged an hour in length. The sampled firms average a payroll size of 55, ranging from 4 to 430 employees in Seattle; all met the Ordinance definition of having 500 or more worldwide employees within the corporate or franchise structure.

KEY FINDINGS FROM THE EMPLOYER SURVEY AND INTERVIEWS

Scheduling practices

- Many managers try to give employees estimated hours, but can't always heed those estimates. A majority (62%) of managers reported formal policies for providing employees with estimates of hours they can expect each week and the intention to try to honor those. But managers varied both in how formal and specific their estimates were, as well as how close to those estimates workers' hours ultimately stayed. Some managers described conversations with new employees in which they were clear about offering no guarantee and no hours estimate.
- On the survey, managers reported an average of 12 days of advance notice of work schedules, ranging from 2 to 21 days of notice (averaging 12 days in retail, 10 days at full-service restaurants, and 14 days at limited-service, or "fast-food," establishments). When detailed information on posting practices was collected in person, however, it became clear that some managers had been overestimating the length of advance notice provided to employees pre-Ordinance.
- Changes to posted schedules were fairly rare according to many managers (58% reported on the survey that changes happen at most once a week), though frequent among others (40% indicated changes occurred a few to "several" times weekly). In general, the in-person interviews revealed more frequent adjustments than managers reported on the survey. Managers explained that changes most often involved adding or extending shifts rather than shortening shifts. Some took steps to help ensure that their employees felt free to decline changes, while others implemented changes unilaterally.
- Few managers reported using on-call shifts, though 4 of the 8 full-service restaurant managers interviewed did and expressed concern that they may eliminate the practice given the additional compensation on-call shifts will incur post-SSO implementation.
- Managers all had processes for handling employee requests for short-term and long-term schedule changes but how they handled those varied, ranging from verbal to paper to computer- or mobile phone-based systems, or sometimes a combination of these. Larger chains and full-service restaurants commonly used shift-swap apps (software) that made it easier to incorporate employee-driven schedule changes.
- More than half (60%) of the managers surveyed reported that their companies had a policy in place about the minimum time required between work shifts, but several managers provided examples of employees who regularly work back-to-back shifts, some by choice.
- Almost half (45%) of managers reported that their companies already had a policy of offering current employees more hours before hiring new employees. At the same time, roughly one quarter of managers interviewed also reported having policies limiting the number of workers who could be hired or moved into full-time positions.

Managers' perspectives about the Ordinance

- As with covered workers, participating managers' awareness of the Ordinance was low: 22 out of the 52 managers interviewed were unaware of the SSO until contacted by the research team.
- Frontline managers responsible for scheduling are feeling "stuck in the middle." They discussed how they seek to honor the scheduling requests and non-work lives of their employees while addressing business needs. Some explained how the Ordinance would make that balance more difficult for them to achieve, while others articulated the merits of complying with both the letter and spirit of the law.
- Some SSO provisions are not well-understood. Even when managers knew about the SSO, interviews revealed misunderstandings of the Ordinance's provisions. In particular, frontline managers expressed various incorrect assumptions about premium pay requirements and when schedule changes required additional compensation. Some managers reported that they were already making changes to their scheduling processes, but it appeared that some of those changes were based on incorrect information and may not be SSO-compliant.
- Managers reported uneven access to SSO implementation supports. Some managers reported ample support from the larger corporation. But for many small-footprint establishments, and even larger chains with just a few sites operating in Seattle, there were limited resources to help them with the process. Managers highlighted shift-swap apps, colleagues in San Francisco who had implemented a similar scheduling law, and the City's information sessions as particularly helpful in making the transition to implementation.

Considerations for the Ongoing Evaluation

Baseline data collection efforts revealed several challenges and considerations that will inform future evaluation activities.

Engaging employers. Although Lambert and Haley exceeded their initial goals for interviews with frontline managers, recruitment was challenging. Understandably, businesses and their frontline managers want to be thoughtful about how their information might be used. The research team will continue to be sensitive to the concerns of employers about maintaining their confidentiality and transparent that their goal is to document the range of experiences employers have and the strategies frontline managers use as they implement the Secure Scheduling provisions.

Capturing the experiences of workers from Limited English Populations. Efforts to recruit covered LEP workers through community organizations likely provided access to individuals who would not have been reached by web-based recruitment. However, that recruitment process was affected by common routine data collection challenges such as allowing sufficient time and resources for recruitment of a small and very specific segment of a population (i.e., LEP workers at covered firms). The research team will continue to support seeking out the experiences of workers from LEP populations in future data collection efforts and will be ready to provide additional guidance for recruitment as well as more lead time for those efforts.

Awareness of the Ordinance and Implementation. Many employers and workers lacked information or seemed to be misinformed about the Ordinance on the eve of its implementation. The interview data revealed that some employers had already begun making changes to their scheduling policies to try to comply with the SSO, and future data collection efforts will attempt to assess whether the policy changes accurately reflect the Ordinance's provisions. Any information about impacts on covered workers' experiences will be interpreted in that context.

Importance of multi-method data collection. Frontline managers revealed various areas where there were gaps between formal policies reported in the surveys and day-to-day site practice around scheduling described in the interviews. This is not necessarily a matter of manager confusion or obfuscation, but reflects the complexity of scheduling and business realities. The divergence underscores the importance of differentiating corporate policy and workplace practice and the value of multiple methods of gathering data.

Value of hearing from workers and employers. Similarly, collecting data from workers and employers will be valuable for understanding and contextualizing the impacts of the Ordinance. For example, several managers invoked employee preferences as a driver of scheduling practices such as back-to-back or condensed shifts. The research team will work together to try to understand these and other worker preferences from both employers' and employees' perspectives and explore whether the Ordinance affects employers' responsiveness to those preferences.

Understanding variation across employers. The interviews with frontline managers revealed substantial variation across sites on the structure and size of their workforces and their perceived scheduling needs; in their pre-Ordinance policies and practices related to scheduling; and in their resources for implementing the provisions of the Ordinance. The researchers anticipate a comparable or even greater range of variation among employer practices a year from now, corresponding in part to the variation in employers' familiarity with and supports for implementing the Ordinance at baseline, as well as differences in their business strategies and operating challenges. The interview sample was designed to help capture some of these axes of variation and the research team will explore this further in future reports.

Next Steps

In the coming months, the research team will continue to analyze the data collected throughout the fall and spring to address more nuanced research questions and themes and to prepare for the first round of post-implementation data collection in early 2018. As part of that process, the team will seek feedback and input from policymakers and other key stakeholders about other dynamics or patterns that the evaluation might attempt to capture.

The research teams plan Year 1 data collection activities in Spring 2018.

Researchers Harknett and Schneider will again collect detailed information on work schedule experiences, as well as outcome data in the areas of economic security, health, work/family conflict, and parenting and child wellbeing from workers in Seattle and in comparison sites. They plan to analyze and report on changes in schedule experiences between baseline and the year 1 follow-up, and examine whether changes in schedules lead to improvements in economic security, health, and family outcomes.

Researchers Haley and Lambert will refine their interview questions to gather detailed data on employers' scheduling practices, general SSO compliance efforts, and the challenges and costs of implementation, expanding recruitment efforts to gather survey and interview data for Year 1 from baseline and additional sites. In doing so, they hope to identify promising strategies developed by managers responsible for implementing Seattle's Secure Scheduling Ordinance that balance the needs of employers for labor flexibility with the needs of employees for schedule predictability and stability.

A Year 1 evaluation report is anticipated in late 2018.

Part I: Worker Survey Baseline Data Analysis

Kristen Harknett and Daniel Schneider

In the Spring of 2017, we collected survey data from a sample of Seattle workers in jobs that would be covered by the Secure Scheduling Ordinance once it took effect. Using targeted advertisements on Facebook, we recruited Seattle workers to complete an on-line survey between March and June 2017, before the new scheduling ordinance went into effect. The survey collected detailed information on employment conditions, including features of work schedules such as advance notice and on-call work. This report summarizes descriptive information from this baseline survey for the Seattle workers who (a) were employed at a workplace within Seattle city limits, (b) were paid hourly, and (c) worked for an employer that will be covered by the Seattle Secure Scheduling ordinance.

The survey sample includes workers employed at 109 different covered employers. **Figure 1** shows a breakdown of survey respondents by employer category.

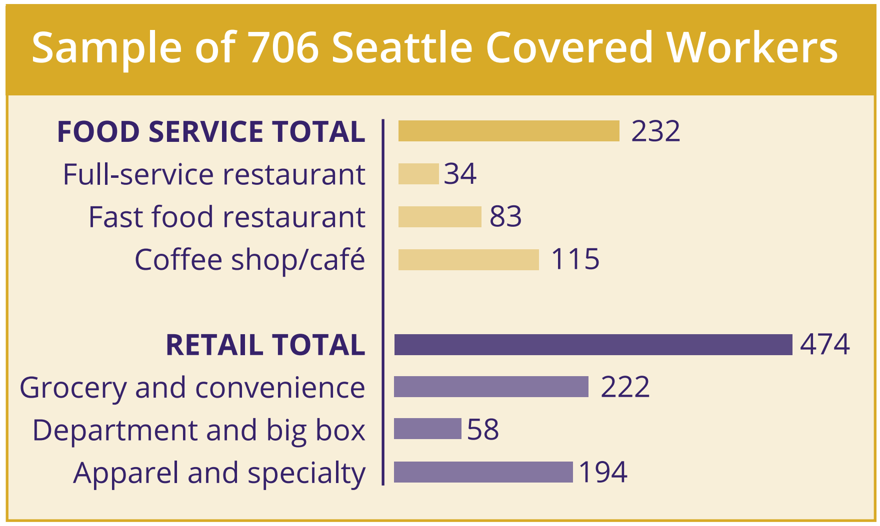


figure 1

The survey collected detailed information on employment conditions, including features of work schedules such as advance notice and on-call work.

Tables 1 through 7 present descriptive information from the responses reported by Seattle workers in an on-line survey. Then, Tables 8 through 11 compare Seattle workers with Limited English Proficiency (LEPs) or who speak a language other than English at home to Seattle workers who are English speakers.

Respondents had an incentive to complete the survey to qualify for an iPad or a gift card incentive. Nevertheless, some respondents dropped out of the survey before reaching the end. For that reason, the number of valid responses to individual questions vary somewhat. For the questions about work schedules, somewhere between about 600 and 700 workers provided responses. In the tabulations in the tables below, we indicate both the average response and the number of Seattle workers who provided a response.

Baseline Information for Seattle Workers

TABLE 1. Job Characteristics of Seattle Workers	Percent	Valid N
Job Tenure - Years		**814**
less than 1 year	**26**	
1 year	**15**	
2 years	**17**	
3 years	**10**	
4 years	**5**	
5 years	**5**	
6 or more years	**22**	
Schedule Type		**740**
Variable schedule	**38**	
Regular daytime	**27**	
Regular evening	**8**	
Regular night	**6**	
Rotating shift	**16**	
Split shift	**1**	
Other	**2**	
Don't know/refused to answer	**1**	
Who Decide Hours?		**607**
Employer only	**43**	
Employer, with some worker input	**38**	
Worker, within limits	**11**	
Worker free to decide	**2**	
Other	**4**	
Works a Second Job	**13**	**578**

Tables 1 and 2 present some basic job characteristics for the sample of Seattle workers in jobs that will be covered by the Secure Scheduling Ordinance.

Table 1 shows that many workers reported irregular work schedules and fluctuating work hours, and few reported having control over their work schedules. Table 1 shows that more than half of Seattle workers (54%) had either a "variable" job schedule or a "rotating" schedule. Many workers (81%) reported having only limited input (38%) or no input (43%) into their assigned work schedules.

Workers also reported a great deal of change from week to week in their number of work hours. **Table 2** shows that, on average, workers experienced wide fluctuations of 12 hours between the week they worked the most and the least hours in the past month.

Notes: Survey data ***in all tables*** *was collected between March and June 2017. The tabulations are limited to workers who are paid hourly and hold jobs that will be covered by the Seattle Secure Scheduling Ordinance.*

TABLE 2. Wages and Hours for Seattle Workers	mean	median	Valid N
Hourly Wage ($)	**15.70**	**15**	**784**
Usual Hours	**31**	**34**	**727**
Most/Least Hours Gap	**12**	**10**	**687**

Notes: The "Most/Least Hours Gap" is the difference between the week worked the most hours and week worked the least hours over the last month.

Table 3 describes the prevalence of a variety of work scheduling conditions that will be regulated by the Secure Scheduling Ordinance. These tabulations show that many workers in the sample reported work schedules that would have to change to meet the requirements of the Secure Scheduling Ordinance:

1. Almost half of workers reported receiving fewer than 14 days of advanced notice of their work schedule (19% receive less than 1 week's notice, and 29% receive between 1 and 2 weeks' notice)
2. In the past month, 21% of Seattle workers reported working on call. Of those who had an on-call shift, about half were not called in to work. Of those who kept their availability open for an on-call shift but were not called in to work, 2/3 were not paid.
3. In the past month, sizable proportions of Seattle workers reported shift changes: 13% experienced a shift cancellation, 39% were sent home early, and 37% had their shift timing change. In each of these cases, the vast majority of these changes were made with little advance notice, and almost none of the workers received any compensation for these last-minute changes.
4. In the past month, 34% of Seattle workers reported working back-to-back closing then opening shifts ("clopenings"). Of those who worked these clopening shifts, fewer than 1 in 10 received any premium pay for working these consecutive shifts.
5. One-quarter of workers were "involuntary part-time," defined as working part-time hours (fewer than 30 hours per week) and expressing a desire for more work hours.

TABLE 3. Secure Scheduling Conditions of Seattle Workers

	Percent	Valid N
Advance Notice of Work Schedule		**710**
One week or less	**19**	
Between 1 and 2 weeks	**29**	
Between 2 and 3 weeks	**34**	
Between 3 and 4 weeks	**12**	
4 weeks or more	**4**	
Experience of Schedule Instability in "Past Month or So"		
Worked On Call	**21**	**657**
Had Shift Cancelled	**13**	**653**
Sent Home Early	**39**	**647**
Shift Timing Changed	**37**	**641**
Worked "clopening" shift	**34**	**630**
Would like to work more hours	**55**	**602**
Would like a work predictable schedule	**75**	**601**
Involuntary Part-Time (works less than 30 hours per week and expressed preference for more hours)	**25**	**602**

TABLE 4. Work-Life Conflict Reported by Seattle Workers		
	Percent	**Valid N**
My shift and work schedule cause extra stress for me and my family		
Always true	**10**	**600**
Often true	**16**	
Sometimes true	**46**	
Never true	**28**	
In my work schedule, I have enough flexibility to handle family needs		
Never true	**8**	**584**
Sometimes true	**39**	
Often true	**35**	
Always true	**18**	
Went to Work Sick	**54**	**605**
Among those enrolled in school, work schedule makes it difficult to attend school and study	**40**	**160**

The work schedules reported by Seattle workers seemed to pose challenges for family life. **Table 4** presents some information on experiences of work-family conflicts reported by Seattle workers. About one-quarter of Seattle workers expressed that their work schedule “often” or “always” causes extra stress for them or their family. Almost half of Seattle workers report that they “sometimes” or “never” have enough flexibility in their work schedule to handle their family needs. Among those enrolled in school, 40% reported that their work schedule makes it hard for them to attend class and complete schoolwork.

TABLE 5. Economic Stability Reported by Seattle Workers	Percent	Valid N
Income Volatility		560
Basically the same	57	
Goes up and down	38	
Don't know/refused to answer	4	
Difficult to Pay Bills		560
Very difficult	17	
Somewhat difficult	51	
Not at all difficult	28	
Don't know/refused to answer	4	
Ability to handle unpredictable financial strain		546
I am certain I could come up with the $400	36	
I could probably come up with $400	30	
I could probably not come up with $400	18	
I am certain I could not come up with $400	13	
Don't know/refused to answer	3	
Used SNAP in last 12 months	9	559
Banked	93	553
Own Car	60	554

Table 5 presents descriptive information on measures of economic stability reported by Seattle workers. Given that workers experienced wide variation in their scheduled work hours from week-to-week, it is not surprising that 38% of Seattle workers reported that their income goes up and down from week-to-week. Difficulty paying bills was prevalent among Seattle workers, with two-thirds reporting that it is somewhat or very difficult to pay their bills. Many Seattle workers are vulnerable to income shocks: one-third do not anticipate being able to handle an unexpected $400 expense, for instance from a car breakdown, home repair, or medical emergency. Although many in the sample had low wages and volatile incomes, just 9% reported using the SNAP program to help with their food expenses. Most of the sample had a bank account, and 60% reported owning a car.

TABLE 6. Knowledge of Secure Scheduling Ordinance Reported by Seattle Workers		
	Percent	Valid N
Aware of Seattle Secure Scheduling Ordinance	37	513
Among those aware, how did you hear about ordinance?		170
from Manager	36	
from Posting at Work	21	
from Coworker	23	
from Friend	10	
from Media	50	
from Community Organization	4	
from Union	12	
from Other	4	

At the end of our survey, we asked Seattle workers if they were aware of the Secure Scheduling ordinance, and 37% reported that they were. For those workers who were aware of the ordinance, we followed-up with a question that asked them how they learned about it. Workers were permitted to mark as many categories as were applicable. The most common way that workers learned about the ordinance was through the media (50%), followed by learning about it from one's manager (36%). Sizeable portions learned about the ordinance from a coworker (23%), a posting at work (21%), from their union (12%), or from a friend (10%).

TABLE 7. Sample Demographics of Seattle Workers	Percent	Valid N
Race		**576**
White	**63**	
Black	**3**	
Hispanic	**8**	
Asian/Pacific Islander	**12**	
Other/Multi-Racial	**14**	
Age		**575**
18-19 years	**13**	
20-29 years	**48**	
30-39 years	**18**	
40-49 years	**9**	
50-59 years	**8**	
60-69 years	**2**	
70+ years	**0**	
Gender		**578**
male	**33**	
female	**65**	
other	**2**	
Education		**574**
No degree	**5**	
High school diploma/GED	**24**	
Some College	**36**	
AA	**10**	
BA	**22**	
Master's/Advanced degree	**3**	
Cohabitation Status		**571**
Married, living with spouse	**22**	
Living with a partner	**25**	
Not living with a spouse or partner	**54**	
Has Children	**24**	**566**
Speaks Non-English Language at Home	**20**	**573**

Table 7 describes sample demographics of the Seattle workers who responded to our survey. The workers who responded to the survey were mostly White (63%) with the next largest groups being Asian/ Pacific Islander (12%), Hispanic (8%), and Black (3%). Almost half the sample were between the ages of 20 and 29 years, and about two-thirds were female.

About one-half of Seattle workers reported living with a spouse or partner, and almost one-quarter were parents with dependent children. A sizeable minority – 20% - speak a language other than English at home.

Baseline Information for the Limited English Proficiency sample

To ensure that the perspectives and experiences of workers with limited English proficiency (LEP) were represented in the study, several steps were taken. The survey instrument was translated and made available in seven languages: Amharic, Chinese, Oromo, Somali, Spanish, Tigrinya, and Vietnamese. All survey respondents recruited through Facebook were offered this menu of language options. In addition, Facebook targeted advertisements were placed in Chinese, Spanish, and Vietnamese. Because the Facebook recruitment approach is not well suited for targeting groups that are small in size, we anticipated that these recruitment methods would yield only a small number of responses. For this reason, the City of Seattle engaged several community organizations in the effort to recruit LEP workers into the study: Alnoor Islamic Center, Casa Latina, Chinese Information Services, El Centro de la Raza, Eritrean Association, Fair Work Center, Got Green, Latino Community Fund, Partner in Employment, Restaurant Opportunity Center, and Somali Community Services.

Identifying LEP workers who would be covered by the Secure Scheduling ordinance proved challenging. The community organizations recruited 34 LEPs who worked in jobs that will be covered by the Secure Scheduling ordinance to complete surveys. (The community organizations recruited another 51 LEPs who worked in jobs that will not be covered.)

Because of the small sample size of LEP workers, we draw on survey data for additional Seattle workers who report that a language other than English is spoken at home. We then present tabulations that describe the group of workers who either were LEPs or reported non-English language at home, and compare this group with another group of workers who were English-proficient and spoke English only at home.

TABLE 8. Job Characteristics for Seattle Workers by English Proficiency or English Spoken at Home		
	LEP or ESL at home	English-proficient sample
Job Tenure - Years	Percent	Percent
less than 1 year	23	26
1 year	14	15
2 years	21	17
3 years	8	11
4 years	5	5
5 years	3	5
6 or more years	26	21
	(N=154)	(N=693)
Schedule Type		
Variable schedule	27	40
Regular daytime	37	27
Regular evening	9	7
Regular night	6	6
Rotating shift	17	16
Split shift	1	1
Other	2	2
	(N=154)	(N=620)
Decide Hours		
Employer only	39	44
Employer, with some worker input	34	38
Worker, within limits	14	11
Worker free to decide	3	1
Other	5	3
	(N=152)	(N=489)
Has Second Job	16	14
	(N=152)	(N=460)

Note: In Tables 8 through 11, "ESL at home" refers to sample members who reported speaking a language other than English at home. The "English proficient" sample is defined as (a) completed the survey in English, (b) were not recruited through community organizations serving LEP individuals, and (c) do not speak a language other than English at home.

Tables 8 and 9 present basic job characteristics for the LEP and English language samples. In some ways the LEPs and English language samples were similar – for instance in their job tenure and low levels of schedule autonomy (**Table 8**) and in their wages and hours (**Table 9**).

The LEPs were more likely to report a stable day time schedule (37%) compared with the English language sample (27%) and the LEPs were also less likely to report a variable schedule.

Notes: The "Most/Least Hours Gap" is the difference between the week worked the most hours and week worked the least hours over the last month.

TABLE 9. Wages and Hours English Proficiency or English Spoken at Home				
	LEP or ESL at Home		English-proficient sample	
	mean	N	mean	N
Hourly Wage ($)	15.89	147	15.61	669
Usual Hours	31	154	31	607
Most/Least Hours Gap	11	147	12	574

TABLE 10. Secure Scheduling by English Proficiency or English Spoken at Home		
	LEP or ESL at home	English-proficient sample
Notice	**percent**	**percent**
One week or less	**30**	**19**
Between1 and 2 weeks	**32**	**28**
Between 2 and 3 weeks	**23**	**36**
Between 3 and 4 weeks	**9**	**12**
4 weeks or more	**3**	**4**
	(N=154)	**(N=590)**
Schedule Instability		
Worked On Call	**26**	**19**
Had Shift Cancelled	**10**	**13**
Sent Home Early	**34**	**40**
Shift Timing Changed	**26**	**38**
Worked "clopening" shift	**29**	**34**
	(N~150)	**(N~530)**
Would like to work more hours	**64**	**52**
	(N=149)	**(N=484)**
Would like a more predictable schedule	**83**	**74**
	(N=149)	**(N=484)**
Involuntary Part-Time	**29**	**24**
	(N=149)	**(N=484)**

Table 10 turns to comparisons of work schedule conditions that are targeted by the Secure Scheduling Ordinance. Here, we see some noteworthy differences. The LEP sample is more likely to have less than two weeks' advance notice of work schedules (62%) compared with the English language sample (47%). The LEP sample is also more likely to report on-call shifts (26%) compared with the English language sample (19%). At the same time, the LEP sample is less likely to report shift cancellations, being sent home early, or working a clopening shift compared with the English language sample. The LEP sample is more likely to desire more hours and more likely to desire a more stable and predictable schedule, and somewhat more likely to be an involuntary part-time worker.

TABLE 11. Knowledge of Secure Scheduling Ordinance by English Proficiency or English Spoken at Home	Limited English Proficiency or ESL at home Percent	English-proficient sample Percent
Aware of Seattle Secure Scheduling Ordinance	29	39
	(N=99)	(N=414)
Among those aware, how did you hear about ordinance?		
from Manager	41	35
from Posting at Work	30	20
from Coworker	25	23
from Friend	14	9
from Media	37	52
from Community Organization	0	5
from Union	17	11
from Other	5	3
	(N=29)	(N=162)

Table 11 presents some evidence to suggest that the LEP sample is less aware of the Secure Scheduling ordinance. Among the LEP sample, 29% were familiar with the Secure Scheduling Ordinance compared with 39% of the English language sample. The LEP sample was much less likely to have learned about the ordinance through the media (37%) compared with the English language sample (52%).

Future Work

In future work, we will refine the tabulations of the baseline data by applying survey weights to reflect the demographic composition of the Seattle retail and food service workforce. In addition, our baseline data collection in Spring 2017 included data from a large sample of comparison workers, who work at similar employers just outside of Seattle city limits or in other cities. We will tabulate characteristics of comparison groups and refine these comparison groups so that they align with the characteristics of Seattle workers and serve as an appropriate benchmark against which to compare Seattle workers.

In Spring 2018, we plan to collect survey data from covered workers in Seattle and a comparison sample for the year 1 follow-up. We will again collect detailed information on work schedule experiences. We will also collect outcome data in the areas of economic security, health, work/family conflict, and parenting and child wellbeing. We then plan to analyze and report on changes in schedule experiences between baseline and the year 1 follow-up, and examine whether changes in schedules lead to improvements in economic security, health, and family outcomes.

Part II: Analyses of Surveys and Interviews with Managers

Susan Lambert and Anna Haley[5]

Professors Lambert and Haley and their research team collected data from 52 frontline managers about their pre-Ordinance scheduling practices and their businesses' policies, as well as the forces that shape how they schedule employees and the tools they use to do so. Interviews additionally asked about challenges employers anticipated and changes they were expecting to make as they implemented the Ordinance. For this report of early findings, we concentrate our analyses on survey and interview data from retail and food service managers directly responsible for scheduling employees.

Given the extensive amount of detailed qualitative data we collected this spring, coding and analysis are ongoing, and it is somewhat premature for us to comment about patterns in the data. Our aim with this document is to give a sense of variation in managers' scheduling practices. Future analyses will deepen our examination of managers' practices and challenges. In addition, we are also continuing to interview complementary stakeholders (software vendors, representatives of industry and labor associations, business personnel in operations and HR) who are providing further insight into employer scheduling practices and their own efforts to facilitate implementation of the Ordinance. Drawing on these combined data, our completed baseline-year analyses will ultimately provide a context for understanding the specific practices frontline managers adopt as they implement the Ordinance over the next year and the challenges they face in doing so.

52 frontline managers provided data about their pre-Ordinance scheduling practices, policies, tools, and challenges

In this early report, we summarize managers':

1. pre-Ordinance scheduling practices and how close to compliance they are on the Ordinance's key provisions; and
2. awareness of the ordinance and its provisions and how they anticipate implementing the different provisions, given their current practices. We pay particular attention to variation within and across types of firms in managers' reports of the challenges they face and the resources they can draw on in implementing the Ordinance.

5 This research would not be possible were it not for the generosity of time that so many managers showed us in thoughtfully, and in great detail, sharing their experiences with and perspectives on scheduling their employees. We encountered a group of very competent and committed managers who are simultaneously accountable to their firms and to their employees for balancing profits with predictability and stability. These individuals are literally "in the middle" and doing their best to navigate the complex, uncertain, and sometimes conflicting imperatives of their jobs.
We are also indebted to the rest of our research team, excellently shepherded by Erin Devorah Rapoport and featuring three Seattle-based field interviewers extraordinaire, in addition to five other diligent assistants based in Chicago and New Brunswick who have helped with data collection, coding, and analysis.

Summary of Methods

SAMPLE

As a starting point to recruitment of frontline managers, Lambert and Haley's research team compiled a sampling frame of all workplaces in Seattle operated by employers covered by the Secure Scheduling Ordinance. The research team compiled the sampling frames by vetting a list of all potentially covered companies provided by the Office of Labor Standards and examining the full listing of all businesses holding City of Seattle Business Licenses, as well as conducting extensive independent research to complement these two lists. In the end, we believe these efforts generated as comprehensive a list as possible of employers and worksites covered by the Secure Scheduling Ordinance.

Covered firms were sampled using a strategy that incorporated intentional variation, at the business level, by (1) covered business type (retail and food service); (2) business subsector (e.g., apparel, specialty, grocery, fast food); and (3) market niche (price point); and at the site level, by (4) number of employees per site (4); and (5) geographic location of the site within Seattle. To capture diversity in customer and workforce bases, Lambert and Haley targeted the neighborhoods of Northgate, Lake City, Ballard, Downtown, Columbia City, Rainier Valley, and the area of Seattle near White Center.

At each site, the research team sought to recruit a front-line manager responsible for employee scheduling through a combination of cold calls, personal visits to worksites, and introductions to managers facilitated by corporate personnel, Seattle's Office of Labor Standards, and industry professionals known to the researchers. If a manager declined to participate, that site was replaced with, if possible, another site of the same chain in the same neighborhood and otherwise, a site of a comparable (competing) chain in that neighborhood. Whenever a manager referred the team to a corporate contact for study approval, recruitment at that site ceased. In the few cases where corporate-level representatives declined study participation on behalf of the firm, we stopped recruitment efforts at all sites of that business.

For the analyses in this report, we include data from 52 managers; the business sites at which they work are indicated in the categories and sub-categories listed in **Table 1**. Our ***survey*** data analyses are derived from 49 managers, one of whom – at a fast-food establishment – did not complete an interview. In addition, our ***interview*** data analyses are drawn from 51 managers, including one department store manager, a big box retail manager, and an apparel retail manager who did not complete a survey. A total of 48 managers finished both a survey and interview.

TABLE 1. Distribution of managers across sampled business sites (n=52)

RETAIL (n=28)*				FOOD SERVICE (n=24)		
				Limited-service		
Apparel and specialty retail stores	*Department and big box stores*	*Grocery stores*	*Convenience stores*	*Coffee shops*	*Fast-food restaurants*	*Full-service restaurants*
6	**5**	**9**	**8**	**5**	**11**	**8**

**Interviews were completed with more than one manager at a few businesses.*

MANAGER SURVEYS AND INTERVIEWS

Managers were asked to complete the 50-item survey prior to the interview, though in a few cases the survey was completed as part of the interview. With the consent of frontline managers, interviews were audio recorded. In addition, interviewers wrote descriptive memos to both summarize the content of each interview and make notes of any nonverbal communication and the interview setting. Interviews averaged an hour in length.

The research team created an initial coding scheme for the interview data informed by themes that had emerged during the interviews, as well as priorities identified by the City of Seattle and the researchers' own knowledge of work scheduling strategies and challenges. The research team then applied this scheme to an initial interview, which was coded by seven members of the team, including study directors Lambert and Haley. After coding this first interview, the team met to discuss any discrepancies in coding, refine code definitions, and add additional codes as needed. This process was then repeated with two other interviews in order to establish inter-coder reliability. During weekly meetings the team continued to discuss emerging themes and adjust the coding scheme accordingly.

Transcriptions of the interview recordings, additional notes, and analytical memos were uploaded to a qualitative data analysis program, Dedoose, to conduct coding and analysis. The survey data were analyzed using the quantitative data analysis program, SPSS. The manager surveys were analyzed alongside the qualitative interview data, with some survey items and other descriptors added to the qualitative dataset to assist with comparative analysis, including the number of employees at the business site, how far in advance the site posts schedules, business type, and business subsector.

SUMMARY OF ESTABLISHMENTS

Table 2 provides a summary of key characteristics of the sites operated by the 49 surveyed managers. Included in the survey are 25 managers from retail stores, 16 from limited-service establishments, and 8 from full-service restaurants. According to managers, the sites average 55 employees both on payroll (with a range of 4 to 430 employees) and who were included in weekly schedules; fast-food restaurants exhibited notably smaller numbers, with a mean of 15 total employees on the payroll, 13 of whom were typically included on the weekly schedule (Table 2). More than 90 percent of workers across the three business types were paid hourly; roughly half were female and half non-white; approximately one-quarter were age 18 to 22; and between 42 percent (full-service restaurants) to 65 percent (limited-service establishments) had been employed at their sites for less than two years.

Reports of managerial staff sizes varied somewhat across the establishments studied. Sites reported from 1 to as many as 45 managers who are responsible for supervising employees, with an average of 6 (Table 2). Typically, a handful of managers are involved in scheduling employees at each site: an average of just one at limited-service sites, two in full-service restaurants, and four at retail stores. The managers we interviewed were directly responsible for scheduling staff at a covered employer site.

TABLE 2. Summary of surveyed managers' site characteristics (n=49)	Retail (n=25)	Limited-Service Establishments (n=16)	Full-Service Restaurants (n=8)	Total (n=49)
Number of employees…				
On payroll	(n=25)*	(n=16)	(n=8)	(n=49)
Mean (standard deviation)	**79 (120)**	**15 (19)**	**60 (32)**	**55 (91)**
Range	**5-430**	**4-70**	**17-106**	**4-430**
On weekly schedule	(n=25)	(n=14)	(n=6)	(n=45)
Mean (standard deviation)	**76 (121)**	**13 (17)**	**63 (35)**	**55 (95)**
Range	**4-430**	**3-65**	**17-106**	**3-430**
Paid hourly	93% (n=25)	95% (n=16)	99% (n=8)	95% (n=49)
Range	**5-100%**	**25-100%**	**90-100%**	**5-100%**
Number of managers who…				
Help supervise employees	(n=24)	(n=16)	(n=7)	(n=47)
Mean (standard deviation)	**8 (9)**	**3 (2)**	**4 (2)**	**6 (7)**
Range	**1-45**	**1-10**	**1-6**	**1-45**
Are responsible for scheduling employees	(n=24)	(n=14)	(n=7)	(n=45)
Mean (standard deviation)	**4 (6)**	**1 (0.4)**	**2 (1)**	**3 (5)**
Range	**0-25**	**0-2**	**1-5**	**0-25**
Hourly employees who are…				
Female	**49% (n=24)**	**59% (n=15)**	**45% (n=8)**	**52% (n=47)**
Non-white (reversed)	**54% (n=21)**	**59% (n=11)**	**49% (n=8)**	**54% (n=40)**
Age 18-22	**21% (n=16)**	**26% (n=11)**	**24% (n=6)**	**23% (n=33)**
Have site tenure < 2 years (reversed)	**57% (n=24)**	**65% (n=11)**	**42% (n=7)**	**57% (n=42)**

Source:
Manager survey (includes one fast-food restaurant manager survey respondent who was not interviewed).

**(n) is the number of valid responses to the survey question.*

Employer Scheduling Practices Related to the Ordinance

Table 3 provides a summary of scheduling practices and policies reported by surveyed managers during the baseline period of the evaluation. Below, we present results of analyses of both these and manager interview data to provide initial insight into variation in scheduling practices pre-Ordinance and how close their practices were to provisions in the Ordinance.

TABLE 3. Summary of surveyed managers' scheduling practices & policies related to Ordinance (n=49)

	Retail (n=25)	Limited-Service Restaurants (n=17)	Full-Service Restaurants (n=8)	Total (n=49)
General Schedule Characteristics				
Written schedule:				
Is distributed to workers	90% (n=21)	94% (n=16)	all (n=8)	93% (n=45)
Includes exact start and end times	all (n=20)	all (n=15)	75% (n=8)	95% (n=44)
Hours Estimate:				
Have policy on providing estimated weekly hours	(n=23)	(n=16)	(n=8)	(n=47)
Yes (Don't know)	74% (13%)	44% (19%)	63 (0)	62% (13%)
Advance notice				
Have policy on providing advance notice of work schedule	63% (n=24)	63% (n=16)	100% (n=8)	69% (n=48)
Amount of advance notice of schedule	(n=13)	(n=10)	(n=7)	(n=30)
Mean (standard deviation)	12 days (8)	14 days (5)	10 days (5)	12 days (6)
Range	2-21	7-21	3-14	2-21
Schedule Changes	(n=24)	(n=16)	(n=8)	(n=48)
How often adjustments made to posted schedule				
Daily	none	none	13%	2%
A few to several times a week	54%	19%	38%	40%
Once a week or less	46%	81%	50%	58%
Sites including on-call shifts on written schedules	none (n=20)	13% (n=15)	50% (n=8)	14% (n=43)
Right to Request:				
Have policy for employee requests for long-term schedule change	(n=23)	(n=16)	(n=8)	(n=46)
Yes (Don't know)	74% (9%)	63% (19%)	86% (14%)	72% (13%)
Right to Rest:				
Have policy on minimum amount of time between shifts	(n=23)	(n=16)	(n=8)	(n=47)
Yes (Don't know)	65% (13%)	50% (31%)	63% (none)	60% (17%)
Access to Hours for Existing Employees				
Have policy on offering current employees more hours	(n=23)	(n=16)	(n=8)	(n=47)
Yes (Don't know)	48% (9%)	38% (25%)	50% (none)	45% (13%)
Have policy limiting full-time employees	(n=23)	(n=16)	(n=8)	(n=47)
Yes (Don't know)	44% (22%)	6% (19%)	25% (none)	28% (17%)
Hourly workers classified as part-time	57% (n=25)	51% (n=16)	58% (n=7)	55% (n=48)

ESTIMATE OF HOURS

In their survey responses, a modest majority of managers from the sampled businesses reported that their sites have some type of policy in place requiring that each newly hired employee receives an estimate of the hours for which they can expect to be scheduled. There is notable variation across the three main business types, with only 44% of managers at limited-service establishments reporting a policy, but roughly three-quarters of those from retail stores doing so (Table 3). That said, in the course of our interviews many more managers described practices, though not formal policies, for discussing and even promising new employees a weekly hours target. How these up-front estimates played out in day-to-day and week-to-week scheduling practices varied according to our interviewees.

Managers reported having conversations about the hours an employee would want and their business could realistically provide. The idea of providing an estimate of hours at point of hire was not new to managers; in fact, most gave the impression that discussing potential hours with prospective workers was an important part of establishing the employment relationship. But managers varied both in how formal and specific their estimates were, as well as how close to those estimates workers' hours ultimately stayed. Some managers described conversations with new employees in which they were clear about offering no guarantee, and no hours estimate even, as this manager explained:

> **Manager (fast-food restaurant):** I tell them when I hire them, "This is based on business need. I might send you home early. I might then go home early. Take a day off." If there's no business, there is no business.

Other managers did supply estimated hours to their new hires, but those estimates were either given in a wide range or – by the managers' acknowledgement – were not highly indicative of the hours employees ultimately received, as reflected in these managers' reports:

> **Manager (full-service restaurant located near two major event venues):** [T]ypically when I'm out of show, I can give them between 18 and 24 hours a week. When I'm in show, they're going to average more like 30 to 34. Not more. They know right off the bat.

....

> **Manager (convenience store):** We kind of talk to them about, you know, you can work anywhere from 30 to 40 hours.
>
> **Interviewer:** [H]ow often are you able to stick to that 30 to 40 hours?
>
> **M:** We're usually pretty good at that. That's usually not a problem at all.
>
> **I:** And is this in a company policy?
>
> **M:** No.

....

> **Manager (full-service restaurant):** I say [to the new employee] "I can generally just schedule 28 hours."
>
> **Interviewer:** And then are they generally sticking to that 28?
>
> **M:** No, it can change.... It changes all the time.... Just depending on the business.

Other managers depicted fairly formal discussions with employees in which they extended more specific weekly hours estimates that they aimed - and were fairly able - to heed in subsequent scheduling practice. These represented informal verbal practices rather than company policy, however, as these three managers explained:

> **Manager (coffee shop):** If they say, 35 [hours], then I'll say, "Honestly, I could probably commit to about 25. I could definitely work with you on getting you those additional 10, but [25 hours] is what I can give you my in-store commitment on." And then we kind of converse about that. But I would say, when they walk away from the conversation, they know I know how many they're looking for, and they know how many I'm committing to.
>
> **Interviewer:** And do you feel like that generally stays consistent within a person's job?
>
> **M:** Yes.
>
> ....
>
> **Manager (grocery store):** They're told right up front what they're going to work…. The person we interviewed yesterday, I told her she'd be working five days a week, seven and a half hours a day.
>
> **Interviewer:** Are you generally able to keep the commitments that you're providing them in terms of the hours?
>
> **M:** Oh, yeah.
>
> ....
>
> **Manager (grocery store):** I always stand behind whatever I say in an interview. I'm not going to hire somebody and say, "Hey, we're going to give you 38 hours a week," and then we give them 20. That's horrible.

Finally, a few managers described sharing hours estimates with new employees that were anchored in formal business policy and hewed faithfully to in scheduling practice, as reflected by this interviewee:

> **Manager (big box retail store):** Yeah, we actually sign a contract with our employees here…. [W]e tell them it's a contract, we tell them how much an hour they're gonna get, it tells them the minimum hours they're gonna get per week. Most of our employees do like a minimum of 20 hours.

ADVANCE NOTICE

Among managers responding to our survey, roughly two thirds in retail stores and limited-service establishments reported that their businesses had policies in place relating to how far in advance schedules were to be issued before the workweek; all eight of the full-service restaurant managers indicated this (Table 3). The average length of advance notice for the sample was 12 days, slightly higher among limited-service sites (14 days) and lower at full-service restaurants (10), though it should be noted that these averages are not necessarily the product of formal corporate policy and instead possibly a matter of routinized personal manager practice.

Several managers who reported short advance notice – three or four days before the start of the work week – said that these were lengths of time specified in company policy. For example, a full-service restaurant manager noted that the "three working day" minimum was set by the "corporate office." Another retail manager said that the four-day minimum advance was also set by his company.

Numerous other managers in our sample reported considerably longer advance notice practices, not always formalized in policy, that extended to two or three weeks. These cases were somewhat complex to "unpack", however, because managers often confounded number of schedules with number of days' notice. For example, they might post two weekly schedules at one time, but with the first schedule starting only a few days after they posted the two. Alternately, some managers reported posting tentative schedules several weeks in advance but then continually changing them after posting, all multiple weeks' worth of them. The following description by a retail manager, who had reported a three-week advance notice practice in our survey, illuminates some of this dynamic:

> **Interviewer:** When would you post the subsequent week?
>
> **Manager (retail store):** We'll start the [third] week, writing it, essentially tomorrow, and then it will be posted on Friday.
>
> **I:** It's like by the end of the week you have …
>
> **M:** The next one's up.
>
> **I:** It's actually more like 16 days [of advance notice]?
>
> **M:** Yeah.

SCHEDULE CHANGES AND ON-CALL SCHEDULING

In responding to the survey question of how often changes are made to the posted schedule, over half of managers (58%) said changes occur at most once a week, 40% said a few to several times a week, and 2% said changes occurred daily (Table 3). Although managers in full-service restaurants were most likely to report frequent schedule changes, 50% reported only weekly changes to the schedule, and it is important to remember that we interviewed only 8 managers in full-service restaurants. Key to understanding the context into which the Ordinance is being implemented are the reasons driving schedule changes, the type of changes being made, and whether employees can decline changes once the schedule has been posted.

Our initial analyses suggest that, among our interviewees, adding or extending shifts is a more common practice than shortening them. Several managers reported that they rarely if ever shorten shifts. When business is slower than anticipated, they ask employees to transition from customer-facing and support roles to other tasks:

> **Manager (coffee shop):** We have a running list of all the things that often don't get done that we wish we had time for. So if we ever run into a situation where we're slower than normal, [employees] start checking off work from that list.
>
> ………………………………………………………………….
>
> **Interviewer:** Then in terms of decreasing hours, does it ever happen where you have to send somebody home early because things are just really slow, or anything like that?
>
> **Manager (retail apparel store):** No. Usually there're other things to do in the store.

Some managers said that they did not have to ask staff to leave early because staff would regularly request to go home when they saw that business was slow:

> **Manager (coffee shop):** I have a lot of students, so they know that they're more than welcome to … If it feels slower than normal, they can tell me, "I got a test tonight. If you don't need me, I'm happy to go home."

The majority of managers we interviewed emphasized that working additional shifts not on the original schedule was voluntary, and that they did not require or even expect employees to come in on a day they were scheduled to be off:

> **Interviewer:** How hard is it to get people to cover if you need them to?
>
> **Manager (convenience store):** Sometimes it's hard because you give them last minute notice… It's possible if you have a week or a couple days ahead, you can prepare for it… But things … [happen] last minute, so those [employees who are] available [get the hours]. I won't be mad at [employees who] … can't cover it, because everybody makes plans for their days off.
>
> ………………………………………………………………….
>
> **Interviewer:** How do you go about increasing staffing coverage once the schedule has already been published?
>
> **Manager (retail apparel store):** First I look at availability and see who's actually able to work that day, then … I kind of ask the people who have the best work ethic and the want for more hours.

Some businesses post available shifts on a scheduling app or on a Facebook page for employees to pick up. Managers state that one advantage of posting shifts rather than calling individual workers is that several employees then have the chance to get extra hours and managers can in turn be more confident that employees do not feel pressured to take additional shifts. As one manager in a limited-service establishment commented, "I don't do it [contact specific employees to work] because I just feel like if it comes from the manager, it sounds more official, and … I don't want them to feel like they're required [to work]."

Other managers did state that they regularly cancel and shorten shifts, providing workers with as much advance notice as they can:

> **Manager (full-service restaurant):** I will also just call people off in general, even if they were scheduled. If the weather turns and it's not going to be sunny, I would simply call them and say, "Hey, I do not need you tonight." And they would know that two hours before they were actually scheduled in.
>
> **Interviewer:** And how often was that happening would you say?
>
> **M:** A lot. A specific number or percentage, probably half the days of the week I would call someone off. It's always better for us to over-schedule a little bit and be prepared for the sunniest of weather.

On-call shifts. Only six managers (none in retail; two in limited-service establishments, and four in full-service restaurants) reported on the survey that they include on-call shifts on the work schedule (Table 3). These managers viewed on-calls as an important tool, however, both for maintaining the flexibility needed to provide good customer service without incurring what they thought of as unnecessary labor costs and for wasting their employees' time. The four full-service restaurants identified the elimination of on-call shifts as one of the provisions of the ordinance they expected to be most challenging for their business to implement while remaining profitable. An additional manager from a limited service establishment reported using on-call shifts less formally and only once or twice a year.

The managers at the four full-service restaurants in the sample that used on-call scheduling spoke in further detail about relying heavily on on-call shifts due to unpredictable traffic, weather, and employee call-offs, yet trying to spread them out fairly across their staff so that no single employee ended up with too many. For example, most of these managers reported that the number of on-call shifts per person per week was limited to two. As one restaurant manager stated, "we never want more than two on-call shifts per server [per week] because it is kind of unfair." Most of these managers also indicated a preference for using on-call shifts to extend regular shifts and not as stand-alone shifts, as explained by this manager:

> **Manager (full-service restaurant):** [I]f we're going to do an on-call, we try to do it with somebody that's already here so that it's not a special trip ... That way you don't have to sit at home all day wondering ... if they're going to come in or not.

Restaurant managers stated they gave workers scheduled for on-call shifts one to four hours of notice about whether or not they would be working the shift. Whereas some managers would put the start time for the (possible) shift on the schedule and then request employees to call in one to four hours before that time to see if they were needed, other managers put the time employees were to call in on the schedule:

> **Manager (full-service restaurant):** Their shift would be scheduled for 3 o'clock in the afternoon. That's when they would call in to me and ask me if I needed them that evening, and I would inform them ... if I needed them. Typically if I did need them, they would come in around 4:30 or 5. They would have an hour and half notice, at least an hour notice, somewhere in that. And that's how that just worked. If I didn't need them, I'd say, "No," and they would have the night off.... They were completely ... content with that because typically if I'm calling them off, we're not going to be busy... [T]hey didn't want to work if they weren't going to make money because most of their money is off tips."

As this manager notes, the desirability of on-call shifts in the restaurant industry may be different than in other industries due to the large proportion of earnings comprised of tips. Another manager also noted that some workers view the potential for overtime from on-call shifts as a benefit:

> **Manager (full-service restaurant):** The policy of the company [is] not to schedule anyone for overtime, but we do have a handful of individuals that want overtime every week. A lot of times we'll give them those on call shifts so that if an emergency happens and we have to cover it, then they can pick it up and get the overtime that they want. And we can get around the policy of not scheduling overtime, so then everybody is happy.

The repercussions for missing an on-call shift are often similar to missing a regular shift, as one manager explains, "It's a shift. If you don't call in for it or if you don't show, we could use you and like you're hung-over and you can't come in, then you're gonna be probably documented."

One manager at a retail store reported that the company had stopped using on-call shifts a year prior to the Ordinance, noting that although it had been nice to use them for shift extensions, the on-call shifts had been an extra issue for managers to worry about:

> **Manager (retail store):** I think it was also just one more thing you had to deal with while managing the floor. Do you need them? Do you not? ... It was stressful. And I think for the staff, too. To have an on-call at noon on Saturday, that sucks. No plans, then you have to call at 9:00.

Most managers reported on the survey that their company did not have a policy about on-call shifts; their company simply did not schedule them. Some of the managers who did not use on-call shifts took pride in this fact, as illustrated by this quote from a grocery manager:

> **Manager (grocery store):** To believe that your employee has nothing better to do in their life but wait by their phone for you to call them is misguided. If you want to have a well-functioning team that's happy, that gets along with each other, that gets along with your customer, is good to your customer, then you need to treat them like they're a human being.

Several managers felt that even though they did not use on-call shifts, they themselves were always on-call as managers. In a similar vein, a few managers from family-owned fast-food and convenience store franchises spoke about themselves or other relatives being "on call" to help when they needed an extra hand. As a convenience-store manager explains, "Mostly [it's] just me, and my brother, and my cousin that are family, because it's a family business. So, we're always on call. If one guy doesn't do it, another guy will do it."

RIGHT TO REQUEST: EMPLOYEE SCHEDULE INPUT

According to our manager survey, a fairly strong majority of sites have policies in place related to how employee schedule requests should be handled, including nearly three-quarters overall, ranging within the three business categories from about two-thirds of limited-service establishments to 86 percent of full-service restaurants (Table 3). Yet we found that managers, both of their own choosing and at company direction, varied strikingly in the practices they oversaw and tools used for accepting and responding to employee requests for scheduling input, as well as in their perspectives on whether to approve such requests. We also heard from some managers that they combine formal company policy with their own approach, often one they found more personal and supportive of their workers.

Tools for taking requests. The sampled sites had adopted a range of methods for employees to submit schedule-related requests (including for time off and for adjusting their availability more generally). A subset utilized only verbal communication, including a drugstore (whose manager noted, "We don't have anywhere to write [requests] down") and a fast food restaurant ("they can just ask us" according to its manager, who also reported that in most cases employees wind up resolving scheduling issues among themselves, which they are authorized by managers to do independently).

Solely paper-based requests were somewhat more common, involving employees' needing to complete an "availability form" (grocery), entry into a "request book" (another grocery), "writing it down and posting it in the store" where the manager can see it (fast- food site), writing it on a Post-It note and placing it on the manager's keyboard to be entered into the manager's written planner, putting their written request in the "request box" whose contents were reviewed by managers weekly (full-service restaurant), and for servers at another restaurant, "put[ing] it in their money bag after they turn in a shift" for the managers to review.

Use of computer- and online-based programs, including Excel and varied software programs, was fairly common, particularly among full-service restaurants and large chains in the other business categories. Some of these programs were provided by scheduling and shift-swap vendors whereas others were proprietary to their companies. Managers using these tools reported that it was easier to receive and accommodate employee requests when compared to other managers who relied on verbal or paper options. A full-service restaurant manager noted that with the software tool that site uses, nearly all schedule changes are handled expeditiously online: employees communicate with each other about changing or covering shifts and also submit requests for time off to managers, which managers respond to within the program.

In numerous cases, however, multiple modes of request-making were used due both to managerial preference and company rules. Sometimes there were different approaches used for short-term schedule requests versus long-term availability changes. In other cases, different modes were used depending on how far in advance the employee was submitting the request. Some managers simply sought to give employees multiple ways to convey their requests regardless of type or timing. One grocer uses a personal spreadsheet, a scheduling software program, and a paper wall calendar to accept and track requests, short-term and beyond, as does a full-service restaurant manager who takes requests through a software program and a "request off book," and a coffee store manager whose employees can submit requests online or via a paper form. At two full-service restaurants, a third-party software app is used if an employee is submitting a request at least two weeks in advance, and if not, a verbal conversation with a manager is required, as it is for all requests asking for more than three days off.

Some managers, though, preferred a "personal" approach. As one of our interviewees at a grocery explained, "[W]e're still kind of old-fashioned, so [employees submit requests] on paper. We'll just grab a printed schedule, … and just make changes with a pencil, rather than necessarily using the computer program."

Advanced notice requirements for employee requests. Managers also varied in the amount of advance notice they required of employees making schedule requests, both short- and long-term. Some noted that they were able to absorb last-minute requests, as a convenience store manager described: "We're usually able to accommodate sudden changes, but if it's more a permanent change to the schedule, then generally a week." This manager uniquely facilitated this quick turnaround in response by being vastly present at the store ("I have intersecting shifts with all of the employees, or I come in all the time") and providing his cell phone number, encouraging employees to call to request changes if needed. Others noted the need to grant "spur of the moment" changes for employees in certain situations, like the full-service restaurant manager who stated, "You have people that you have to consider, they have kids, and maybe one day the babysitter can't do it."

Several other managers reported an official, and more firmly implemented, two- to as long as four-week advance notice requirement for employees. A subset appeared to have proactively gravitated to the aspect of the "Right to Request" component of the new Ordinance requiring that employers resolve the requesting process within three weeks.[6] For these managers, three weeks has newly become a minimum advance notice by which employees are required to submit scheduling requests, extended often from two weeks' advance these employers had previously followed. Other managers noted that they required employees to submit their requests three or four weeks in advance for approval in order to be able to post the schedule as far in advance as they had promised their employees. A drugstore manager offering a three-week advance notice on posting schedules said he instructs his employees, "[Y]ou let me know before I post the schedule. I'll make the change for you. After that point, you need to find another associate to cover the shift." After the manager's deadline, then, employees might still receive their desired schedule change but only by finding their own shift replacement.

Reasons to say no and yes. Managers also showed substantial variation in their reasons for granting employee scheduling requests net of when or how requests were submitted. Not surprisingly, business demands featured greatly here. At several sites, increased customer traffic over the summer months meant that no vacation requests were accepted (much less approved) from early June through the end of August, though a full-service restaurant manager noted, "[I]f it's just a day, they need a day off, that's not a problem." Some managers explained that an employees' changes to their long-term availability may lead to termination if their job tasks are time-dependent, or else result in reduced future hours if the employer was unable to free up shifts that fell during their adjusted availability. And still other managers were hesitant to grant schedule requests that were based on employee preference. As one retail store manager put it, "Situations where someone just says 'I don't want to work weekends anymore' won't really be approved."

Managers also spoke extensively about the conditions under which they were most likely to approve scheduling requests. Like other managers, a big box retail manager emphasized the role of both seniority and performance in deciding on employee scheduling requests, noting his attention to "work track

6 "The employer shall conclude the interactive process within three weeks of receiving the employee's request" (2.b., page 11 of final Administrative Rules).

records." Many of our interviewees also stressed their desire to accommodate their employees' personal obligations, including second jobs, child care, and school (said one grocery manager, "I've never said no to any school requests, or anything like that"). Still other managers viewed granting employees' requests for at least shorter-term schedule changes as a sort of employment benefit, as did this manager:

> Manager (grocery store): [I]n our interview process, we let [applicants] know that one of the benefits that we provide, because we're a small business…. We actually don't provide a medical benefit right now, but the benefit we provide is we've never denied a requested day off. We let them have a life outside the store.

With regard to this Ordinance-related scheduling practice in particular, it became clear across our interviews that many of our sampled sites are well underway with plans to change at least their tools and timelines for processing employee schedule requests. While our questions aimed to focus on past, or pre-Ordinance, practice, many managers reported having recently transitioned or being in the process of moving over to new or more streamlined systems for employee requests.

SHIFT SPACING AND RIGHT TO REST

Among managers surveyed, roughly 60 percent reported that their companies had a policy in place regarding the minimum amount of time required between work shifts; somewhat fewer full-service restaurant managers – about half – indicated such. Our interviews with these managers revealed that a diverse array of businesses have adopted such policies, from a big box retail store, to a full-service restaurant, to grocery stores and a coffee shop. The coffee shop manager stated, "[The company] sent out a communication [several] months ago that said, 'We'd prefer it if you did 10 hours between shifts,' because eight hours isn't a whole lot of time for our employees to get home, relax, wind down, and then go to sleep. One of the grocery managers explained that they are required by the company to provide a minimum of 10 hours between shifts, continuing that, "My policy, whenever possible, is 12 hours." A restaurant manager observed that "the company standard is 8 hours minimum between shifts. And if [employees are] working a double, like a day shift and a night shift, we're supposed to give them at least an hour between shifts."

This last interviewee's blending of the terms "double shift" and "day shift and night shift" identifies a potential source of confusion in how the new Ordinance regulates shift spacing: the new minimum 10-hour rest period pertains to two shifts that fall between two calendar days, while "split" shifts – which may sometimes be referred to as "doubles" – are not currently regulated with respect to a minimum rest period between.[7] We aimed to collect and analyze data intentionally on the two-day spread of shifts and rest periods between them, but note that this distinction was not always entirely clear.

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7 Seattle Office of Labor Standards / FINAL Secure Scheduling Rules (Chapter 120) – Updated 04-12-17., pp. 13-14. *Requirement to provide compensation*. The employer shall provide the compensation required by SMC 14.22.035.B regardless of whether the employee requested or consented to work shifts separated by less than ten hours.
SHRR 120-190 Compensation Double shift. A "double shift" occurs when the employee works consecutive work shifts. The employer shall provide the compensation required by SMC 14.22.035.B when a double shift is a. Less than ten hours after the end of the previous calendar day's work shift; or b. Less than ten hours following the end of a work shift that spanned two calendar days.
SHRR 120-200 Split Shifts 1. In general. The requirement to pay additional compensation to the employee who works hours described in SMC 14.22.035.B shall not apply for work hours that constitute a split shift.
2. Split-shift. A "split shift" occurs when the employee's work shift hours are not consecutive and are interrupted by one or more employer-required, unpaid, non-working periods that are between one to four hours and that are not bona fide rest or meal periods.

Managers of a few sites we studied reported that back-to-back shifts were a pretty standard part of doing business. For example, a manager of an apparel retail store explained that the site's employees work back-to-back shifts "maybe like once a week, like a cashier shift.... It kind of just depends on, again, availability, or if someone is requesting a certain day off. It just kind of happens...." A convenience store manager stated that his employees do a combined back-to-back of sorts, explaining that "one day is [a] 15-hour [shift], and the next day they get off." And a full-service restaurant manager explained that his site utilized back-to-back shifts "the majority of the time. [Employees] like working doubles. They enjoy it.... They work less days when they do that. They can work three days a week and get their 40 hours instead of working five days a week, so they enjoy it normally."

The restaurant manager above raised an issue repeated across several discussions of "right to rest": employees' preference for "back-to-back" or condensed work shifts. As a manager in a fast-food restaurant explained:

> **Manager (fast-food restaurant):** I have one lady [who works a back-to-back shift]. She's a single mom. She only works Saturday-Sunday because she has somebody else to take care of the kids. She prefers work[ing] Saturday from 12 to 10 and open [the] next day, like 8:30 in the morning to 4. It's how she works with the kids. If she's fine with that, we're fine with it, too.

Similarly, an apparel store manager said that back-to-back shifts are "very rarely" scheduled, and that "Often it's the employee's choice because they're like, 'I traded with someone because I had something,'... But I would definitely not schedule them [for a clopening]." And a grocery manager noted that "[Back-to-back shifts are] never scheduled that way unless the employee desires it. There are a couple of guys that actually want to do that 'cause they're working second jobs."

The employee group most frequently noted in our interviews to work back-to-back shifts was actually supervisors, including the managers with whom we spoke. Those from grocery stores (two reported working "turnarounds" one or more times weekly with a 10-hour gap between), a convenience store (the only one allowed to work a "clopening" at that site), and restaurants all reported regularly scheduling themselves in this manner, or defaulting to such a schedule whenever the need arose, as this manager explained:

> **Manager (full-service restaurant):** Managers ... get stuck with [less than 8 hours between shifts]. But we're salaried. We try not to do that to servers or anyone, because that's not good. It's counterproductive. If they're tired, that's not good for us.

ACCESS TO HOURS

Across industries, managers reported staffing their place of business within a tight labor budget that was driven by customer demand, for example number of diners, store traffic, or sales. By definition, the more employees on the payroll, the fewer hours available on average for each. When asked in the survey to choose between one of two staffing strategies, 63% chose the statement "I like to keep my staff on the small side to help ensure that employees get hours, whereas 37% chose the statement, "I like to keep my staff on the large side so that I have several employees I can tap to work when needed" [results not in table]. Managers in all three Ordinance-covered business categories thus expressed both strategies, but the majority of managers in full-service restaurants (6 out of 8) chose the strategy of keeping a large staff to maintain labor flexibility, whereas the majority of managers in both retail (15 out of 24) and limited-service establishments (13 out of 16) chose the strategy of keeping a small staff on which to concentrate available hours.

Almost half (45%) of the managers who completed the survey reported that their business already had a policy of offering current employees additional hours before hiring new employees (Table 3). As reflected in the following three managers' reports, however, our interviews suggest that these policies tend to be unwritten, and more a matter of informal manager practice:

> **Manager (fast-food restaurant):** The thing is that if we don't need people, we're not going to hire, because that means we've got to give them some more hours and then we have to cut hours to the people who have been working here for more than two years.... [I]f [those more senior employees] see, "Hey, they're hiring somebody [and] they're cutting my hours," [they may leave]. I just don't want to cut somebody unhappy.
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> **Manager (full-service restaurant):** We have a couple guys who are just here to work the shift and go home, and don't really care about the money. Other people were just like fighting for every [hour].... We rarely hire ..., because people always want more hours.
>
> **Manager (coffee shop):** If I find myself having difficulty writing schedules, before I go to hire I try to work with my team, see if ... any of my current members looking for hours, [I ask employees] "Are you picking up in a bunch of other stores, and I could just have you open your availability and work more with me?"

Several managers reported that a large share of their employees would like additional hours, whereas others indicated that they thought everyone was already getting the number of hours they wanted:

> **Manager (specialty retail store):** [T]hey'll come up to me and say, "Is there any way I can get more hours?" Most of them, yes, would like more hours. They're younger.
>
> ....
>
> **Interviewer:** What proportion do you think are actively wanting more hours?
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> **Manager (apparel retail):** Oh, I would say maybe a good 80 to 90%.
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> ....
>
> **Manager (full-service restaurant):** I don't think any of them want any more hours right now.... But you do have those moments in the slower months, I would say maybe 15 to 20% of them occasionally are like "Hey, can I get a few more shifts?" But that's not often. ... And that's when I try to accommodate week vacations or ... longer trips. And that way, you don't have to demote shifts or hours 'cause you let people go on vacation.
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> ....
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> **Manager (grocery store):** We're lucky enough to be able to schedule everybody the amount of hours that they want, so if someone only wants four days, they're getting four days. If someone wants five days, we can get them five days. I doubt there's many people that want to work more than five days a week, but 90% of our team is part-time employees, meaning they can work up to 40 hours. There's no guarantee of hours, but [if an employee] that has the availability and wants the hours, we'll schedule about 38 hours a week.

About a quarter (28%) of managers reported in the survey that their company limits the proportion of workers who could be hired or moved into a full-time position (Table 3). This was especially the case in retail, where 44% reported that their company limited the percentage of full-timers. The interview data reveal, however, that official employment status (part-time versus full-time) does not always map onto the number of hours employees work. For example, one manager of a coffee shop explained, "They're all labeled as part time, but I'll typically schedule 40 hours for a couple weeks or whatever." Other managers worked in companies where there were rigid restrictions on how hours were distributed among employees, as these three managers attest:

Manager (retail store): I have to schedule [whoever's been here the longest] first, give them the most amount of hours, and then whoever was the last one hired, I have to make sure they have fewer than everybody else.... Typically it's around 38, and the second person will be around 36, and then the next one down is getting about 26.

Manager (full-service restauraunt): We don't really do a lot of full-time hiring. Not to say that once you get here you won't work the 40 hours, depending on business. But, at one point, we were only allowed to schedule 28 hours, but they took that away. You can schedule more than that.

Manager (specialty retail store): We don't give a lot of eight hour shifts to the associates. We usually give them to department heads and supervisors. Obviously, the associates can only have a certain amount of hours per week. Twenty-five hours, I think, is like the top per week.... I guess with healthcare, if you schedule so many hours on average, then you have to offer the medical benefits.... Again, this week, I had an extra 50 hours so I gave some people some extra hours. It just has to be on average under 25 hours.

EMPLOYERS' GENERAL PERSPECTIVES ON SEATTLE'S SECURE SCHEDULING ORDINANCE

Regardless of industry, all of the frontline managers we interviewed expressed a dual commitment to providing decent jobs for their employees and earning a decent profit for their companies. As one specialty retail manager expressed, "In the grand scheme of things, yeah, I'm sure if we didn't get 100% [compliant with Ordinance requirements] right at the get-go, we would probably be okay, but I don't want to do that to my staff, and I'm not comfortable with that for my store." Managers varied a great deal, however, in their familiarity with the Ordinance and its different provisions, the challenges they foresee emerging in the implementation process, the supports to which they have access to facilitate implementation, and the implementation strategies they are developing.

Employers' Familiarity with and Possible Misunderstandings of the Ordinance

Overall, 22 of the 52 front-line managers interviewed, all of whom by sampling design were responsible for scheduling employees at their sites, were unaware of the Secure Scheduling Ordinance until contacted by our research team. Twenty others were well informed about the Ordinance, and the remaining interviewees had heard about the Ordinance but knew few of its details. Most of the managers unfamiliar with the Ordinance were in limited-service establishments (n=10) or convenience stores (n=10). Among the managers we interviewed, those in large retail stores and full-service restaurants were the best informed about the new regulation.

In the course of asking managers how they anticipated implementing the different provisions of the Ordinance, even the well-informed were unclear about some of its provisions. Notably, several managers stated that the Ordinance would require them to post the schedule three weeks in advance of the workweek, rather than the required 14 days advance notice, and others stated that they didn't know what they would do when they "could no longer make any changes to employees' schedules." Our initial analyses further suggest common misconceptions among interviewees concerning the circumstances under which employees are to be compensated for schedule changes. Several interviewees stated that it was their understanding that their business will not be responsible for compensating workers for working additional hours or shifts as long as these additional shifts are offered via mass communication and employees voluntarily pick them up, regardless of the reason the shift becomes available. The Ordinance specifies, however, that additional compensation is not required only when the additional shift becomes available due to the inability of the originally-scheduled employee to work it.[8] Similarly, several interviewees indicated that their understanding is that their business will not have to compensate employees for shortened shifts if they present more than one employee with the opportunity to leave work early; the Ordinance does not include exceptions to schedule change compensation for changes that result in reduced hours.[9] In addition, although the Ordinance specifies that communications announcing available shifts can be restricted to qualified employees, several managers believed that they will have to offer all of their employees the chance to pick up additional shifts, expressing concern that this will impinge negatively on the mix of skills at their location and ultimately on the customer experience.[10]

ANTICIPATED CHALLENGES FOR IMPLEMENTATION

Within and across the covered business categories, employers identified numerous barriers to smooth adoption of the new ordinance. Many of these challenges related to managers' sense of their companies' business strategies and realities as well as established employer-employee dynamics, as identified by these two grocery store interviewees:

> **Manager (grocery store):** Probably the hardest part is just the uncertainty of retail in general. It doesn't have to do with the uncertainty of my employees, because I have great, loyal employees. It's the uncertainty of just the nature of this business, and scheduling. We treat our employees like family…. So I completely understand the need for wanting to have this ordinance. We're in favor of having our employees having a more secure lifestyle. It's just as an employer, it's very difficult to kind of wrap my head around how that would work.
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> ……………………………………………………………….
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> **Manager (grocery store):** The challenge is for the team. It will get tough because it's not fair to the rest of the team if somebody doesn't have their outside life in order 14 days ahead of time, and they want to change the schedule. The rest of the team has the schedule, they know what it is, and then they're going to have to adjust their life because someone is late to the party.

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8 Seattle Office of Labor Standards / FINAL Secure Scheduling Rules (Chapter 120) – Updated 04-12-17, p. 20. *Practices for administering Secure Scheduling requirements for employees working in Seattle* (i.e. Secure Scheduling Ordinance) under SMC 14.22: *Exceptions to compensation for work schedule changes*: SHRR 120-270 Mass communications 1. In general. Compensation for work schedule changes, required by SMC 14.22.050.A, shall not apply when the employee volunteers to work additional hours in response to the employer's written mass communication about the availability of additional hours, provided that the mass communication is a. Only used for additional hours that are the result of another employee being unable to work scheduled hours, and b. Is clear that accepting such hours is voluntary and the employee has the right to decline such hours. SMC 14.22.050.B.2.

9 There are no comparable exclusions for shortened hours similar to that for additional hours, which is stated here: *Ibid*, p., 19. SHRR 120-*270 In-person group communications* 1. In general. Compensation for work schedule changes, required by SMC 14.22.050.A, shall not apply when the employee consents to work additional hours in response to the employer's in-person group communication among currently working employees, so long as such hours are consecutive to the hours the employee is currently working. SMC 14.22.050.B.3.

10 *Ibid*, Exceptions to compensation for *work schedule changes*, SHRR 120-270. *Mass communications*. b. Scope. The employer may choose to limit a mass communication to available employees who, to a reasonable employer acting in good faith are qualified with the skills and experience to perform the work; and to employees who would not incur premium pay required by law (e.g. overtime) or the employer's usual and customary policy

Full-service restaurants provided compelling examples of specific challenges to implementation. Six of the eight managers we interviewed expressed unease that the provisions of the Ordinance would map onto their business in ways that could disadvantage their employees and their bottom line. Some of the issues they raised, but certainly not all, seem to stem from a misunderstanding of the administrative rules. For example, managers were apprehensive that the dining experience would be disrupted and servers would lose out on tips when, per their sense of an Ordinance requirement, the restaurant began specifying shift end times on the schedule and enforcing them, before all of a server's tables may have closed out; the current practice at several full-service restaurants we sampled is to either leave end times blank on the schedule or extend a server's shift until all of their tables are finished. The administrative rules for the Ordinance present the scenario of an employee's asking to stay to complete customer service and collect tips as an example of an employee-initiated schedule change that is exempt from schedule change compensation.[11]

Other concerns presented by managers of full-service restaurants are not a matter of clarity about the law, but instead focus on unique business operations issues such as staffing an outside patio and catering events that occur either at the restaurant or at other venues. In terms of having to change employee schedules because of weather, two full-service restaurant managers indicated on the survey that this happened at least once a week, but the rest said once a month or less (not in table). Restaurant managers were especially concerned with the potential implications of major event cancellations within a two-week window, after the work schedule has been issued. Under the Ordinance, employers will have to pay restaurant staff (servers, cooks, hosts, bartenders) assigned to the event one-half of their scheduled hours. Because such events can be large, the payroll bill for this cancelled labor scenario could be substantial. This provides an incentive for restaurant managers to schedule few staff for events and then, only when it is clear the event will be held, ask more to come in. Such practices could undermine schedule predictability for restaurant staff.

Resources and Supports for Implementation Efforts

The extent to which frontline managers are being supported in transitioning scheduling practices to comply with the Ordinance varies greatly, suggested most basically by the fact that about 40% of those we interviewed had not heard about the Ordinance prior to our contact. We define support as having access to information about the Ordinance itself, strategies for implementation, and tools that make it easier to post work schedules further in advance, track changes to posted schedules, and ensure employees are properly compensated as required by the law. Examples of valued supports that managers noted in our interviews include:

- ***Shift-swapping "apps" (both computer- and mobile phone-based)*** that managers use to post additional shifts for employees to voluntarily pick up and employees use to voluntarily post and pick up shifts. Managers saw the value of such apps not only for helping with mass communication of available shifts and approving shift swaps, but also in establishing an auditable trail of shifts offered and accepted, thus reducing the need for documentation through written or other informal systems.

11 *Ibid*, p. 16. *Employee-requested changes*. "Employee-requested changes" are changes to the work schedule that are initiated by the employee after the employer's advance notice of work schedule required by SMC 14.22.040. Employee-requested changes take a wide variety of forms, including but not limited to, requests due to emergencies (e.g. flat tire) or major life events (e.g. childcare is unavailable); tardy arrivals; food service employee requests to stay past the scheduled work shift to close out a customer's bill and collect the tip; and requests to stay past the scheduled work shift or leave early.

- ***Colleagues in San Francisco*** with relevant experience to help them prepare for the implementation of the Seattle Ordinance. Several Seattle managers in firms with locations covered by the San Francisco scheduling law began implementing provisions of the Ordinance several weeks prior to July 1st :

> **Manager (coffee shop):** [I]t's just more documentation for my guys to use because of the schedule change log. I used that in San Francisco, so it's not anything new for me.

In fact, it was from such a connection to staff at a site of the chain in San Francisco that one of our managers learned the Ordinance may not be that difficult to implement:

> **Manager (specialty retail store):** [W]hen the scheduling ordinance in San Francisco was coming out, [HR there] just planned the worst situations possible. ...When the San Francisco ordinance came about, they had no problems at all, which I found funny. Just the worst possible scenario for every situation, and none of it happened."

- ***The City of Seattle's Office of Labor Standards' information sessions*** on the Ordinance were frequently referred to as helpful for understanding and planning for implementing the regulation, though many still have questions about compliance issues at their location. Several of the managers we interviewed did not know about the sessions.

Numerous managers interviewed, particularly those based in small foot-print sites such as convenience stores and some limited-service establishments, had few if any resources or supports on which to draw in transitioning their scheduling practices to Ordinance compliance. Notably, these were also establishments following scheduling practices that we observed as being very far from compliance. More fundamentally, as noted above, some convenience stores do not post schedules. They were unsure how they would be able to add compensation for schedule changes through their payroll processing systems or how they would establish a system to track schedule changes.

At sites of major national chains with few Seattle locations, a challenge came from the limited attention that some corporate headquarters were paying to Ordinance implementation. Numerous managers at these sites told us that their corporations were not making changes to scheduling and payroll systems, in spite of the sophisticated features of the software, to align with the requirements in the Seattle law. Instead, these managers were planning to set up separate, informal systems at the local level to track the nature of schedule changes, communications to employees about them, and any resulting compensation. As one manager explained,

> **Manager (specialty retail store):** A lot of it is going to come from the backend as far as how people are going to be compensated and what systems are going to change to ensure that people are compensated correctly. HR has [hundreds of] stores to manage and care about. [A few Seattle] stores is a tiny drop in the bucket to them. They haven't really been all that up on it.

IMPLEMENTATION STRATEGIES: POSSIBLE UNEXPECTED CONSEQUENCES AND PROMISING DIRECTIONS

Though, as noted above, many managers were entirely or largely unfamiliar with the Ordinance at the time of our baseline interviews, most of the others had done dedicated thinking about how to adjust their practices, as needed, to the new requirements of the law. In some cases, we estimate that these changes are unintentionally incorrect based on misunderstanding of those requirements; in others, there is a concerted effort to balance compliance with protecting business performance and established relations with employees. And in some cases, employers are devising approaches to implementation that stand to offer models for shifting scheduling to a "win-win-win" model for the City, company, and employees. Readers are cautioned that managers may not follow through on the practices they talked about implementing or may refine them as they gain more experience with the new regulations. The second round of data collection one year after the Ordinance has been in effect will provide information on how managers ultimately responded to the new regulations. These early views offer insight into the challenges managers foresee and into their initial understanding of the law's provisions.

Misconceptions of aspects of the Ordinance appear to have led some managers to change current practices that would not be subject to additional compensation, and to change other practices in ways that will still require additional compensation. On the one hand, some restaurant managers talked about how, before the law, some staff would voluntarily work two shifts (double shifts) during the same day during the peak season when tips are good. One manager said that the restaurant planned to discontinue this practice because the two shifts were usually only 2 to 3 hours apart, not the "10 hours as specified" in the Right-to-Rest provision of the Ordinance and thus, the restaurant would have to pay additional compensation for the entire second shift. But as noted earlier, split (double) shifts do not require additional compensation under the law. On the other hand, several managers who thought that businesses will not have to compensate employees for any shifts conveyed via mass communication spoke about limiting the number of shifts they include on the posted schedule and then later announcing additional shifts for employees to voluntarily pick up. Similarly, several interviewees indicated their plans to present more than one employee with the opportunity to leave work early as a way to avoid compensating employees for shortened shifts. These latter practices still risk incurring the schedule change premium.

Among the managers who had begun thinking concretely about implementation, most were concerned about paying additional compensation for schedule changes. The strategies they shared for addressing this element of the Ordinance provide an example of the range of implementation approaches being developed by managers responsible for scheduling hourly employees working in Seattle's covered businesses.

Several managers said that they would try to comply with both the letter and spirit of the law and would willingly compensate employees for schedule changes when in the best interests of the business and its employees:

> **Manager (specialty retail store):** [It's] really important [that the study] highlight that we're trying to avoid schedule changes, but we still need to run a business and if we're paying a little bit extra that's fine. But knowing what is going to be an in-person communication versus a mass communication and how to balance those two is probably going to be the biggest challenge for us. [We want to avoid] not getting so tied up in the language that we forget what the goal of the law is.

Other managers were contemplating ways to comply with the letter of the law but not necessarily its spirit:

> **Manager (grocery store):** [M]y biggest challenge that I see with this is if I have to write the schedules so far out, which would add another week or more to what I'm already doing now. What I would have to do, and this is where it gets really tricky, …. I would have to create a way to keep everybody super hungry for hours. I would have to over-hire and keep everybody at 32 hours. So when something happened, an injury, a family emergency, sickness, all I would have to say is, I'm not gonna change it, but I have these shifts available… I don't want to do that, but as soon as this all started happening, I got to thinking about how I would do it and that's probably how I would.

> **Manager (apparel retail store):** If I know that this employee has availability, and I know that this [other] employee does not, in order to get around that mass scheduling, I will text both of those people to ask them if they can come in for a particular shift knowing the person that's going to be able to come in. So that's the way around that. Which, I think, is unfortunate, but at the same time, it's easier to text two people than it is to text 10 and get all the responses back, just from a time management perspective.

Conclusion

Across both the survey and interview data we found a wide range of scheduling practices as managers headed into Ordinance implementation. This variation cut across as well as emerged within the three covered business categories; in some cases, we found variation in practices across sites of the same chain, as we have documented in our past studies. While the level of variation in employer practices we found in the data is noteworthy, it is in our estimation typical – and it also reflects points of opportunity for businesses to begin (or continue) to align their practices with the Ordinance's requirements, as well as for the City to take further steps to support that alignment.

As has been our experience in our past research, we observed a disjuncture between managers' survey answers and their responses to in-person interview questions asking about the nuts-and-bolts of the scheduling process. This is not necessarily a matter of respondent confusion or obfuscation, but reflects the complexity of scheduling and business realities. This disjuncture also highlights what we have found to be the distinct value of conducting in-person interviews for generating in-depth understanding of how and why businesses and the managers within them operate as they do, and where points of leverage may lie.

Our research team will continue coding and analyzing the wealth of baseline manager data. We will look more closely in coming weeks at variations across the business categories and sub-categories (e.g., specialty, apparel, big box, within retail). We are also conducting interviews with scheduling and shift-swapping vendors and operations staff in covered businesses to learn about their experiences in helping businesses implement the Ordinance, as well as with other stakeholders about their roles in crafting, passing, and implementing the law.

Looking forward to the "Year 1" evaluation, we will refine our interview questions to gather more detailed data on posting practices and other aspects of compliance, and expand our recruitment efforts to gather both survey and interview data from our baseline sites and additional ones as our budget allows. We anticipate a comparable or even greater range of variation among employer practices a year from now, corresponding in part to the variation in employers' familiarity with and supports for implementing the Ordinance at baseline, as well as differences in their business strategies and operating challenges. We look forward to capturing an array of new insights and identifying promising strategies developed by managers responsible for implementing Seattle's Secure Scheduling Ordinance that balance the needs of employers for labor flexibility with the needs of employees for schedule predictability and stability.

Appendix A: Research Team Structure and Biographies

The Secure Scheduling Working Group includes national experts on labor standards, employer practices, and the conditions of work. Working Group members include:

- Professors Anna Haley from Rutgers University and Susan Lambert from the University of Chicago, who are conducting interviews with frontline managers and other key stakeholders;
- Professors Kristen Harknett from the University of California at San Francisco and Daniel Schneider from the University of California at Berkeley, who are leading efforts to collecting survey data from workers; and
- Professor Jennie Romich from the University of Washington, who is contributing contextual data.

Although individual researchers/teams will be working on discrete parts of the study, the full team will be meeting regularly to ensure that the research projects are complementary and contribute to a full picture of the impacts of the Ordinance.

The West Coast Poverty Center (WCPC) at the University of Washington is coordinating these research efforts and will be the City's point of contact for the evaluation. In the role, the WCPC will organize meetings of the Secure Scheduling Research Team/Working Group; draft reports for City stakeholder review; incorporate feedback from City stakeholders; and present findings at City forums and to community stakeholders, as requested.

Team Biographies

Anna Haley is an Associate Professor at the School of Social Work at Rutgers, the State University of New Jersey. Her research falls within the organizational and management area, investigating influences on employers' choices about designing, managing, and rewarding jobs; the implications of those choices for workers, families and communities; and the interplay between public policy and both employer practices and worker outcomes. Using survey, interview, and mixed method case study approaches, Haley has studied low-wage jobs and the workers occupying them in for-profit, nonprofit and public settings, including retail stores, restaurants, human services agencies, and the US Postal Service. Her research helps to identify and assess "upstream" strategies for changing workplaces and public employment policies to promote economic and social wellbeing. She has previously served on the social work faculties of the University of Washington (2003-9) and University of Wisconsin-Madison (2009-16).

Kristen Harknett is an Associate Professor at the University of California, San Francsico, an Adjunct Associate Professor of Sociology at the University of Pennsylvania, and a Visiting Scholar at UC Berkeley's Institute for Research on Labor and Employment. Harknett's research focuses on how policies impact the lives of low-income families. She has an expertise in policy and program evaluation, having been a lead researcher in assessing impacts of welfare-to-work programs in the U.S. and earnings subsidies in Canada in the 1990s, and is currently leading the impact analysis of a federally-funded responsible fatherhood intervention. She received her Ph.D. in Sociology and Demography from Princeton in 2002.

Shannon Harper is the Research Director at the West Coast Poverty Center at the University of Washington. She works on the Center's student training activities, including the Social Policy Research Fellowship program; authors written products including the Poverty Flash Series and the Dialogues on Research and Policy; and works to convene academic researchers, policymakers, practitioners, and funders through the WCPC Roundtables and the WCPC's annual Poverty Summit. Prior to joining the WCPC, Shannon worked in Washington, D.C. and Oakland, California, doing research on the effects of welfare reform at the state and national levels. She holds an M.A. in Sociology from the University of Washington.

Susan J. Lambert is a Russell Sage Visiting Scholar (2016-17), Associate Professor in the School of Social Service Administration at the University of Chicago, and co-Director of the Employment Instability, Family Well-Being, and Social Policy Scholars Network (EINet). Lambert studies how employer practices shape the quality of low-level jobs, the lives of low-paid workers, and inequality in society. The sites for Lambert's research span both production and non-production industries, including retail, hospitality, financial services, transportation, and manufacturing, and both publicly-held and family-owned firms. Her research includes comparative organizational case-studies and randomized workplace experiments as well as analyses of national data on the prevalence of precarious scheduling practices in today's US labor market. Lambert's research appears in leading journals, including the *Academy of Management Journal, Human Relations,* and *Social Service Review,* edited volumes, and policy briefs, and is supported by grants from the Russell Sage Foundation, Robert Wood Johnson Foundation, Kellogg Foundation, Ford Foundation, Annie E. Casey Foundation, and Washington Center for Equitable Growth. Lambert regularly advises policy advocates, labor groups, employers, and government officials on strategies to improve scheduling practices in hourly jobs.

Jennifer Romich is an Associate Professor in the UW School of Social Work. Romich studies resources and economics in families, with a particular emphasis on family budgets and interactions with public policy. Her current and recent poverty-related projects include ongoing research into effective marginal tax rates created by means-tested benefit schedules and the tax system; a study on the effects of highway tolls on low-income households; research into financial services used by low-income consumers; and an ethnographic study of financial well-being among families served by the Seattle Housing Authority. Romich is the Director of the West Coast Poverty Center and an active member of the Center for Studies of Demography and Ecology. She earned a doctorate in human development and social policy from Northwestern University.

Daniel Schneider is an Assistant Professor of Sociology at UC Berkeley where he is also an affiliate of the Institute for Research on Labor and Employment, the Berkeley Population Center, and the Berkeley Opportunity Lab. His research focuses on social demography, inequality, and the family. His current work examines how economic inequality and precarious employment affect family formation, health, parenting, and child wellbeing. He received his Ph.D. in Sociology from Princeton in 2012 and was a Robert Wood Johnson Scholar in Health Policy Research at Berkeley from 2012-2014.

Appendix B: Feedback from Stakeholders

The City of Seattle would like to ensure that interested stakeholders, including businesses, business organizations, and worker organizations, have an opportunity to provide feedback on draft reports prepared by the Secure Scheduling Ordinance Evaluation Study Team. On November 13, 2017, the City of Seattle's Office of Labor Standards convened the Secure Scheduling Stakeholder Rules Group to gather input from the Group on a preliminary draft Baseline Report prepared by the research team.

Over 30 members of the Stakeholder Rule Group reviewed the draft report and/or attended the November 13, 2017 meeting. Researchers from the Secure Scheduling Ordinance Study Team described the methodology, presented the baseline data, answered questions, and received direct feedback from the stakeholders in attendance.

In addition, the City received the attached two documents comprising the formal written comments from six member organizations of the Stakeholder Group:

- May 4, 2017 letter from the Seattle Restaurant Alliance, the Seattle Metropolitan Chamber of Commerce, and the Retail Industry Coalition of Seattle; and
- November 22, 2017 comments on the preliminary draft Baseline Report from Working Washington, the Restaurant Opportunities Center-Seattle, and United Food and Commercial Workers Local 21.

The input from the members of the Stakeholder Group has been helpful to the City of Seattle and to the Secure Scheduling Ordinance Study Team in identifying necessary clarifications to the Baseline Report and considerations for the next report that will be drafted by the Study Team covering the first year of the Secure Scheduling Ordinance's implementation. Below are comments from the researchers describing how the stakeholder input will be incorporated in the evaluation.

Response from Daniel Schneider (University of California Berkeley) and Kristen Harknett (University of California San Francisco) regarding the Worker Survey:

We appreciate the stakeholder input on the "Worker Survey" portion of the baseline report. As we note in the report and as suggested by Working Washington (WW), the Restaurant Opportunities Center (ROC)-Seattle, and United Food and Commercial Workers Local 21 (UFCW 21) in their letter, in future work we will weight the survey data to reflect the demographics of workers in the target population (drawing on the American Community Survey) and to account for the actual industrial composition of the sector (drawing on the Reference USA database). This work will be reflected in the one-year follow-up report that will also assess how work hours and schedules change between baseline and follow-up. As we note in our discussion of future work in the Baseline Report and as raised by WW/ROC/UFCW 21, it will be important to construct a reasonable comparison group. We will be constructing comparison groups from neighboring areas, and also from other cities nationally.

Response from Susan Lambert (University of Chicago) and Anna Haley (Rutgers University) regarding the Frontline Manager Interviews:

The researchers greatly appreciate the feedback received and are pleased that stakeholders are invested in helping to ensure the study accurately captures employers' scheduling practices and experiences. With respect to recruitment of managers for study participation, achieving a balanced and non-biased sample is indeed difficult, and we spent many weeks developing our sample of businesses and recruiting their frontline managers. It was not our goal to precisely represent the percentage composition of various types of covered businesses within Seattle but, rather, to reveal the range of variation in current scheduling practices in the different types of covered businesses. Thus, in the baseline study, we created a sample of firms that prior research and theory suggested would likely vary in their current scheduling practices. We then systematically sampled specific workplaces in different neighborhoods in Seattle that would illuminate variation not only across the three types of covered businesses– retail, limited-service and full-service restaurant – but also variation within each category (e.g., retail: apparel, big-box/department store, and grocery stores; limited-service restaurants: coffee shops and fast food restaurants; full-service restaurants: family and fine dining). We expect to make only modest modifications to this sampling strategy in the Year 1 evaluation.

We, too, are concerned about issues of bias in recruitment – the possibility, for example, that managers with more favorable practices, or stronger opinions, may be more likely to participate in a study of this kind. We take some confidence in the fact that 22 of the 52 managers we interviewed had not heard of the ordinance before we interviewed them (and so had no opportunity to formulate an opinion). But we will be especially mindful of potential participant bias moving into the second phase of this study, that is, after implementation when both familiarity and opinions about the ordinance will be predictably more widespread and varied. We hope that others in the community will encourage managers to participate in the study so that their voices are incorporated in the evaluation of Seattle's Secure Scheduling Ordinance. A high participation rate is the best defense against this type of bias.

Finally, with respect to the focus of the report's section on frontline managers' "intentions" to comply with different provisions of the ordinance, we understand that managers' plans will not necessarily correspond with actions ultimately taken. On the one hand, good intentions for compliance may fall short of actual practice; on the other hand, concerns that seemed insurmountable at the outset may turn out to be easily overcome. These are exactly the kinds of issues we seek to address in the Year 1 evaluation. We look forward to gathering data on how managers were ultimately able to respond in the first year of implementation of the Ordinance.

Office of City Auditor
David Jones, Auditor
P.O. Box 94729
Seattle, WA 98124-4729

May 4, 2017

Dear Mr. Jones:

Our organizations and members have recently been contacted by a research assistant at the University of Chicago on behalf of Professor Susan Lambert and Professor Anna Haley-Lock to participate in the Seattle Secure Scheduling Ordinance Study. Our organizations will not be participating in this study as currently structured, nor will we recommend participation of our members.

We support the collection of data about impacts of the Secure Scheduling Ordinance. In fact, we believe it is critical the City collect this data. However, an objective assessment cannot be carried out by individuals who have advocated for the passage of scheduling legislation across the nation.

Professor Lambert, through her writings and presentations before legislative bodies across the country, (including before the Civil Rights, Utilities, Economic Development and Arts Committee) has advocated for scheduling legislation. This advocacy includes an op-ed in *The New York Times* (https://www.nytimes.com/roomfordebate/2014/07/23/new-rules-for-part-time-work/stability-is-good-for-employees-and-bosses). Professor Anna Haley-Lock participated in a panel hosted by Working Washington, advocating for the Seattle scheduling ordinance.

To hire researchers who have publicized beliefs on the issue to be analyzed, regardless of the side on which they fall, makes it impossible for anyone to believe the results will be unbiased. If the tables were turned and the researchers were decidedly against scheduling legislation based on previous advocacy, we would expect scheduling legislation advocates to feel the same.

The ordinance directs the City Auditor, in collaboration with the Office of Labor Standards, "to contract with academic researchers who have a proven track record or rigorous analysis of the impact of labor standards regulations to conduct an evaluation of the impacts of the ordinance." See S.M.C. Chapter 14.22.130. This requirement can, and must, be accomplished by contracting with academic researchers with not only a proven track record of rigorous analysis, but a proven track record in objectivity.

The mission of your office states "we serve the public interest by providing the City Council, the Mayor, and City department heads with accurate information, ***unbiased analysis, and objective recommendations*** on how best to use public resources in support of the well-being of the residents of Seattle."

The most casual review of Professor Lambert and Professor Haley-Lock's work shows that it is not possible for them to provide unbiased and objective recommendations on the topic of scheduling legislation. The Secure Scheduling Ordinance could have a major impact on Seattle restaurants and retailers, as well as on the people who count on those businesses for their employment. If the results of the study are to be used by the City to make determinations about alterations to the Secure Scheduling Ordinance in the future, it is imperative your office contract with neutral, third-party researchers.

Sincerely,

John Lane
Director of Local Government Relations
Seattle Restaurant Alliance

Mindi Linquist
Mindi Linquist
VP of External Relations
Seattle Metropolitan Chamber of Commerce

John Engber
Director
Retail Industry Coalition of Seattle

Cc:

Honorable Edward Murray, Mayor

Honorable Lisa Herbold, Chair, Civil Rights, Utilities, Economic Development and Arts Committee

Dylan Orr, Director, Office of Labor Standards

Brian Surratt, Director, Office of Economic Development

SECURE SCHEDULING BASELINE STUDY FEEDBACK – NOVEMBER 22ND, 2017

Working Washington, Restaurant Opportunities Center–Seattle (ROC–Seattle), and UFCW 21

Employee baseline study

- Compare demographics of survey compared to actual demographics of foodservice and retail workers: one of the issues that the Secure Scheduling Ordinance attempts to address is some of the inequity present among women and people of color in hourly retail and food service jobs. The percentage of responders who identify as Black or Hispanic seem low compared to previous data. The Seattle minimum wage report from 2014 indicates 10-13% of low-wage workers are Black, and the overlap for employees covered by this ordinance likely overlap significantly. Yet only 3% of survey responders identified as Black. Additionally, a significant number of covered workers may be undocumented, and this may be worth noting when attempting to identify the overall impact of the ordinance.

- Break down statistics by industry: The amount of changes that must be made to workplace policies in order to comply with the ordinance will vary significantly by employer and industry. If the workers surveyed do not represent the industries present in Seattle proportionally, then results that are purported to reflect all covered workers may be skewed. Additionally, if these proportions change in future surveys, these errors could be compounded as different industries will see varying impacts after implementation. When breaking down by industry, researchers should be mindful of trends while categorizing (e.g. if coffee shops have 0% reported clopening, and they are categorized with restaurants with 30% reporting clopening, then the category may require additional granularity to accurately capture the baseline).

- E.g. Suppose 50% of SSO covered workers are restaurant workers, and 40% of restaurant workers experience clopenings; and 50% of covered workers are retail, and 0% experience clopenings. In this example, 20% of all covered workers experience clopenings. If restaurant workers only make up 25% of the surveys, and 75% were retail, then clopenings would be underreported, and the survey results would indicate only 10% of covered workers experience clopenings.

- Include union density in industry when possible, or impact of SSO by employer: The SSO allows for union contracts to have modified scheduling provisions that may not precisely reflect the provisions within the ordinance, and so it may be difficult to measure the impact of the ordinance in follow-up surveys. Additionally, union contracts may have already included some scheduling provisions before the ordinance passed. For survey responders, a large number appear to be grocery workers, an industry with high union density in Seattle. If these workers are overrepresented in the surveys, it could skew the baseline statistics. If sample size permits, include a measure of impact within individual employers or union vs. non-union comparison.

- Include questions to determine part-time to fulltime: One of the components of the SSO is access to full-time hours. One of the reasons a survey responder may answer that they do not want additional hours is that they work two jobs already. The employee could maintain the same number of hours, but move to full-time at one employer. In addition to tracking how many hours an employee works overall, also include data on the shift to full-time in the future.

- Include controls for comparison cities to account for scheduling practices "bleeding" over to surrounding areas: One of the ways the researchers intend to measure the impact of the ordinance is to compare Seattle with neighboring cities. As the researchers stated, scheduling practices are changing nationwide without legislation already. For areas near Seattle, due to competition for workers, and some shared franchises with locations in and out of the city enacting provisions outside of Seattle, researchers should take caution when comparing these data sets. Improvement in scheduling practices in the region surrounding Seattle cannot be separated from this "bleed-over" effect, and we expect some businesses in nearby cities to adopt better scheduling practices, and for union contracts outside of Seattle to include these provisions as well.

Employer survey

- Employer sampling concerns: The researchers took good steps to try to interview managers from a range of establishments and locations, though similar concerns as the worker survey exist here regarding whether the employers represent the covered industries in Seattle as a whole. The study indicates some difficulty in setting up these interviews with managers. There is a concern that there might be some participation bias among management, specifically those with knowledge of the ordinance and who have an opinion they would like to share, or feel they already provide good schedules. While the researchers feel that this was not a concern for the baseline study, and they felt that management was adequately candid with their responses, it is possible that management response might differ when the stakes are higher. Now that the law is in effect, managers would be responding with whether or not they are in compliance with the law rather than just their initial opinions. This may make it more difficult to get responses from employers with scheduling practices that do not comply with the ordinance.

- Remove section or include an analysis of employers stated intentions in response to the ordinance: Anticipating employer response to legislation is difficult. The stated response of what businesses intend to do does not typically reflect what actually occurs. For example, many employers stated they would cut jobs before the minimum wage was raised, which is not reflected in actual data. Instead, responses to what businesses will do in response to the Secure Scheduling Ordinance may serve as a measure of how businesses feel about the law, but there does not seem to be any merit to these responses from an impact standpoint. If the researchers feel inclined to keep these responses included, then an analysis of business intentions as a research tool in general should be included. I.e. how accurate were survey questions from businesses preceding other labor standards? This should help guide the reader in interpreting this information, whereas the reader might take the employer's stated intentions at face value, which provides a skewed perception of the impact on business that frequently overstates the difficulties in enacting new standards. In addition, many of the ways employers stated they would attempt to minimally comply with the law "to the letter but not the spirit" are in fact in violation of the law. Therefore, either the predictions of the impact and changes that will be made by employers are inaccurate as reported, or the managers have admitted they will be violating the law. It is more likely that they will not, for example, chronically under-schedule as one example stated, rather they will simply find a way to make it work without the downside that they presented.

- For follow-ups employer interviews, include how the researchers will prevent participation bias: It is plausible that the sample could be skewed in the baseline study; managers with bad practices seem less likely to come forward, and managers with an opinion on the new ordinance seem more inclined to be interviewed. The researchers are best able to determine the merits of this concern—though some challenge in setting up interviews was acknowledged. However, once the ordinance is in effect, the stakes are higher for employers. Employers who know or believe they may be in violation of the ordinance would be highly incentivized to decline an interview.

Attachment B

West Coast **POVERTY CENTER**

UNIVERSITY *of* WASHINGTON

THE EVALUATION OF SEATTLE'S SECURE SCHEDULING ORDINANCE:

Year 1 Findings

December 20, 2019

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Highlights from the Year 1 Evaluation of Seattle's Secure Scheduling Ordinance

Seattle's Secure Scheduling Ordinance (SSO) went into effect on July 1, 2017. The SSO was one of the nation's first laws regulating workers' schedule predictability. The SSO covers hourly workers at retail and food service establishments with 500 or more employees worldwide and at full-service restaurants with at least 500 employees worldwide and at least 40 locations. The Ordinance called for an evaluation of the law's impacts in the first and second years after passage. The Seattle Office of City Auditor engaged a team of researchers with expertise in working conditions to produce the evaluation. The evaluation consists of two complementary parts:

- A **Worker Impact Study** evaluates the impacts of the Secure Scheduling Ordinance on the work schedules reported by Seattle covered workers.
- An **Employer Implementation Study** examines the implementation of the SSO as reported by frontline managers responsible for scheduling workers in covered worksites.

This report contains findings from the first year of implementation. Because the SSO provisions are multi-faceted and complex, they can be expected to take time to fully implement.

The **Worker Impact Study** found two noteworthy changes in the work schedules of Seattle retail and food service workers in the first year after implementation.

- The SSO increased the share of workers receiving their schedules at least 14 days in advance by 20%.
- Although the SSO did not lead to a decline in employer-initiated shift changes, the SSO more than doubled the share of workers who were compensated with predictability pay when these shift changes did occur.

During the first year of implementation, the SSO had not generated significant changes in reported work hours or in reports of "clopening" (closing and opening shifts that are spaced by less than 10 hours), on-call, or cancelled shifts.

The **Employer Implementation Study** revealed that covered employers have been changing their practices to align with the SSO, and many managers described practices that showed meaningful progress toward that goal. Even so, and as might be expected with any complex legislation, frontline managers are still learning how to implement the SSO into daily business practice. At Year 1:

- nearly all managers interviewed were familiar with the SSO, but many reported that they still lack sufficient knowledge to fully and consistently comply with the SSO.
- managers' scheduling practices were most strongly aligned with SSO provisions regulating advance schedule notice, shortening or cancelling shifts, and shift spacing; practices were less strongly aligned with provisions around documentation, offering newly available hours to current employees, and providing written good-faith hours estimates.
- managers expressed substantial confusion as to when a schedule change requires predictability pay.

The changes detected in the first year of implementation suggest that the law is affecting some key aspects of both employers' scheduling practices and workers' scheduling experiences; additional changes might occur as implementation progresses. Making sure that employers and workers are aware of the ordinance, and enforcing its provisions, will require ongoing effort. The Year 2 study will explore how the experiences of workers and employers change as the process of aligning practices with the SSO continues.

I. Executive Summary

Seattle's Secure Scheduling Ordinance (SSO) was passed in September 2016 and went into effect on July 1, 2017. The SSO was one of the nation's first laws attempting to address schedule predictability.

The Secure Scheduling Ordinance[1] covers hourly workers at retail and food service establishments with 500 or more employees worldwide and at full-service restaurants with at least 500 employees worldwide and at least 40 locations. The SSO's major provisions require employers to provide covered workers:

Good faith estimate
For the upcoming year, employer must provide a written forecast of employee's median hours per work week and whether to expect on-call shifts.

Right to request input into work schedule
Before the work schedule is posted, employer must grant schedule requests related to a major life event (employee's transportation, housing, other job(s), education, caregiving, and self-care for serious health condition) unless the employer identifies a bona fide business reason (significant cost or disruption).

Advance notice of work schedule.
Employer must post work schedules 14 days in advance.

Right to rest between work shifts
Employer must pay time-and-a-half for any hours worked between closing and opening (clopening) shifts that are separated by less than 10 hours.

Access to hours for current employees
Before hiring new employees, employer must post notice of available hours for 3 days and offer the hours to qualified, current employee(s), subject to exceptions.

Premium pay for work schedule changes after schedule is posted[2]

- Additional hours: Employer must provide an additional hour of pay, plus wages earned.
- Subtracted hours: Employer must pay for half of the hours not worked, plus wages earned, for regular and on-call shifts.

The Ordinance called for an evaluation of the law's impacts in the first and second years after implementation. This evaluation effort is unique in that it includes both employees' and employers' perspectives and allows for the estimation of impacts of the SSO. The Seattle Office of City Auditor engaged a team of researchers with expertise in working conditions to conduct the evaluation.[3]

A baseline report captured information about scheduling conditions and practices shortly before the SSO went into effect.[4] The baseline report revealed that only about four in ten workers at businesses that would soon be covered by the SSO were familiar with the law and that substantial shares of those workers experienced some scheduling practices that would be regulated by the SSO's provisions. Among employers, the baseline study found large awareness gaps among frontline managers at businesses that would be covered by the SSO and varying levels of understanding of and preparation for the impending changes required by the law.

This one-year report extends this earlier work by presenting impacts of the SSO on workers' schedule experiences over a short-term follow-up period and by describing the first year of implementation of the SSO from the perspective of frontline managers responsible for scheduling workers. This report has three parts:

- this summary which provides an overview of the evaluation along with key findings from the Year 1 study
- the Year 1 impact report from the study of workers (Part II)
- the Year 1 implementation report from the study of covered employers (Part III)

1 The Secure Scheduling Ordinance is Chapter 14.22 of the Seattle Municipal Code.
2 The SSO includes various exceptions to the premium pay requirement, including employee requests for schedule changes or shift swaps with another employee, employer reduction of hours due to disciplinary reasons, and several others.
3 The composition of the team is detailed in Appendix 1.
4 The baseline report is available online at: https://www.seattle.gov/Documents/Departments/CityAuditor/auditreports/SecureSchedulingReport.pdf.

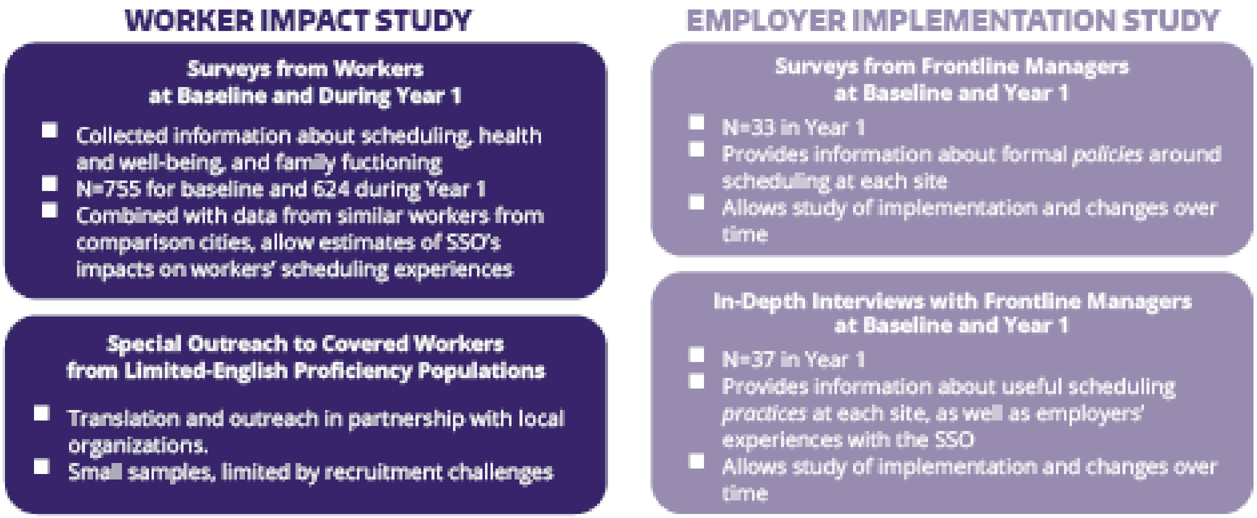


Figure 1. Overview of the two parts of the SSO Evaluation

Evaluation Overview

The Year 1 evaluation consists of two complementary parts (Figure 1):

1. A study focused on employees' scheduling experiences during the first year of implementation, which estimates short-term impacts of the SSO on scheduling experiences; and
2. A study focused on how employers are implementing the Ordinance along with their thoughts about the Ordinance's provisions.

Monitoring conditions from the perspectives of both covered employees and managers provides a more complete picture of how the Ordinance is being implemented and experienced. These two studies fulfill different objectives and therefore employ different methodological and sampling approaches. Because the objective of the worker study is to rigorously estimate the impacts of the SSO on workers' schedule experiences, this study is designed to capture the average effects of the SSO. In contrast, the objective of the employer study is to reflect the variation and range of experiences reported by managers during the period in which the SSO was implemented. For these reasons, the findings from the two studies are not designed to be directly comparable and aligned, but rather are designed to provide distinct and complementary findings.

Worker Impact Study

Researchers Kristen Harknett (University of California, San Francisco) and Daniel Schneider (University of California, Berkeley) led the effort to understand the impacts of the SSO on covered workers.

Figure 2. Expected short and longer-term effects of the SSO

In the short-term, the Ordinance's provisions attempt to reduce scheduling practices that contribute to unpredictability in scheduling, insufficient hours, and short breaks between shifts. If these provisions are implemented as intended, we can expect that the SSO will have both short- and longer-term impacts for covered workers (as shown in Figure 2). For this Year 1 report, the research team focused on workers' scheduling experiences during the first year of the SSO. The Year 2 report will explore whether covered employees experience further changes in their schedules, and perhaps in other outcomes related to their health and well-being, during the second year of implementation.

Data and Analytic Approach

The scheduling practices of large employers such as those covered by the SSO are likely to be affected by many factors other than the SSO. For instance, conditions in the broader economy and regional labor market will also affect how employers staff their businesses and schedule their employees. To isolate the impacts of the SSO, the research team compared changes in scheduling practices among covered employees in Seattle before and after implementation of the SSO with changes in the experiences of workers at the same set of employers in other locations with policy environments similar to Seattle but without secure scheduling protections. The logic of this "difference-in-differences" approach is shown below.

Figure 3. Difference-in-difference approach for estimating effects of the SSO

Change among workers covered by the SSO in Seattle between Baseline and Year 1 − Change among workers at the same businesses in comparison cities between Baseline and Year 1 = Estimated Impact of SSO

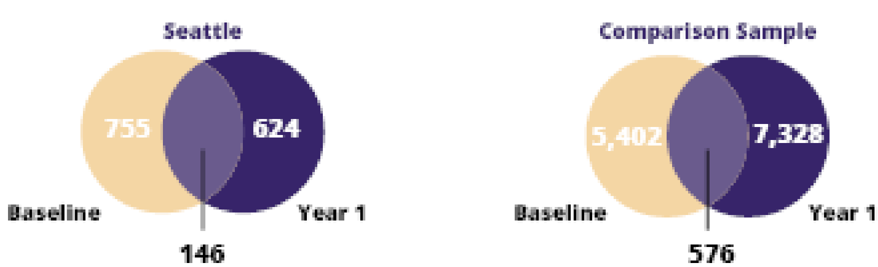
To make these comparisons, the researchers collected survey data from covered workers in Seattle and from similar workers in comparison cities before and after the SSO took effect.[5]

Finding covered workers is a challenge as the SSO applies only to hourly workers at roughly 1,000 covered businesses in Seattle. There is no existing list of employees at just those establishments, and attempting to contact workers at their work sites would be difficult and costly and might cause workers to fear retaliation for participating in the study. Instead, the research team used targeted advertisements on Facebook and Instagram, directed to individuals who work for retail and food service employers covered by the SSO in Seattle and in other comparison cities.

Users who clicked on the advertisements were routed to an online survey that could be filled out on either desktop or mobile devices. The survey collected information about job characteristics; scheduling experiences that align with provisions of the SSO; household finances; demographics; and worker health and well-being. Individuals who took the survey received incentives such as entry into a drawing for an iPad or a gift card.

Figure 4 shows the sample sizes for the Seattle and comparison city groups for each wave of data collection. A subset of respondents in each sample participated in both waves of data collection. Part II includes more details about the sample composition and how it compares with the characteristics of the local workforce in covered industries.

Figure 4. Seattle and comparison city sample sizes for Baseline and Year 1 worker data collection



Covered Workers from Limited-English Proficiency (LEP) Populations

In addition to monitoring overall impacts on covered workers, the Seattle City Council wanted to ensure that the scheduling experiences of limited English proficiency (LEP) populations were captured in the evaluation. The Seattle Office of City Auditor worked with Seattle's Office of Labor Standards (OLS) and community-based organizations to recruit participants to take the worker survey for the baseline and Year 1 data collection efforts. Finding covered workers from this population proved to be difficult, and the Year 1 efforts yielded too small a sample to be used in this analysis. Appendix 2 describes these efforts and some of the challenges reported by the organizations involved in recruitment as well as plans for the Year 2 follow-up.

5 The comparison cities include Baltimore, Boston, Buffalo, Chicago, Cleveland, Columbus, Denver, Detroit, Hartford, Jacksonville, Los Angeles, Miami, Minneapolis-St. Paul, Orlando, Phoenix, Portland, Providence, Riverside, Rochester, Sacramento, San Diego, St. Louis, Tampa, and Washington D.C. The small number of cities that already had scheduling laws in place in 2017 or 2018 were intentionally left out of this group.

Key Findings from the Worker Impact Study

During the first year of implementation, the SSO is estimated to have had two significant impacts in line with the SSO's intent:

- The SSO increased the share of workers receiving their schedules at least 14 days in advance by 20% (a 9.3 percentage point increase).
- The SSO increased the share of workers getting compensation for employer-initiated changes by 7 percentage points, more than doubling the share who received extra compensation.

Because the SSO provisions are multi-faceted and complex, they can be expected to take time to fully implement. Therefore, these positive impacts over a short-term follow-up period are noteworthy. However, during the first year of implementation, the SSO had not generated significant changes in reported work hours or in reports of clopening, on-call, or cancelled shifts.

Because enforcement of the SSO is "complaint-driven" -- meaning that the Office of Labor Standards (OLS) investigates compliance with the SSO at particular companies only when they receive a specific complaint from a worker -- a first step in ensuring enforcement is educating workers about the SSO and its provisions. The workers study assessed workers' awareness of the SSO at baseline and in the short-term follow-up. Awareness of the Secure Scheduling Ordinance among covered workers increased slightly (from 40% to 44% of workers) between the baseline survey and the Year 1 surveys. Awareness was slightly lower (35%) among workers who reported speaking a language other than English at home. Although many workers knew about the Ordinance, the majority of surveyed workers did not.

These results reflect the impacts of the SSO in the first year after implementation. The Year 2 follow-up report will provide another chance to assess impacts on work schedule outcomes as well as some measures of worker well-being during the second year of implementation.

Employer Implementation Study

To explore how the SSO is being incorporated into business practices among covered employers, Professors Susan Lambert (University of Chicago) and Anna Haley (Rutgers University) and their research team collected data from frontline retail and food service managers about their scheduling practices and their firms' policies a year after implementation of the SSO. This "employer side" of the evaluation approaches the study of policy implementation as an ongoing process rather than a static outcome.

The baseline study revealed wide variation in frontline managers' awareness of the SSO and in how closely aligned baseline practices were with its mandates. At Year 1, the team revisited frontline managers to understand how they have started implementing the SSO's provisions and their experiences with that process.

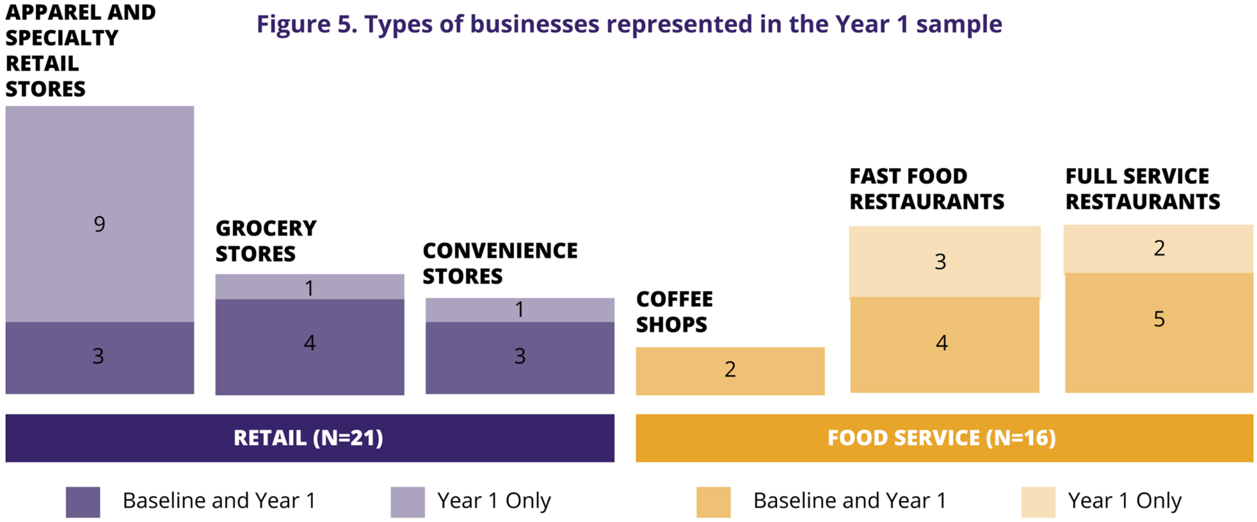
Sample and Data

For the study of frontline workers, the researchers approached frontline managers at covered businesses selected to represent variation by type of business, size, neighborhood, and price point. They collected data from 37 frontline managers at covered businesses in Seattle in the fall of 2018 and spring of 2019. Twenty-one of these business sites (though not necessarily the same individual respondents) were also part of the baseline sample. The types of businesses represented in the Year 1 sample are shown below in Figure 5. Additional details about the businesses included in the sample are available in Part III.

The researchers used two data collection instruments:

1. A 30-item survey asking for basic information about the site as well as whether the site operated under policies that fit each of the SSO provisions (N=33); and
2. A more extensive interview protocol that asked in-depth questions about the nature of scheduling policies and practices; processes of scheduling employees with respect to each of the SSO's provisions; and the support that managers received in implementing the new SSO requirements (N=37).

Figure 5. Types of businesses represented in the Year 1 sample



The interviews and surveys are complementary. The surveys capture managers' awareness about the existence of formal policies related to scheduling while the interviews allow the researchers to get details about how scheduling policies unfold in practice. Findings from the survey and interview data sometimes seem to conflict, but the researchers view these discrepancies as reflecting the significant complexities of implementing such a detailed regulation, and the common gaps that arise between policy "on paper" versus policy "in practice."

Key Findings from the Employer Implementation Study

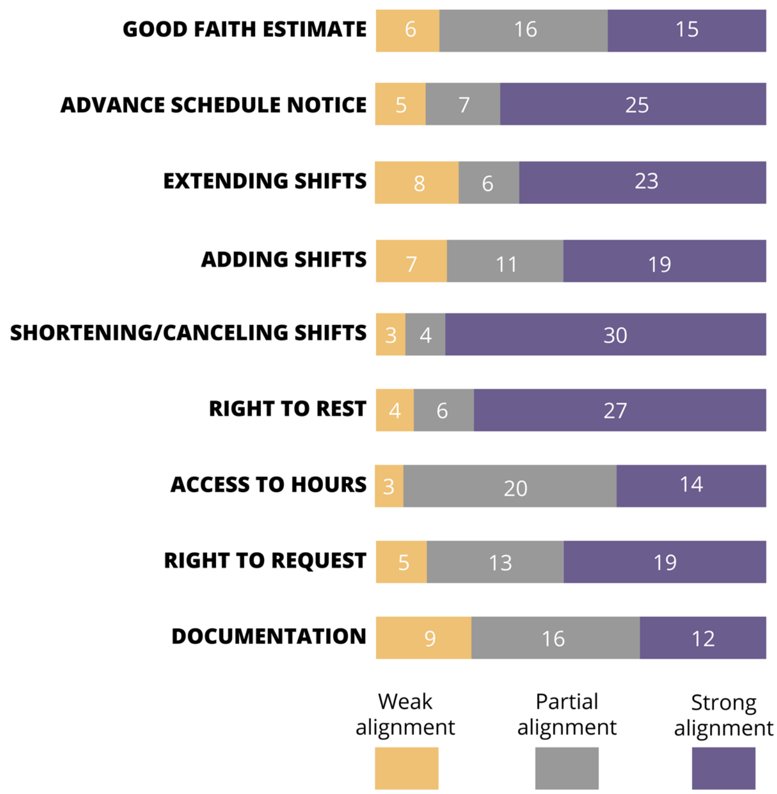
- **POLICY ADOPTION.** In the survey of frontline managers, a majority reported that their work sites have policies in place for dealing with many aspects of the SSO at Year 1 (Figure 6).
  - Large shares of managers reported company adoption of policies involving advance notice of employee schedules (91%) and the right to rest between shifts (85%). Policies about maintaining documentation about schedule changes and responding to employee requests for long-term schedule changes were less common.
  - Of the subset of 20 businesses surveyed at both baseline and Year 1, nearly all reported increasing their adoption of SSO-relevant scheduling policies relative to the baseline period (not shown).

Figure 6. Proportion of managers at Year 1 reporting a site policy related to:

ALIGNMENT WITH SSO PROVISIONS. Findings from the 37 interviews tell a slightly different and more complicated story about the extent and alignment of worksites' scheduling practices with the SSO provisions. When the researchers compared practices described in detail with the SSO's provisions, they found some cases where even when a policy is reported in the survey data, the interview reveals that actual practice is not aligned with SSO requirements, and other cases in which managers have, in fact, adapted their practices to align with the new regulations even in the absence of reporting a formal site policy.

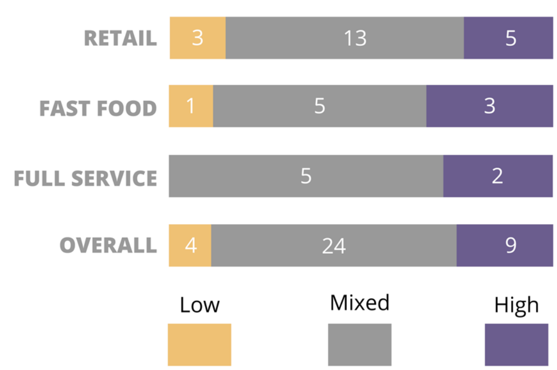
- For most of the SSO provisions, only a small share of employers across business types exhibited weak alignment as coded by the research team (Figure 7).
- Looking by provision, managers' scheduling practices were most strongly aligned with provisions regulating advance schedule notice (67%), shortening or cancelling shifts (81%), and shift spacing (73%). Manager-reported practices were less strongly aligned with SSO provisions around documentation, offering newly available hours to current employees, and providing written good-faith hours estimates.
- When looking at overall alignment across all provisions (Figure 8), ten worksites demonstrated high comprehensive alignment, that is, they were strongly aligned on seven or more SSO provisions. Only four showed low comprehensive alignment (weak alignment on four or more provisions); the remaining 24 worksites exhibited strong alignment on some provisions, weak alignment on others, and moderate alignment on some.
- Alignment with requirements of the SSO is a work in progress. Among the subset of 21 sites for which there is data before and after SSO implementation, all moved closer to alignment on at least one provision, with some coming closer to alignment on multiple provisions.

Figure 7. Extent of alignment with SSO provisions (n=37)



Note: The extent of alignment with SSO provisions was determined by the research team based on practices described in the interviews.

Figure 8. Degree of comprehensive alignment with SSO by business category (n=37)



Note: High comprehensive alignment is defined as being strongly aligned on seven or more of the nine SSO provisions rated by the researchers in Table 6 (coded as "1s"); low comprehensive alignment includes sites that were rated as weakly aligned (3s) on four or more provisions.

- **IMPLEMENTING SPECIFIC PROVISIONS.** In the interviews, managers described strategies they are using to implement specific SSO provisions. These detailed discussions revealed some of the challenges managers seem to be facing as they work to align their practices with the SSO and also the progress they are making.
  - **SCHEDULING CHANGES:**
    - **ADDING SHIFTS.** Across the covered industries, managers do not appear to be trying to avoid adding shifts after the schedule has been posted. While some managers described how paying for shift additions is becoming part of everyday practice, others revealed various strategies for trying to avoid having to compensate employees for shift additions. The interviews suggest confusion on the part of some managers on when they are required to pay the schedule change premium under this provision.
    - **EXTENDING SHIFTS.** Many sites have moved into alignment with the rules governing shift extensions over the first year of SSO enactment. However, eight sites described practices weakly aligned with this provision, primarily because of misunderstanding of when the schedule change premium is required.
    - **SHORTENING/CANCELLING SHIFTS.** Due to awareness of the premium pay requirement under the SSO, many managers noted that they now try to avoid shift cancellations. As a result, only a few managers indicated that their worksite had paid the schedule change premium for shift cancellations or reductions.
  - **ADVANCE NOTICE.** Practices related to providing 14-day advance notice are among the most aligned with the SSO's requirements. Approximately half of the 21 worksites for which there is both pre- and post-implementation data moved closer to alignment, including six sites that moved to strong alignment and four that moved from weak to moderate alignment. However, although 91 percent of managers reported a policy governing advance notice, only 68 percent regularly provided 14-day advance notice, underscoring the importance of examining policy implementation in practice.
  - **ACCESS TO HOURS.** Alignment with this provision was relatively low, with less than half of the managers interviewed coded as strongly in alignment with this provision. Corporate policies capping the number of hours part-time employees can work limited the extent to which managers offered available hours to existing employees.
- **MANAGERS' KNOWLEDGE ABOUT THE ORDINANCE.** At the second round of data collection, nearly all (33 of 37) managers were familiar with the SSO (compared with only 22 of 52 at baseline). However, even when managers indicated they knew generally about the Ordinance, several reported they still lacked sufficient knowledge to fully and consistently comply with the SSO.
- **SUPPORTS FOR IMPLEMENTING THE SSO.** The extent to which frontline managers felt supported in transitioning scheduling practices to comply with the Ordinance varied greatly. Some managers described corporate efforts to train them on implementing the SSO's provisions; City training or guidance; or a mix of both, while others reported few or no supports for navigating the changes required by the SSO.
- **OVERALL MERITS OF SSO.** Most managers interviewed saw both strengths and weaknesses of the SSO and had mixed opinions about the overall merits of the law. Whether or not they found it challenging to adapt their practices to align with the SSO's provisions, several managers noted that they appreciated the perceived benefits of secure scheduling for employees and the respect the provisions show for workers' lives. Others, though, saw the SSO as a largely negative development for both employees and covered employers. Fast food franchise owners and those with few employees at a site had particularly negative views of the SSO, seeing it as harmful to their viability and as unfair because it does not apply to some nearby competitors.
- **MOST AND LEAST CHALLENGING PROVISIONS.** Most managers noted that the easiest provision to implement was the 14-day advance notice requirement. Maintaining required documentation and establishing systems to track and award premium pay were mentioned as the most challenging aspects of implementing the SSO. Almost half of managers interviewed reported documenting only part of what is required and another quarter reported little or no documentation of the scheduling process. A few managers did report innovative systems for documentation, some provided by their company and some established by management at the worksite. Those employers' experiences might be of value to others who have not yet found a way to manage the SSO's documentation provisions.

Discussion and Next Steps

During the first year of implementation, the SSO led to significant shifts in employees' experiences: the SSO increased the share of covered workers reporting at least 14 days' advance notice of their schedules and increased the share of workers who received predictability pay for employer-initiated schedules changes. These positive impacts during the first year of implementation are notable.

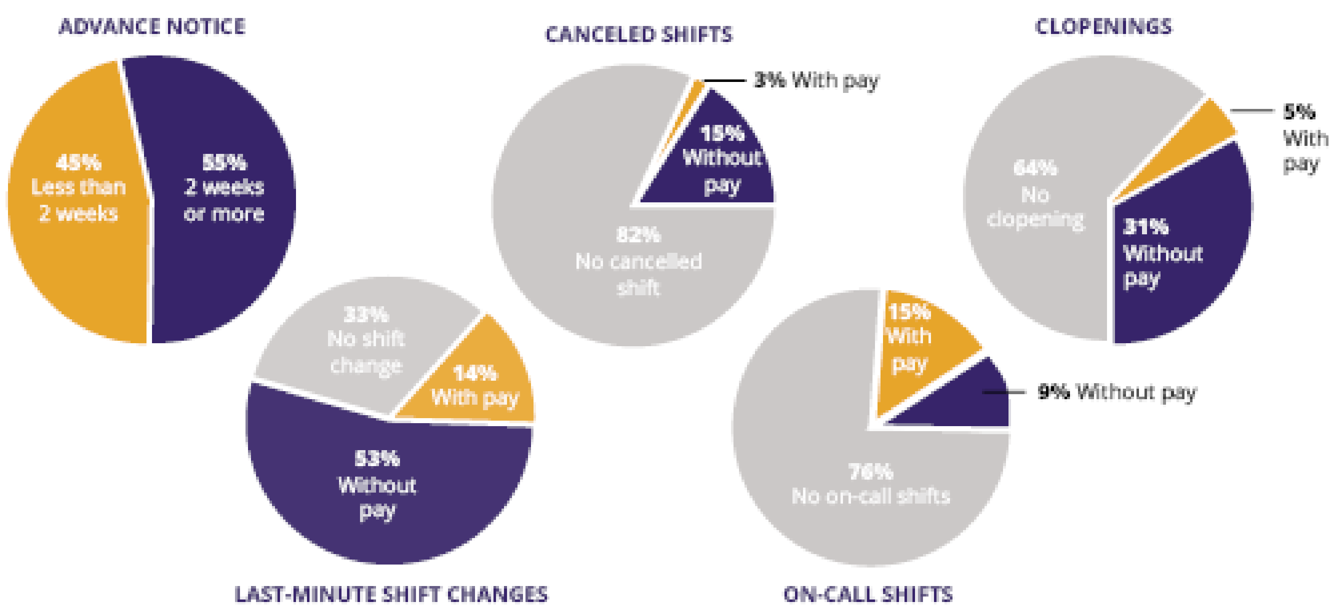
At the same time, some covered employees in Seattle continued to report experiencing scheduling practices that are inconsistent with SSO provisions. Figure 9 shows the share of workers experiencing various scheduling conditions regulated by the SSO in the first year after implementation. Given the complexity of the law, it may take additional time and continued concerted efforts at outreach, education, and enforcement to achieve further changes.

During the first year of implementation, many workers seemed to remain unaware of the Secure Scheduling Ordinance. Worker awareness of the Ordinance increased slightly between the baseline and Year 1 surveys, but more than half of covered workers surveyed were not aware of the SSO by name at Year 1. Given that the SSO's enforcement is complaint-driven, increasing awareness of the law's provisions among covered workers might help drive additional changes in employers' practices.

Among employers, the Year 1 study revealed a high level of awareness about the SSO and meaningful progress toward implementing the law among participating managers at chosen worksites. It also highlighted some areas where the City could provide additional education and outreach to covered employers, such as sharing examples of processes and procedures developed by employers to implement provisions where some employers appear to be struggling, such as maintaining documentation about schedule changes and understanding when premium pay for a schedule change is required. Employers in all sectors also might find helpful additional information and support on how to offer newly available hours to current employees and write up good-faith hours estimates, and it may be fruitful to develop more customized information on other provisions for different business types.

These findings reflect the first year of the implementation of a new type of regulation featuring a complicated set of provisions. The research team has been collecting additional data from employees and employers during the second year of implementation. The Year 2 report will capture the effects of the SSO over a longer period. If most employers continue to move toward alignment over time, the second year follow-up study may show additional impacts on scheduling experiences.

Figure 9. Covered workers' reports of scheduling experiences during Year 1



II. Worker Impact Study

KRISTEN HARKNETT, DANIEL SCHNEIDER, and VÉRONIQUE IRWIN

Introduction

To evaluate the impacts of Seattle's Secure Scheduling legislation on the work schedule experiences of Seattle workers, we surveyed a set of workers paid by the hour and employed at businesses covered by the Secure Scheduling Ordinance. We collected pre-implementation, baseline survey data from Seattle workers in the Spring of 2017. We then collected follow-up survey data from Seattle workers between Fall of 2017 and Spring of 2018, after the law had gone into effect.

For the short-term follow-up period covered in this report, our goal was to generate rigorous estimates of the impacts of the Secure Scheduling Ordinance on workers' reports of their work schedules. To accomplish this goal, it is essential to understand how work schedules might have changed over time even in the absence of the Secure Scheduling Ordinance. Therefore, we also collected survey data from workers employed by the same set of businesses in comparison cities that did not have any scheduling regulations in place. The data from comparison cities provides the best available gauge of whether and how scheduling conditions would have changed in the absence of the Seattle ordinance, and allow us to isolate any effects of the law from general trends in work schedules unrelated to the law.

This report describes the experiences of 755 Seattle workers before the Secure Scheduling Ordinance took effect as well as the experiences of 624 Seattle workers after the Secure Scheduling Ordinance was in place for a short period. We compare the experiences of Seattle workers to that of 5,402 workers in comparison cities in the baseline period and 7,328 workers in comparison cities in the follow-up period. We use this survey data to estimate the impact that the Secure Scheduling Ordinance had on several dimensions of the work schedule experiences reported by the workers themselves.

Our findings over the short-term follow-up period include:

- The Secure Scheduling Ordinance significantly increased schedule predictability. For Seattle workers covered by the Ordinance, the share of workers receiving at least two weeks' advance notice of their work schedules increased by 9.3 percentage points (a 20 percent increase compared with baseline).
- The Secure Scheduling Ordinance also increased predictability pay for schedule changes by about 7 percentage points (more than doubling the percentage of Seattle workers receiving pay for schedule changes compared with baseline).

Over the short-term follow-up period, our study did not detect changes on other dimensions of work schedules such as the experience of on-call, clopening, canceled shifts, or number of weekly work hours.

Worker awareness of the Secure Scheduling Ordinance increased between baseline and follow-up but many workers reported they were not aware of the Ordinance. About 44% of Seattle workers overall and 35% of workers who speak a language other than English at home reported that they had heard about Seattle's "Secure Scheduling Ordinance" in the follow-up survey.

Research Questions

Seattle's Secure Scheduling legislation aims to increase schedule predictability by requiring two weeks of advance notice, to increase stability of schedules by requiring employers to pay predictability pay for schedule changes, to increase the amount of rest in between shifts by requiring extra pay for closely spaced shifts, and to increase access to sufficient work hours by requiring existing workers to be offered more hours before new hires are made. In the short-term follow-up period examined in this report, we focus on impacts on a set of scheduling outcomes that align with these provisions.

This report addresses the following set of research questions:

- Does secure scheduling legislation lead to an increase in the proportion of workers who receive two weeks' notice of their work schedule?
- Does the legislation reduce on-call shifts, clopening shifts, and last-minute shift cancellations and schedule changes?
- Does the legislation increase the receipt of pay to compensate workers for on-call schedules, schedule changes, shift cancellations, or clopening shifts?
- Does the law increase "access to hours" by increasing offers of additional work hours before new workers are hired?
- Does the legislation affect the usual number of weekly work hours?

If the Secure Scheduling Ordinance improves schedule predictability, stability, the right to rest, and access to hours, over a longer term follow-up period the Ordinance may have impacts on worker health and well-being and benefits for workers' children. Future reports with a longer follow-up period will examine some of these longer-term outcomes.

Data and Methods

Data Collection

Because no existing data sources contain the measures of work scheduling that are necessary to evaluate the Secure Scheduling Ordinance (which we will refer to as the "SSO"), it was necessary to collect new data but collecting data from a large sample of covered workers in Seattle was challenging. There was no readily available contact list for covered workers from which to sample. To identify and recruit samples of covered workers before and after the SSO went into effect, our research team compiled a list of covered employers, then harnessed the advertising infrastructure of Facebook and Instagram to deliver targeted advertisements to workers employed by particular retail, food service, or casual dining establishments known to be covered by the new scheduling regulations. These advertisements invited workers to our online survey, which was designed to capture key scheduling outcomes.

Although the survey recruitment approach means we are unlikely to reach workers without any internet access, a recent study finds a high level of digital saturation in Seattle. Across City Council districts between 93 and 97 percent of households have internet access and between 92 and 95 percent of households have smartphones or mobile phones (City of Seattle, 2018). Details on the Facebook targeted advertising platform and process are explained in Supplementary Materials II-A.

Identifying Seattle Covered Workers and Comparison Workers

We focus our data collection and limit our sample to workers paid by the hour and to workers employed by a large retail or food service establishment that fall under the coverage of the SSO for any of their locations in Seattle City limits. We identify workers employed in Seattle city limits or in one of the designated comparison city locations through a combination of information collected from survey reports and a process of geocoding.

For survey respondents in Washington State, our survey instrument asked workers to self-report whether their workplace was within Seattle city limits. Those who responded affirmatively and whose employers were of the size and type that would be covered by the SSO were identified as covered by the SSO. We determine this coverage by cross-referencing the named employer against a list of covered employers assembled from City Business Records, Hoovers data, and data from the Reference U.S. Database.

Our comparison group consists of workers who are paid hourly and employed at the same set of employers as the Seattle treatment group but live in a city other than Seattle. We also limit the comparison sample to large cities that have a minimum wage higher than the Federal minimum wage, as is the case in Seattle. In this way, we are comparing Seattle to cities with similarly progressive labor policy environments and we are comparing among workers who all have access to minimum wages higher than the Federal minimum wage.

For our comparison sample, we only include metropolitan areas with at least 1 million people, so we are comparing Seattle workers to other large urban areas. The comparison cities include Baltimore, Boston, Buffalo, Chicago, Cleveland, Columbus, Denver, Detroit, Hartford, Jacksonville, Los Angeles, Miami, Minneapolis-St. Paul, Orlando, Phoenix, Portland, Providence, Riverside, Rochester, Sacramento, San Diego, St. Louis, Tampa, and Washington D.C.

Box 1. Identifying Seattle Covered Worker and Comparison Workers	
Definition of Secure Scheduling Ordinance Coverage	**Survey Measures**
Employee coverage: Hourly employees who work, or report to work, at a fixed point of sale location in Seattle for 50% of the services provided to the employer.	■ What is the name of your main employer? ■ Are you paid by the hour at [EMPLOYER NAME]? ■ Is your [EMPLOYER NAME] workplace located in Seattle city limits?
Employer coverage: Retail and food services establishments with 500+ employees worldwide; and Full service restaurants with 500+ employees and 40+ full-service restaurant locations worldwide.	*Assessed based on employer name and Reference USA database*

We intentionally do not include in the comparison sample any of the small number of cities that already had scheduling laws in place in 2017 or 2018.

Our final analysis sample includes 755 covered workers in Seattle at baseline and 624 covered workers in Seattle following implementation. Our baseline sample size was larger than at follow-up because of the availability of supplementary funds at baseline. The sample characteristics and rate of response to survey recruitment advertisements were similar at baseline and follow-up.

Because rates of turnover in retail and food service sectors are high, our follow-up survey sample includes a combination of some workers who were surveyed at baseline and again in the short-term follow-up period, and some new workers who were only surveyed during the follow-up period. Of the 624 workers surveyed at follow-up, 146 were also interviewed at baseline. Our comparison sample includes 5,402 workers at baseline and 7,328 workers following implementation. Of those, 576 were also interviewed at baseline.

With these sample sizes, we can calculate what is known as the “minimum detectable effect size,” which is the smallest-sized policy impact that our study has the statistical power to detect. Given our sample sizes and research design, our study has the statistical power to detect an impact of the SSO that is 5.5 percentage points or larger in size. For instance, if the SSO increased advance notice of work schedules by 6 percentage points, we would be reasonably confident that the SSO had a positive effect. If, however, the SSO increased advance notice by 3 percentage points, we would not rule out the possibility that the impact occurred by chance.

The data for this study are from a non-probability sample and as such may differ from the broader population of Seattle workers covered by the Secure Scheduling Ordinance. Similarly, the comparison sample may differ from the broader population of workers in those comparison cities. To address the possibility of systematic differences between the workers in our sample and the broader population on observed characteristics, we construct and apply survey weights that align the characteristics of our sample with the broader population of workers represented in the American Community Survey. We describe the construction of these weights in Supplementary Materials II-B, along with our approach for addressing missing values.

Measuring Secure Scheduling

To design the survey questionnaire, we drew on, and when necessary adapted, measures from validated survey instruments. We also consulted with Seattle’s Office of Labor Standards and City Council members on our questionnaire before beginning our data collection in the Spring of 2017. After collecting baseline data and presenting our baseline report to stakeholders in Seattle, we made some additions to our questionnaire to capture whether workers reacted positively or negatively to scheduling changes.

The resulting survey questions are specifically tailored to align with the provisions of the SSO and phrased in such a way as to be easily understandable and to be reasonably easy to answer in terms of recall and specificity.

ADVANCE NOTICE. We ask respondents the amount of advance notice they are given of their work schedule: “How far in advance do you usually know what days and hours you will need to work at [EMPLOYER NAME]?” We coded their responses into categories of “received 2 or more weeks’ notice of work schedule”, or “received less than 2 weeks’ notice.”

ON-CALL SHIFT. Workers were asked if they worked an on-call shift in the past month: “In the past month or so, have you ever been asked to be “on-call” for work at [EMPLOYER NAME]? By “on-call”, we mean you have to be available to work, and you find out if you are needed to work just a few hours before your shift." Those workers who did work an on-call shift were then asked if they were called in for work and, if they were not, were asked whether or not they were compensated for their time. We use this information to code two separate outcomes: one measures whether a worker was asked to be on-call, and the other measures whether a worker was asked to be on-call but then did not work and did not get paid.

CANCELLED SHIFT. Workers were also asked if they ever experienced a shift cancellation in the past month: "In the past month or so, did your employer ever cancel one of your scheduled shifts at [EMPLOYER NAME]?". Those that did were asked if they received compensation for the cancelled shift. We then analyze a three-category outcome: no shift cancellation, shift cancellation with pay, and shift cancellation without pay.

CLOPENING SHIFT. A clopening shift refers to a back-to-back closing then opening shift without sufficient time to rest in between. Workers were asked: "In the past month or so, have you ever worked a closing shift and then worked the very next opening shift with less than 11 hours off in between your shifts at [EMPLOYER NAME]? This is sometimes called "clopening." Those that did were asked if they received compensation for this short duration between shifts. We examine whether workers ever worked a clopening shift in the prior month and whether they worked a clopening shift without receiving extra compensation for the closely spaced shifts.

SHIFT TIMING CHANGES. Workers were asked if they ever experienced a change in the timing of their shift in the past month: "In the past month or so, did your employer ever change the timing or the length of your scheduled shift at [EMPLOYER NAME]? For example, your employer asked you to come in early or late, or asked you to leave early or to stay later than the hours you were originally scheduled for." Workers who had experienced such a change were then asked whether they received any extra compensation for the change. We analyze a three-category outcome: no change in the timing of shifts, shift changed with pay, and shift changed without pay.

PART-TIME WORKERS OFFERED MORE HOURS BEFORE NEW HIRES. To capture potential impacts of the access to hours provision, workers were asked whether part-time workers were first offered additional hours before new workers were hired by their employer in a set of two questions: "In the past month or so, has your employer hired any new employees to do work that is similar to the job you do at [EMPLOYER NAME]?". Then, "Did your employer offer current employees more hours first, before hiring the new employee or employees at [EMPLOYER NAME]?". We then examine an outcome measuring whether new workers were hired without offering hours to existing workers first.

USUAL WEEKLY WORK HOURS. Workers were asked to report on their usual weekly work hours: "How many hours per week do you usually work at [EMPLOYER NAME]?". The SSO does not regulate usual weekly work hours, but some SSO provisions could have an indirect effect on usual weekly hours.

For the preceding outcome measures, we collected data for all workers – in Seattle and comparison cities, before and after the SSO went into effect. A few additional outcomes were measured for select workers, as explained below.

KNOWLEDGE OF SSO. We asked Seattle workers only about their knowledge of the Secure Scheduling Ordinance before and after implementation. The question asked: "Have you heard anything about the following recent Seattle ordinances?" and included the "Secure Scheduling Ordinance." Workers could respond "yes" or "no."

SCHEDULE CHANGE OVER PAST FEW MONTHS. In the follow-up survey only, workers in Seattle and comparison cities were asked to report on how their schedule may have changed recently: "Over the past few months, would you say that overall your work schedule at [EMPLOYER NAME] has gotten better, stayed the same, or gotten worse?"

HOURS CHANGE OVER PAST FEW MONTHS. In the follow-up survey only, we also asked workers to report on how their number of hours may have changed recently: "Over the past few months, has your number of work hours at [EMPLOYER NAME] increased, stayed the same, or decreased?" Although this measure does not distinguish between changes driven by employers and workers, the majority of workers in our survey reported a desire for more weekly work hours.

Box 2 summarizes the key provisions of the SSO and the survey measure designed to capture the worker experience related to each provision. As shown in the table, the provisions of the law were nuanced. Although the survey measures were aligned as closely as possible with the provisions, it was not possible to capture all the nuances and there were some slight differences between the survey measures and the provisions of the law. For clopening shifts, the SSO requires extra pay when back-to-back closing and opening shifts are scheduled with less than 10 hours of rest in between, but the survey measure asked about when these shifts occurred with less than 11 hours of rest in between. In a more nuanced example, the access to hours provision stipulates that available hours should be posted for a minimum of 3 days. The survey measure does not capture the number of days that available shifts were posted, because this level of detail would be difficult for workers to accurately report.

Box 2. Secure Scheduling Provisions and Survey Measures	
Secure Scheduling Provisions	**Survey Measures**
Advance notice of work schedule	
Employers must post employees' work schedules 14 days in advance.	How far in advance do you usually know what days and hours you will need to work at [EMPLOYER NAME]?
Right to rest between work shifts	
Employers cannot schedule a closing and opening shift (i.e. "clopening") separated by less than 10 hours unless an employee requests, or consents, to such hours. Regardless of request or consent, employers must always pay time-and-a-half for the hours separated by less than 10 hours.	In the past month or so, have you ever worked a closing shift and then worked the very next opening shift with less than 11 hours off in between your shifts at [EMPLOYER NAME]? This is sometimes called "clopening." The last time this happened, how much were you paid for these shifts?
Compensation for work schedule changes	
Additional hours: If an employer adds hours to the employee's schedule after it is posted, the employer must pay the employee one additional hour of pay at the scheduled rate. For each employer-addition of less than one hour, the employer may pro-rate the additional compensation due. Subtracted hours: If an employee is scheduled for a shift and then sent home early, the employer must pay the employee for half of the hours not worked. Grace Period: Additions or Subtractions of less than 15 minutes do not incur additional compensation. On-Call Protections: If an employee is scheduled for an on-call shift and is not called-in, the employer must pay the employee for half of the hours not worked.	In the past month or so, did your employer ever cancel one of your scheduled shifts at [EMPLOYER NAME]? The last time this happened, how far in advance did you find out about the shift being canceled at [EMPLOYER NAME]? The last time this happened, how much were you paid for the cancelled shift? In the past month or so, did your employer ever change the timing or the length of your scheduled shift at [EMPLOYER NAME]? For example, your employer asked you to come in early or late, or asked you to leave early or to stay later than the hours you were originally scheduled for. The last time this happened, how far in advance did you find out about your shift getting changed? The last time this happened, how much were you paid? In the past month or so, have you ever been asked to be "on-call" for work at [EMPLOYER NAME], but then your employer did not need you to work? The last time this happened, how much were you paid for being "on-call"?
Access to hours for existing employees	
Before hiring external employees, employers must offer additional hours of work to existing employees, subject to certain exceptions. Employers must post notice of additional hours for three days and allow existing employees two days to consider job offers.	In the past month or so, has your employer hired any new employees to do work that is similar to the job you do at [EMPLOYER NAME]? Did your employer offer current employees more hours first, before hiring the new employee or employees at [EMPLOYER NAME]?

Source: http://www.seattle.gov/laborstandards/ordinances/secure-scheduling

Analytic Methods

The data collection approach of surveying workers before and after the Ordinance took effect, in Seattle and in comparison places, allows us to estimate the Ordinance's effects using a difference-in-differences approach.

The difference-in-differences approach estimates the change over time experienced by Seattle covered workers, before and after the SSO took effect. But the approach goes a step farther, and also considers the change over time experienced by workers elsewhere – in comparison cities – over the same period.

Finally, by comparing the change experienced by Seattle workers to the change experienced by workers in comparison cities, the difference-in-differences method determines whether the Seattle covered workers experienced significantly greater changes in outcomes. The difference between the change experienced by Seattle workers and the change experienced by workers in comparison cities is the estimate of the impact of the SSO.

We estimate these difference-in-differences models using the common statistical approach of linear multivariate regression analysis. For our outcome variables that are dichotomous – such as received two weeks' advance notice of work schedule (or not), experience on-call work (or not), and worked a clopening shift (or not) – we estimate linear probability models. These models are recommended for regression models like ours that include interaction terms and also have an easier interpretation than alternative approaches such as logit or probit models. For continuous outcome measures, such as usual weekly work hours, we use ordinary least squares (OLS) regression as is appropriate for continuous outcomes. For our outcomes that capture three separate categories – such as shift canceled with pay, shift canceled without pay, or shift not canceled – we use multinomial logistic regression models, then estimate predicted values for each group of workers.

As is conventional in regression analysis, we take into account and control for a set of demographic characteristics composed of age, race/ethnicity, gender, educational attainment, school enrollment, marital status, and presence of children in the household. We also control for managerial status and industry subsector (retail apparel, cafe, casual dining, department or big box store, fast food, grocery, hardware, health and beauty, and miscellaneous retail).

Sample Characteristics

In Table 1, we describe the characteristics of our sample of workers in Seattle and Comparison cities. Just over half of Seattle workers are between 18 and 29 years old and just over half identify as White. About 4 percent of Seattle workers describe themselves as Black or African-American, about 16 percent as Hispanic, about 14 percent Asian, and about 12 percent as other or multi-racial. Just over half the sample are female. In terms of educational attainment, roughly one-third of Seattle workers have no more than a high school degree, more than a third have some college education, and less than a third have a college degree. About one-third are enrolled in school. Almost half of Seattle workers are married or living with a partner, and about one-quarter are parents. The Seattle sample includes some managers, but all of the managers included in the sample are paid hourly and subject to the SSO. The Seattle workers span several industry subsectors including retail apparel, cafes, fast food, casual dining, and grocery stores.

In Table 1 and in all of our subsequent analyses, we apply survey weights, derived from the American Community Survey, which are designed to make our sample align with the characteristics of the broader populations of retail and food service workers employed in Seattle. These survey weights are described further in Supplementary Materials II-B.

As shown in Table 1, the Seattle and Comparison samples are fairly closely aligned on their characteristics but there are some differences, for instance, in the share of workers in different sectors of the retail or food service industry. The regression models take into account and control for these differences when generating impact estimates.

Table 1. Weighted Descriptives for Seattle and Comparison Group Before and After SSO				
	Seattle		Comparison	
	Pre (Spring 2017) %	Post (Spring 2018) %	Pre (Spring 2017) %	Post (Spring 2018) %
Age				
18-29 years of age	53.3	52.1	60.3	47.9
30-39	21.0	22.4	21.2	20.0
40-49	13.8	13.2	13.0	14.0
50+	12.0	12.2	5.5	18.1
Race				
White	52.3	56.0	52.8	54.5
Black	3.5	4.1	3.9	3.4
Hispanic	15.9	16.4	20.9	19.8
Asian	15.4	12.0	9.9	9.4
Other or multi-racial	12.8	11.4	12.5	12.9
Gender				
Female	54.8	55.7	55.4	56.5
Education				
High School or Less	33.0	33.5	35.9	34.7
Some college	39.3	42.2	43.2	41.7
BA+	27.7	24.3	20.8	23.6
Enrolled in school	30.5	34.2	40.6	32.4
Marital and Parental Status				
Married	24.9	24.4	20.4	27.3
Living with partner	23.5	23.8	22.4	22.1
Not living with partner	51.7	51.8	57.2	50.7
Has kids	25.5	27.1	24.3	32.1
Managerial status				
Is a manager	18.6	15.6	20.7	19.1
Industry Subsector				
Apparel	14.4	14.0	5.5	10.7
Cafe	14.5	13.2	8.7	5.4
Casual Dining	5.5	3.0	4.7	4.7
Dept/Super Store	9.1	11.1	12.4	14.2
Fast Food	12.9	14.5	34.4	27.1
Grocery	31.0	28.9	16.1	14.8
Hardware/Paint	3.6	6.9	3.9	6.6
Health/Beauty	2.3	1.0	4.3	6.3
Misc. Retail	6.9	7.3	10.0	10.2
N	755	624	5,402	7,328

Results

The results from our difference-in-differences analyses are presented in Tables 2 through 8. Each of these tables presents adjusted means for Seattle workers before and after the SSO took effect and for a comparison group of workers employed in cities with minimum wage ordinances before and after the SSO took effect in Seattle. The estimated impact of the Secure Scheduling Ordinance is also shown. All of these results are weighted to the characteristics of the broader population of Seattle workers represented in the American Community Survey.

Advance Notice

Table 2 displays the impact estimate for the outcome "two weeks advanced notice." The SSO increased the proportion of workers receiving at least two weeks' advanced notice of their work schedules by 9.3 percentage points. This 9.3 percentage point increase reflects a 9.1 percentage-point increase in advance notice experienced by Seattle workers, combined with a 0.2 percentage-point decrease in advance notice experienced in the comparison cities. (Given that 46 percent of Seattle workers had at least two weeks' notice at baseline, this effect represents a 20% increase in receipt of advance notice.)

Table 2. Two Weeks' Notice of Work Schedule

	Pre-SSO (Spring 2017)	Post-SSO (Spring 2018)	Post-Pre Difference
Seattle Workers	45.7	54.8	9.1
Workers Employed in Comparison Cities with Minimum Wage Ordinances	45.7	45.5	-0.2
Estimated Impact of SSO			**9.3****

Notes: ** $p<0.01$. Pre-SSO and Post-SSO columns display adjusted mean values derived from difference-in-differences regression models that control for age, race/ethnicity, gender, education, school enrollment, parental status, managerial status, and industry subsector.

On-Call Shifts

In the top panel of Table 3, we see that 25 percent of Seattle workers reported an on-call shift at baseline and a similar proportion (24 percent) reported an on-call shift at follow-up. On-call shifts were a bit more common in comparison cities both before and after the SSO took effect. In the lower panel of the table, we see that about 8 or 9 percent of workers were asked to keep their schedule open for an on-call shift but did not work or receive any pay. There was little change over time, and little difference between Seattle and the comparison cities.

Table 3. On-Call Shifts and On-Call Shifts without Work or Pay

	Pre-SSO (Spring 2017)	Post-SSO (Spring 2018)	Post-Pre Difference
On-call shift			
Seattle Workers	25.1	24.0	-1.1
Workers Employed in Comparison Cities with Minimum Wage Ordinances	26.7	25.8	-0.9
Estimated Impact of SSO			**-0.2**
On-call shift and not called or paid			
Seattle Workers	8.1	9.0	0.9
Workers Employed in Comparison Cities with Minimum Wage Ordinances	9.3	8.6	-0.7
Estimated Impact of SSO			**1.6**

Notes: Pre-SSO and Post-SSO columns display adjusted mean values derived from difference-in-differences regression models that control for age, race/ethnicity, gender, education, school enrollment, parental status, managerial status, and industry subsector.

Shift Changes

Table 4 presents results for employer-initiated shift changes, with and without extra pay. The SSO did not have a significant impact on shift changes overall, with the share of workers who did not experience a change increasing in both Seattle and comparison cities by similar amounts. However, the law did increase the chance that a worker received extra compensation for an employer-initiated shift change. The SSO increased the likelihood of compensation for shift changes by 7 percentage points. This represents more than doubling the share of workers who received extra compensation for a shift change.

Among those workers who experienced a change to their schedule, we asked how they felt about the change. A small majority (57%) reported feeling neutral (not happy or unhappy) about the change, and the rest were about evenly split between reporting being happy about the change (23%) or unhappy about the change (20%).

Table 4. Shift Timing Change with and without Extra pay

	Pre-SSO (Spring 2017)	Post-SSO (Spring 2017)	Post-Pre Difference
No shift timing change			
Seattle Workers	24.9	33.2	8.3
Workers Employed in Comparison Cities with Minimum Wage Ordinances	26.2	33.7	7.6
Estimated Impact of SSO			**0.7**
Shift timing change with pay			
Seattle Workers	6.1	14.2	8.1
Workers Employed in Comparison Cities	5.8	6.7	0.9
Estimated Impact of SSO			**7.2****
Shift timing change without pay			
Seattle Workers	69.0	52.6	-16.4
Workers Employed in Comparison Cities	68.1	59.6	-8.4
Estimated Impact of SSO			**-7.9***

Notes: ** p=0.01; * p<0.05. Pre-SSO and Post-SSO columns display adjusted mean values derived from difference-in-differences regression models that control for age, race/ethnicity, gender, education, school enrollment, parental status, managerial status, and industry subsector.

Clopening Shifts

Table 5 displays impact estimates for clopening shifts overall and clopening shifts without extra pay. In comparison cities, clopening shifts increased over the follow-up period, but no such increase was experienced by Seattle workers. As a result, the SSO reduced clopening shifts by almost 3 percentage points and reduced clopening shifts worked without extra compensation by 4 percentage points, but neither of these impacts was statistically significant. Here, we see a hint of evidence that the SSO was having some of its intended effects on clopening shifts, but our sample size does not provide enough statistical power to be confident about this positive effect.

Table 5. Clopening Shift and Clopening Shift without Extra Pay			
	Pre-SSO (Spring 2017)	Post-SSO (Spring 2018)	Post-Pre Difference
Clopening shift			
Seattle Workers	37.9	36.0	-1.9
Workers Employed in Comparison Cities with Minimum Wage Ordinances	44.0	44.8	0.7
Estimated Impact of SSO			**-2.6**
Clopening shift without extra pay			
Seattle Workers	34.1	30.7	-3.4
Workers Employed in Comparison Cities with Minimum Wage Ordinances	41.5	42.1	0.6
Estimated Impact of SSO			**-4.0**

Notes: Pre-SSO and Post-SSO columns display adjusted mean values derived from difference-in-differences regression models that control for age, race/ethnicity, gender, education, school enrollment, parental status, managerial status, and industry subsector.

Shift Cancellations

Table 6 examines shift cancellations. The percentage of Seattle workers that experienced a shift cancellation was around 15 percent before the SSO and about 18 percent after the SSO. The percentages were similar for workers in comparison cities (17 and 16 percent, respectively). Seattle workers experienced a slight uptick in shift cancellations while workers in comparison cities experienced a slight decline, but neither of these results is statistically significant at conventional levels. However, the percent of workers who experienced a shift cancellation with pay increased from 1% to 3.3%, a significant increase of 2.2 percentage points relative to comparison cities.

Among those workers who experienced a shift cancellation, a plurality (46%) reported feeling unhappy about the cancellation. Another 43% were neutral feeling about the change (not happy or unhappy), and just 11% reported being happy that their shift was cancelled.

Table 6. Shift Cancellation with and without Extra pay			
	Pre-SSO (Spring 2017)	Post-SSO (Spring 2017)	Post-Pre Difference
Canceled shift			
Seattle Workers	85.1	81.7	-3.4
Workers Employed in Comparison Cities with Minimum Wage Ordinances	82.5	84.4	1.9
Estimated Impact of SSO			**-5.3+**
Canceled shift with pay			
Seattle Workers	1.0	3.3	2.3
Workers Employed in Comparison Cities	0.9	0.9	0.1
Estimated Impact of SSO			**2.2***
Canceled shift without pay			
Seattle Workers	13.9	15.0	1.1
Workers Employed in Comparison Cities	16.7	14.7	-2.0
Estimated Impact of SSO			**3.1**

Notes: * p<0.05; + p<0.10. Pre-SSO and Post-SSO columns display adjusted mean values derived from difference-in-differences regression models that control for age, race/ethnicity, gender, education, school enrollment, parental status, managerial status, and industry subsector.

Access to Hours

In Table 7 and 8, we examine two outcomes related to the access to hours provisions of the SSO: (1) whether new workers were hired before offering part-time workers more hours and (2) workers' usual weekly work hours. In Seattle and comparison cities before the SSO went into effect, about 40 percent of workers reported that their employer hired new workers before offering more hours to existing part-time workers. Over the follow-up, this percent slightly declined in Seattle and slightly increased elsewhere for an estimated 4 percentage point impact (not statistically significant). In Table 8, we see consistency over time and across place in usual weekly work hours, with workers reporting 31 or 32 hours of work per week on average. That is, we find no evidence of any positive or adverse effects of the SSO on usual work hours.

Table 7. Hired Part-Time Workers without Offering Hours to Existing Part Time Workers			
	Pre-SSO (Spring 2017)	Post-SSO (Spring 2018)	Post-Pre Difference
Seattle Workers	40.4	39.5	-0.9
Workers Employed in Comparison Cities with Minimum Wage Ordinances	39.1	42.5	3.4
Estimated Impact of SSO			**-4.2**

Notes: Pre-SSO and Post-SSO columns display adjusted mean values derived from difference-in-differences regression models that control for age, race/ethnicity, gender, education, school enrollment, parental status, managerial status, and industry subsector.

Table 8. Usual Weekly Work Hours			
	Pre-SSO (Spring 2017)	Post-SSO (Spring 2018)	Post-Pre Difference
Seattle Workers	31.5	31.4	-0.1
Workers Employed in Comparison Cities with Minimum Wage Ordinances	31.0	31.7	0.7
Estimated Impact of SSO			**-0.8**

As a robustness check, we also estimate SSO impacts using alternative comparison groups and with and without survey weights in Supplementary Materials II-C. For the most part, these results are consistent with those presented above. The impacts on two weeks' advance notice are the largest and the most robust impact of the Secure Scheduling Ordinance and range from an increase of 7 to 10 percentage points across comparison groups, with and without survey weights. Therefore, we find strong evidence that the Secure Scheduling Ordinance significantly increased the proportion of workers receiving at least two weeks' notice of their work schedule.

Knowledge of the SSO and Perceived Schedule Changes

Table 9 presents some additional descriptive information on workers' knowledge of the Ordinance and workers' perceptions of how their schedules had changed over time. We find that knowledge of the Secure Scheduling Ordinance increased from 40 to 44 percent between the baseline and follow-up survey. The Ordinance was less likely to be familiar to workers who speak a language other than English for whom knowledge increased from 33 to 35 percent over the follow-up period. For those who reported being aware of the ordinance, the survey followed-up with a question that asked how they learned about the SSO. In the follow-up survey, these workers reported learning about the ordinance from their managers (40%), postings at work (36%), the media (39%), co-workers (23%), friends or family (13%), and the Office of Labor Standards (7%). These were also the most common sources of information about the SSO in the baseline survey.

In the follow-up survey, we asked workers whether their work schedules have gotten better or worse over the past few months. Table 9 tabulates responses for workers who had been working for the same employer for at least one year to capture changes in schedules from conditions changing rather than from taking a different job. In Seattle and in comparison cities, about 18-19 percent of workers report that their schedules had gotten better over the past few months. Seattle workers were slightly more likely to say that their schedule had stayed the same - 63 percent in Seattle and 61 percent in comparison cities - and slightly less likely to say their schedule had gotten worse- 19 percent in Seattle and 22 percent in comparison cities.

Table 9. Additional Descriptives for Seattle and Comparison Group Before and After SSO				
	Seattle		Comparison	
	Pre (Spring 2017) %	Post (Spring 2018) %	Pre (Spring 2017) %	Post (Spring 2018) %
Knowledge of SSO	40.2	43.8	--	--
Knowledge of SSO among those who speak language other than English at home	33.3	35.2	--	--
How did schedule change in past few months?[1]				
Got better	--	18.6	--	17.6
Stayed the same	--	62.9	--	60.7
Got worse	--	18.5	--	21.7
How has number of work hours changed in past few months?[1]				
Increased	--	16.7	--	16.3
Stayed the same	--	62.7	--	62.1
Decreased	--	20.7	--	21.6

[1]Among workers employed at the same employer for one year or longer at time of follow-up survey.

We also asked workers whether the number of weekly work hours had increased or decreased over the past few months. A similar percentage of workers in Seattle and comparison cities reported that their work hours had increased over the past few months (16-17 percent), that their hours had stayed the same (62-63 percent), and their hours had decreased (21-22 percent). The access to hours provision of the Secure Schedule Ordinance was expected to increase weekly work hours for workers who wanted more hours, but this descriptive tabulation and the results in Table 8 do not find evidence that the Ordinance increased work hours in the short-term follow-up.

Discussion

In 2017, Seattle joined San Francisco and became the second large U.S. city to pass legislation aimed at increasing the predictability of work schedules for hourly workers employed in the retail and food service sectors. The U.S. Department of Labor and the City of Seattle funded an impact evaluation to document the effects of the legislation on workers' schedules and hours. These impact results represent the effects of the legislation over a short-term follow-up period. A full accounting of the effects of the law would benefit from longer-term follow-up data.

Over the short-term follow-up period between 3 and 12 months after the Secure Scheduling Ordinance took effect, the law had a significant impact on increasing advance notice of work schedules. The legislation increased the proportion of workers that had at least two weeks' advance notice of their schedule by 9.3 percentage points, which represents a 20 percent increase compared with the period prior to the law going into effect. In this way, the Secure Scheduling Ordinance had its intended effect.

The Secure Scheduling Ordinance also had a positive impact on workers receiving extra compensation when their schedules were changed with little notice.

In other areas, we did not observe significant impacts of the Secure Scheduling Ordinance. We did not see large or significant changes in on-call shifts, clopening shifts, cancelled shifts, or shifts changes. We also did not see changes in usual weekly work hours.

In the short term, the impact study results show that these laws can significantly increase advance notice and increase compensation for last-minute schedule changes. Longer-term follow-up will reveal whether in Seattle these laws also eventually led to additional impacts such as a reduction in on-call or clopening shifts or an increase in work hours and whether the law affected other outcomes related to worker wellbeing.

Supplementary Materials

II-A. Data Collection Methodology

The lack of existing research on this set of work scheduling practices stems from a lack of available data. First, large-scale existing data sets do not generally measure schedule instability (PSID, ACS, CPS, NLSY79). Second, the few data sets that measure scheduling (NLSY97 for 2014 -2018 and GSS in 2016-2018) have insufficient power to study samples of retail workers, let alone those in a particular city such as Seattle. Finally, administrative data, such as UI records, that are sufficiently large to permit focusing on affected workers in particular cities, lack data on scheduling and outcomes of interest.

To address this gap in existing data, we use an innovative method of collecting web-based surveys from a population of low-wage service-sector workers. Our insight is that service sector workers can be effectively recruited to surveys through audience-targeted advertising on Facebook. Acting as an "advertiser," we purchase and place ads in the newsfeeds of Facebook users who report working at the large retail and food establishments covered by the Ordinance, both in Seattle and in comparison cities. We used this approach to collect baseline and 1-year follow-up data in Seattle and comparison cities. Our project leverages the tools of "big data" to collect low-cost web-based surveys.

Using Facebook to collect survey data departs from traditional probability sampling and some have raised reasonable questions about such approaches (Groves, 2011; Smith, 2013). One potential concern arises from the sampling frame of Facebook users. In the recent past, both internet access and Facebook use has been confined to relatively narrow subgroups of the population, which tended to have relatively high socioeconomic status. However, internet access is now widespread in the United States among working aged adults. Recent estimates from the American Community Survey find that between 90-94% of working aged adults have a computer at home and 80-84% have broadband internet access at home (Ryan and Lewis, 2017). Among those who use the internet, the very large majority are active on Facebook – 79% overall and 86% of those 18-49 (Greenwood et al., 2016). The result is that 81% of Americans age 18-49 are now active on Facebook, far in excess of the percent of this population with landlines. Further, although people of color and low-income strata are less likely to have home computers and broadband access (Ryan and Lewis, 2017), Facebook use is nevertheless not especially stratified by demographic characteristics (Greenwood et al., 2016). In addition, unlike some online platforms, Facebook goes to some length to verify that each user account is associated with a unique identifiable person (Facebook, 2017).

Facebook has two other important advantages over both phone and address-based sampling. First, unlike phone and address based sampling, the Facebook profile is a portable and durable means of contact. Respondents can be reached by Facebook for survey recruitment whether at home or work, whether they have moved or have a long residential tenure, whether they change phone numbers or lose service. This represents a distinct advantage over conventional sampling frames.

Second, Facebook collects detailed data on the attributes of users that can be used by advertisers to target their campaigns quite precisely. Indeed, this capability is at the heart of Facebook's business model. These attributes include standard demographics such as age and gender, locational attributes, interests, as well as information on schooling and employment. This last field permits us to deliver advertisements that are targeted to users who work at specific firms. Given the goal of assembling a data set that includes large samples of workers at each of a large number of firms, this targeting capability is very valuable.

Acting as an "advertiser," we use Facebook's audience targeting tools to purchase and place survey recruitment advertisements in the newsfeeds of Facebook users who work at specific companies. Each advertisement was targeted to employees of a specific company (or family of consumer-facing brands), in the 18-50 age range, who were located in the United States. The availability of targeting by employer name was a key feature that made this data collection approach viable for our research purposes.

A key advantage of this approach is that we cast a wide net in recruiting covered workers and comparison workers to our survey. Our sample is not selected on the basis of having existing relationships with community, business, or advocacy groups. We also avoid the potential for bias that might arise from recruiting workers in or near their place of employment where either the sample composition could be biased or reports could be biased by concerns over employer knowledge of participation.

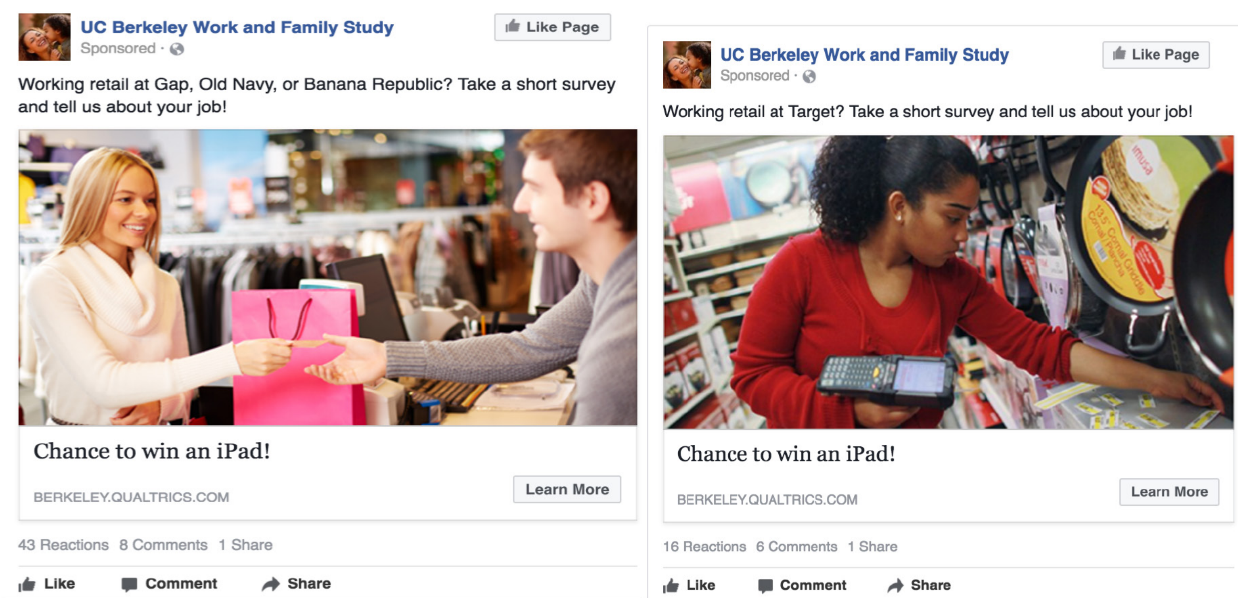
Facebook provides several options for the "marketing objective" of the campaign. Our default approach, selected after consultation with advertising specialists at Facebook, is to set the campaign objective as "traffic," which equates with the goal of having Facebook users click the link embedded in the advertisement that takes them to our online survey.

Advertisements appearing on Facebook must follow a fairly standardized design, but there are options within that framework. For instance, while every advertisement must link to a Facebook page, include a headline and advertisement text, an image, and may include a link to an external webpage, advertisers have substantial discretion in crafting the advertising text, in choosing the content of the image, and in using a single image as opposed to a carousel, a video, a slideshow, or a collection.

We used a simple template for all of our advertisements. Every advertisement included a single image drawn from licensed stock photography available at no charge on the Facebook advertising page. We selected images that seemed to most closely approximate an employee of the target company at work, matching on store environment and color and style of employees' uniforms. Every advertisement linked to an "[Author's University] Work & Family Study" Facebook page that itself included very little additional content. For the data reported on in our main analysis, every advertisement used the "headline" field to offer users the opportunity to enter a drawing for an Apple iPad or to receive an electronic gift card of a modest incentive amount. Finally, again for the data in our main analysis, every advertisement used the advertisement text field to include a standard recruitment message. This message took the form of "Working at <targeted employer>? Take a short survey and tell us about your job!"

Finally, Facebook offers various options for advertisement placement. Advertisers may opt to have their advertisements appear on Facebook (in the newsfeed and/or in the right-hand column on desktop), on Instagram, or on partner networks. All of our campaigns were placed on Facebook in the newsfeed and on Instagram. In essence, Facebook serves as both the sampling frame and the recruitment channel.

Figure 1 presents some sample advertisements we have used to recruit workers to our survey. Users who click on the advertisement are routed to an electronic survey hosted by the firm Qualtrics, The survey can be accessed on desktop or mobile. Users are asked to consent and then begin the survey. Survey incentives include a drawing for an iPad, and $5, $10, and $15 gift cards. These were updated in progressive order to attract respondents who were not recruited through prior advertisements.



Supplementary Materials Figure 1

To collect re-interview data, we sent follow-up survey invitations to those who had responded to our baseline survey in Seattle and in comparison cities and who had provided valid email or phone contact information. These re-interview invitations offered the baseline respondents a $5 gift card for completing a follow-up survey. Workers who did not respond to the initial invitation were sent reminders, and then were later offered incentives of $10 or $15 for completing a follow-up survey if they had not yet responded. Those invited to re-interview were given the option to opt-out of future text or email contacts, and anyone who opted-out was removed from the contact list.

The re-interview survey instrument asked workers if they were still working for the same employer. If they were, the survey collected updated information about their work schedules and work conditions. If they were no longer working for the same employer, the survey collected an update on the current employment status, and, when relevant, on their new job. Because not all baseline survey respondents provided valid contact information and only a portion of those invited to re-interview accepted the invitation, only about 20% of our follow-up sample in Seattle was in the baseline sample. The rest were new respondents. For the comparison sample, only a small share of about 4% were re-interviews and the remainder were new respondents.

II-B. Survey Weighting Methodology and Missing Data Imputation

Our approach to survey data collection departs from traditional probability sampling methods. One possible source of bias arises from our sampling frame of Facebook users. However, recent estimates show that approximately 80% of Americans age 18-50 are active on Facebook (Perrin, 2015). Thus, the sampling frame is now on par with coverage of telephone-based methods (Christian et al., 2010).

A second source of bias arises from non-random non-response to the recruitment advertisement. To correct, we use a set of existing post-stratification and weighting methods. An emerging body of work in statistics and computational social science has demonstrated that nonprobability samples drawn from non-traditional platforms, in combination with statistical adjustment, yield similar distributions of outcomes and estimates of relationships as probability-based samples. This work has drawn data from Xbox users (Wang et al., 2015), Mechanical Turk (Goel et al., 2015; Mullinix et al., 2016), and Pollfish (Goel et al., 2015).

We use a similar approach to re-weight our data to recover the demographic characteristics of the employees covered by the SSO. We know of no data set that provides detailed demographic characteristics of workers at the specifically covered firms who work within Seattle city limits. The American Community Survey does permit us to home in on the population of employees in the covered industries and who work on an hourly basis. In addition to the large firms covered by the SSO, this population also includes those at smaller firms. The more significant problem is that publicly available Census products do not allow us to identify ACS respondents who work in Seattle City limits, only in the larger entity of King County. We overcome this problem by purchasing a custom Census tabulation that provides the demographic characteristics of workers in covered industries and occupations whose place of work is within Seattle City limits.

We use these tabulations from the American Community Survey to construct survey weights. When we apply these weights to our survey data, the attributes of our survey sample closely resemble those of the broader population of Seattle workers. Supplemental Table 1 presents the characteristics of Seattle workers derived from ACS custom tabulations alongside descriptives of our Seattle survey sample with and without survey weights applied.

We also apply these weights to each of our comparison groups. This ensures similarity on these relevant demographic characteristics between the two populations. Further, by weighting both the pre-treatment (baseline) and post-treatment (follow-up) samples to the same demographic benchmark, we reduce the potential for changes in the demographic composition of workers over time to bias the estimates.

The construction of survey weights was performed using the calibrate package in R. The descriptive statistics shown in Table 1 demonstrate that once the weights are applied, the demographic characteristics of Seattle and the Comparison samples are closely aligned.

In a separate working paper we describe a set of additional tests we performed to assess data validity, including comparisons of our non-probability survey data with probability samples collected by the Current Population Survey and the National Longitudinal Survey of Youth. These comparisons show that our survey data is more similar to either of these source than these two sources are to one another. This working paper also describes test of bias on unobservables that did not reveal evidence of bias (Schneider and Harknett 2019).

Because our survey was self-administered, some respondents break off before the end of the survey.

We organized our survey instrument so that the module on work scheduling outcomes was near the start of the survey to minimize missing data on scheduling experiences. Imputations were run using all observations of respondents who were in the Seattle sample or comparison groups at baseline or at follow-up. Missing variables were imputed both for questions that were seen but skipped and for questions that were unanswered due to survey attrition. Ten imputed data sets were generated using the 'Amelia' package in R (Honaker, King, and Blackwell 2011).

Supplemental Table 1. American Community Survey (ACS) and Unweighted and Weighted Descriptives			
	ACS %	Seattle Unweighted %	Seattle Weighted %
Age			
18-29 years of age	44.8	58.5	52.8
30-39	24.5	18.6	21.6
40-49	15.6	11.6	13.5
50+	15.0	11.3	12.1
Race			
White	57.9	57.3	54.0
Black	4.3	3.3	3.8
Hispanic	16.2	13.8	16.1
Asian	14.0	8.8	13.9
Other or multi-racial	7.7	16.8	12.2
Gender			
Female	45.4	65.5	55.2
Education			
High School or Less	33.0	33.9	33.3
Some college	39.2	42.7	40.6
BA+	27.8	23.5	26.2
Enrolled in school	--	33.3	32.2
Marital and Parental Status			
Married	--	23.1	24.7
Living with partner	--	25.1	23.6
Not living with partner	--	51.7	51.7
Has kids	18.4	28.7	26.2
Language			
English Second Language*	29.1	21.6	31.3
Speaks English less than "well"	8.6	--	--
Spanish-Speaker with Limited English	4.4	--	--
Chinese-Speaker with Limited English	2.3	--	--
Other language with Limited English	2.1	--	--
N	49,980	1,379	1,379

* Refers to ACS category "speaks a language other than English at home" (but does not necessarily imply limited proficiency)

II-C. Results for Alternative Comparison Groups

In our main results, as described above, our comparison group is comprised of large U.S. cities that have a minimum wage that is higher than the Federal minimum wage. We also estimate impacts for three alternative comparison groups and find results consistent with those we presented, including a significant increase in advance notice between 8 and 10 percentage points.

Supplemental Table 2 presents results for four separate comparison groups:

1. **Minimum Wage** is the comparison group presented in the report, consisting of large cities with a minimum wage higher than the Federal minimum.
2. **Scheduling Cities** includes hourly workers who were surveyed in metropolitan areas of at least 1 million people that are either soon to consider work scheduling legislation or who have recently considered such legislation, but narrowly failed to pass it. We discern this information from correspondence with city legislators and other actors in the policy space. We argue that these cities constitute an important comparison group because they likely share some of the same unobservables that select Seattle into passing scheduling legislation, but have not yet enacted the treatment. These CBSAs are Chicago, Philadelphia, Los Angeles, Minneapolis, and Washington DC.
3. **Scheduling Cities or States** expands the group of Scheduling Cities to also include metropolitan areas in states that are either soon to consider state-level scheduling legislation or who have recently considered such legislation, but narrowly failed to pass it. These cities are Chicago, Philadelphia, Los Angeles, Minneapolis, and Washington DC, Portland, San Diego, Boston, Sacramento, and Hartford.
4. **Near Seattle** includes hourly workers who were surveyed in the Seattle CBSA, are employed at the same set of retail and food establishments as the Seattle treatment group, but work outside of Seattle city limits and thus are not covered by the Ordinance.

In Supplemental Table 2, we first reproduce the DiD estimate from Main Tables 2-7. We then show the same estimate when using each of the alterative three comparison groups in the subsequent columns. In the top panel of Table 2, we present results with survey weights applied, and in the bottom panel we present unweighted results. Overall, the impact estimates are largely consistent across comparison groups and with and without survey weights. One exception is that estimated impacts on shift timing changes are larger for the Near Seattle comparison group than for the other comparison groups. When Seattle workers covered by the SSO are compared to their nearby counterparts working in the area but outside of Seattle city limits, we estimate a significant 8 percentage point decline in shift changes, and a 13 percentage point decrease in shift changes without extra pay. This provides some evidence that the SSO reduced schedule changes and increased compensation when last-minute schedule changes did occur.

Supplemental Table 2. Estimated Impacts of SSO with Alternative Comparison Groups				
	Minimum Wage n=14,109	Scheduling Cities n=7,654	Scheduling Cities or States n=10,557	Near Seattle n=4,247
Weighted				
Two Weeks' Notice	9.3**	10.0**	8.2*	8.6*
On-Call	0.0	-2.0	-0.2	-2.8
On-Call without Work or Pay	1.5	-0.3	0.7	-0.6
No Shift Timing Change	0.7	-0.5	-0.2	8.3*
Shift Change with Pay	7.2**	7.1**	6.9**	4.8
Shift Change without Pay	-7.9*	-6.6	-6.6	-13.1**
Clopening Shift	-2.6	-2.7	-1.9	-5.6
Clopening without Extra Pay	-3.9	-4.0	-3.4	-6.6+
No Cancelled Shift	-5.3+	-5.4+	-5.6*	-1.0
Cancelled Shift with Pay	2.2*	2.3+	2.4*	1.3
Cancelled Shift without Pay	3.1	3.1	3.2	-0.3
Offer hire	-4.2	-4.6	-4.6	-1.3
Usual hours	-0.8	-0.9	-0.7	-0.8
Unweighted				
Two Weeks' Notice	7.9**	9.0**	7.3*	7.4*
On-Call	0.0	-1.0	0.5	-2.0
On-Call without Work or Pay	1.4	-0.1	0.8	-0.1
No Shift Timing Change	1.0	-0.4	0.0	6.1
Shift Change with Pay	6.4***	6.5**	6.3**	5.1*
Shift Change without Pay	-7.4*	-6.1	-6.4	-11.2**
Clopening Shift	-2.5	-2.4	-1.4	-4.7
Clopening without Extra Pay	-4.8	-4.6	-3.8	-6.7*
No Cancelled Shift	-5.0+	-5.6*	-5.4*	-0.8
Cancelled Shift with Pay	2.3*	2.5*	2.5*	1.5
Cancelled Shift without Pay	2.7	3.1	2.9	-0.7
Offer hire	-2.0	-2.0	-2.4	1.0
Usual hours	-0.5	-0.7	-0.5	-0.6

Notes: **p<.01; * p<.05; + p<.10. Estimates from difference-in-differences regression models. Impacts are the interaction between Seattle treatment group and post-SSO period.

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III. Employer Implementation Report

SUSAN LAMBERT and ANNA HALEY[1]

This Year 1 report is based on data, collected by Professors Lambert and Haley and their research team, from 37 frontline retail and food service managers about their scheduling practices and their firms' policies a year after the City of Seattle enacted the Secure Scheduling Ordinance (SSO). This report draws on interviews with managers in covered worksites to examine how the 2017 Seattle Scheduling Ordinance is being implemented into everyday business practice a year after its enactment.

This report:

1. Summarizes how closely managers' scheduling practices are aligned with the Ordinance's key provisions a year after enactment of the SSO;
2. Examines the extent of movement toward alignment during the first year of enactment among the subset of businesses for which we have data on both pre-enactment and post-enactment practices;
3. Provides in-depth examples of variation in the approaches managers are adopting in implementing different provisions of the SSO; and
4. Reports feedback from frontline managers on their experiences implementing the SSO.

Purpose

This "employer side" of the Secure Scheduling Ordinance (SSO) evaluation approaches the study of policy implementation and legal compliance as one of capturing and understanding a process. Our examination of scheduling practices in SSO-covered worksites prior to the enactment of the Ordinance revealed substantial variation in the extent to which managers' pre-existing practices aligned with the different provisions incorporated into the SSO. At that time, some worksites were already close to meeting requirements for at least some provisions, while other worksites were a far distance away. We thus anticipated, heading into the second year of this evaluation, that businesses are continuing to vary in how their compliance paths are unfolding, both in the routes they are taking and their pace of change. In this report we examine that variation, attending in detail to the efforts of frontline scheduling managers to implement the different provisions in the SSO a year after its enactment. In so doing, we assess the extent and nature of alignment between managers' scheduling practices and distinct SSO provisions and provide examples of what weak and strong alignment looks like in everyday business practice. We also provide feedback from frontline managers on aspects of SSO provisions and administrative rules that facilitate or hinder their ability to balance the needs of workers with those of the business, and on the supports they say they have accessed, or need, as they work toward stronger compliance.

Our limited sample size constrains our ability to characterize SSO implementation by Seattle businesses generally, and the questions we ask managers are not intended to adjudicate legal compliance. Instead, our goal is to "unpack" the process of implementing the different provisions in the SSO and the strategies managers – in a set of diverse retail and food service worksites now regulated by the Ordinance – are employing to bring their scheduling practices into alignment with legal requirements, as they understand them. It is our hope that this information will prove useful to both the City and the business community in identifying strategies to enhance the Ordinance's viability for both Seattle employers and employees.

Since starting the Seattle employer implementation evaluation, Profs. Lambert and Haley have secured additional funding from private research foundations and their universities to support expanding the study to four additional geographic locations – towns adjacent to Seattle (not covered by the law), New York City (covered by a different set of scheduling laws), and Philadelphia and Chicago (which recently passed laws that are not yet in effect). Comparative analyses should offer additional insights into factors that shape frontline managers' experiences implementing scheduling policy, further informing our research in Seattle.

1 This research would not be possible were it not for the generosity that managers showed us in sharing their experiences with and perspectives on scheduling employees. We encountered a group of very competent and committed managers who are simultaneously accountable to their firms and to their employees, doing their best to navigate the complex, uncertain, and sometimes conflicting imperatives of their jobs. We are also indebted to our research team, featuring five Seattle-based field interviewers and six Chicago-based research assistants who coded the interviews and helped analyze the data.

Methods

Sample

Our Year 1 (post-implementation) sample is based largely on the sample we originally constructed for baseline data collection from front-line managers responsible for scheduling employees at sites of SSO-covered businesses.[2] At that time, we compiled a sampling frame of all Seattle workplaces covered by the Secure Scheduling Ordinance, verifying and building on two lists provided by the Office of Labor Standards (one of all firms with Seattle Business Licenses and a second of potentially covered companies identified through Dunn and Bradstreet). From that frame, we selected a subset of businesses that varied by (1) SSO-covered business type (retail and food service); (2) business subsector (e.g., apparel, specialty, grocery, fast food); and (3) market niche (price point). We then selected individual worksites (particular stores or restaurants) by (4) number of employees per site and (5) geographic location within Seattle. To capture diversity in customer and workforce bases, we targeted the neighborhoods of Northgate, Lake City, Ballard, Downtown, Columbia City, Rainier Valley, and Southwest Seattle near White Center. At each site, the research team sought to recruit a frontline manager responsible for employee scheduling through a combination of cold calls and personal visits to worksites (see the baseline report for further specifics).

Our goal with this second year of data collection was to return to our originally recruited sites (n=52), and to also expand our sample to chains we were unable to recruit for our pre-implementation research. We conducted this fieldwork from Fall 2018 through Spring of 2019, and analyses conducted for this report include a sample of 37 sites, 21 of which had been included in the baseline data collection (and for which we therefore have data at two time points – pre and post SSO implementation). Table 1 summarizes the business main and sub-categories within which these 37 worksites operate.

Table 1. Y1 employer/site interview sample (n=37)

	Retail (n=21)			Food service (n=16)		
	Apparel and specialty retail stores	Grocery stores	Convenience stores	Limited-service restaurants		Full-service restaurants
				Coffee-shops	Fast-food restaurants	
Baseline & Year 1	3	4	3	2	4	5
Year 1 Only	9	1	1	-	3	2

Recruitment in this second round of fieldwork was considerably more challenging than at baseline in Spring of 2017. We encountered far more requests by the managers we approached to seek corporate-level approval before they were comfortable talking with us (previously, many managers were willing to be interviewed on the spot); and a greater proportion declined outright to participate. In the course of securing the 37 interviews, we encountered 32 declines from other managers, and 23 managers who indicated they needed corporate approval to participate (a 40% overall participation rate). From rationales shared by managers declining or deferring participation, our sense is that many more than in 2017 were concerned about how their corporate supervisors would react to talking with researchers about employment practices.[3]

Manager Surveys and Interviews

As with the baseline year, we employed two data collection tools: a brief survey and a more extensive interview protocol. Managers were asked to complete the 30-item survey prior to the interview, though in a few cases the survey was completed as part of the interview. This survey asked for basic information about the site (e.g., number of employees on payroll, number of those paid hourly, number of supervising managers) as well as whether the site operated under policies guiding scheduling practices related to each of the SSO provisions. The interviews then sought to deepen this information by asking in-depth questions about the nature of any firm policies related to scheduling; managers' processes for scheduling hourly employees with respect to each of the Ordinance provisions, as a matter of company policy and/or personal practice; factors that research suggests influence scheduling practices; and supports managers have received to help them schedule employees and

[2] Please see the baseline report, accessible at https://www.seattle.gov/Documents/Departments/CityAuditor/auditreports/SecureSchedulingReport.pdf, for additional details.
[3] Several managers volunteered that they would like to participate in the study, if 'corporate' granted permission. For the Year 2 evaluation, we are expanding our recruitment approach to include access through higher-level management. Although this additional recruitment strategy will expand variation on business type, it adds another level of selection bias and requires different strategies for ensuring that managers can freely choose whether or not to participate in the study, per human subjects protections.

implement the new City scheduling requirements. Interviews averaged an hour in length, and with manager consent were audio-recorded. Each manager was offered $100 as a research participation incentive.

We view the surveys and interviews as critical to triangulating our data collection from the employer side, but also as capturing distinct sets of information. The survey is a “short-hand” effort, focused on managers’ awareness of the existence (or not) of formal corporate or site level policies related to scheduling. In our interviews, by contrast, we seek to unpack what is actually done by managers with respect to scheduling at the particular worksite. As a result, our findings from analyses of the survey and interview data are on occasion divergent – in some cases with managers reporting stronger alignment with particular provisions than suggested by official policy and in other cases, weaker alignment. We view these discrepancies as reflecting the significant complexities of implementing such a detailed regulation, and the common gaps that arise between policy “on paper” versus policy “in practice.”[4]

Analysis

The survey data were analyzed using the quantitative data analysis program, SPSS. Transcriptions of the interview recordings, additional notes, and analytical memos were uploaded to a qualitative data analysis program, Dedoose, to conduct coding and analysis.

Each interview was coded by two research team members to establish inter-coder reliability. During weekly meetings, the team resolved any discrepancies between coders.

As a first step, our team coded the interview transcripts to capture both emergent and pre-determined themes, organized around the central elements of Seattle’s scheduling law. We also coded for managers’ knowledge of the SSO and the supports to which they had access for easing implementation. As a second step in the analysis process, we developed a coding protocol to rate the match between managers’ current scheduling practices and the legal requirements defined in the administrative rules for Seattle’s Ordinance. We scored relevant scheduling practices on a scale of 1 to 3, ranging from strong to weak alignment: ‘1’ denotes the manager was scheduling in alignment with SSO requirements the majority of the time; ‘2’ indicates that the manager was not scheduling completely in alignment but close to it or did not rely heavily on the practice (e.g., the manager rarely asked individual workers to extend their shifts), and ‘3’ denotes that scheduling practices were mostly out of alignment, with the manager relying heavily on practices at odds with the regulation (e.g., the manager regularly asked individual workers to extend their shift without paying the schedule change premium when doing so).

In the first two sections reporting our results, we draw on data obtained from the 33 managers who completed a survey. The third and final section employs data from our interviews with a total of 37 managers (four of whom did not complete surveys).

Results

Summary of Establishments from Survey Data

Table 2. Employer/site survey sample (n=33)

	Retail (n=18)			Food service (n=15)		
	Apparel and Specialty Retail Stores	Grocery Stores	Convenience Stores	Limited Service Restaurants: Coffee Shops	Limited Service Restaurants: Fast Food Restaurants	Full Service Restaurants
Baseline site	3	4	3	2	3	5
Baseline chain (new site)	3	1	-	-	2	1
New chain	4	-	-	-	1	1

Among the 33 managers completing the survey, 20 were from sites included in baseline data collection, though not always the same manager; 7 were from new sites of chains included at baseline, and 6 were from new sites

[4] An additional level is policy “as experienced,” which is captured by the employee component of this evaluation. As when comparing employer policy to manager practice, divergences between managers and employees’ perspectives of the SSO are not a matter of determining who is telling “the truth.” Instead, each vantage point offers a distinct window into the policy process and possible ramifications of the SSO for the City.

as well as new chains to the study. The surveyed managers came from apparel and specialty retail stores (10), groceries (5), convenience stores (3), coffee shops (2), fast-food restaurants (6), and full-service restaurants (7, Table 2).

Table 3 provides a summary of key characteristics of the sites operated by the 33 surveyed managers. The businesses average 50 employees on payroll; fast-food restaurants exhibited notably smaller numbers, with a mean of 21 total employees. More than 90 percent of workers across the three business types were paid hourly, and of those, about half are considered by their employers to be part time (though somewhat more were part-time in full-service restaurants – a mean of 57 percent– and fewer in fast-food establishments – 45 percent). Slightly more than half of hourly employees working at sites of surveyed managers were reported to be female, and slightly less than half non-white; and managers reported that just 15 percent were between 18 and 22 years old.

Table 3. Summary of Y1 surveyed managers' site characteristics (n=33)

	Retail (n=18)	Limited Service Restaurants (n=8)	Full-Service Restaurants (n=7)	Total (n=33)
Number of employees...				
on payroll (Q1.1)				
mean (median)	38.2 (25)	21.1 (12.5)	68.4 (72)	50.4 (30)
range	4-189	1-58	12-120	1-189
Number of managers who...				
help supervise employees (Q3.1)				
mean (standard deviation)	5.2 (4.5)	4.9 (4)	4.6 (4)	5.0 (4)
range	1-15	1-18	3-7	1-18
are responsible for scheduling employees (Q3.4)				
mean (standard deviation)	1.8 (1)	1.5 (1)	3.4 (4)	2.1 (2)
range	1-4	1-3	1-5	1-5
Percent of employees...				
paid hourly (Q15.1)				
mean (median)	95.0 (96.7)	92.7 (98.4)	82.0 (92.1)	92.0 (95.6)
range	81-100	60-100	30-100	30-100
hourly and part-time (Q15.1)				
mean (median)	52.1 (47.4)	45.7 (51.8)	57.2 (70.6)	51.6 (50.0)
range	0-100	0-100	0-100	0-100
Percent of hourly employees who are...				
Female	56.7 (57.9) 14-100	54.1 (55.5) 0-100	48.8 (47.8) 33-64	54.6 (56.3) 0-100
Non-white	47.2 (50.0) 0-100	40.9 (42.6) 0-70	46.6 (47.1) 20-65	45.4 (50.0) 0-100
Age 18-22	16.7 (14.0) 0-67	13.2 (11.3) 0-35	14.6 (10.3) 3-40	15.4 (11.5) 0-67

Source: Manager Survey, Year 1.

Managerial staff sizes varied across the establishments studied. Surveyed managers reported from 1 to

18 managers who were responsible for supervising employees, with an average of 5, though full-service restaurants had fewer managers (ranging from 3 to 7; Table 3). Typically, only a subset of managers, one or two per site, was involved in actually scheduling employees. The managers we interviewed were directly responsible for scheduling staff at their respective sites.

Employer Scheduling Policies Related to the Ordinance from Survey Data

Table 4 draws on the manager survey data to provide a summary of firms' scheduling policies for this post-SSO implementation period (33 worksites), and Table 5 compares these policies to those pre-enactment of the SSO for the 20 sites we were able to recruit at both baseline and Year 1, allowing a glimpse of potential change in scheduling policies over that time.

As shown in Table 4, the three SSO-relevant practices for which managers most often reported company adoption of a policy involved (1) advance notice of employee schedules (30 out of the 33 managers indicated the presence of a related policy, with one manager in each business category reporting the lack of a policy), (2) minimum amount of time, or "right to rest," between scheduled shifts (28 out of 33 managers, with 4 of the 5 managers reporting a lack of policy coming from retail), and (3) communicating with workers about availability of extra hours/shifts (26 out of 33 managers). Policies about maintaining scheduling documentation were least common: 20 out of the 33 surveyed managers indicated their sites had adopted policies about documenting reasons for changes made to an employee's schedule, and only 18 reported policies for how managers were to respond to employee requests for a long-term schedule change (Table 4).

Table 4. Summary of business policies related to scheduling, as reported by surveyed managers (n=33)

Percent of managers reporting a site policy related to…	Retail (n=18)	Limited-Service Restaurants (n=8)	Full-Service Restaurants (n=7)	Total (n=33)
	Yes (Don't Know)			
Providing estimated weekly hours (Q13)	15 (0)	7 (0)	4 (0)	26 (0)
Providing advance notice of work schedule (Q19)	17 (1)	7 (1)	6 (1)	30 (3)
Paying extra compensation to employees for business-driving schedule changes (Q34)	7 (2)	5 (2)	5 (0)	17 (4)
Minimum amount of time between shifts (Q25)	14 (1)	8 (0)	6 (0)	28 (1)
Offering qualified current employees more hours (Q28)	14 (1)	7 (1)	4 (0)	25 (2)
Communicating with workers about extra shifts (Q47)	15 (0)	7 (2)	4 (1)	26 (3)
Employee requests for long-term schedule change (Q41)	14 (0)	6 (1)	4 (0)	24 (1)
Documentation of reasons for changes to an employee's schedule (Q37)	9 (1)	6 (1)	5 (0)	20 (2)
Documentation of management's response to employee schedule change request (Q44)	8 (2)	5 (2)	5 (0)	18 (4)

Figure 1: Proportion of managers reporting a site policy related to:

Source: Manager Survey, Year 1.

Figure 1 summarizes the data presented in Table 4 by indicating the proportion of managers surveyed who reported policies pertaining to particular scheduling practices.

Table 5 compares policies pre and post implementation among the 20 businesses for which we have data at both time points. Although this is a small group of businesses, and managers surveyed at baseline are not be the same managers surveyed at Year 1, these comparisons may illuminate the progress of some firms in reaching alignment with SSO requirements. With only a few exceptions, we found that all of these sites had increased their adoption of at least one SSO-relevant scheduling policy from the baseline period (not in table). Further, a smaller number of managers indicated that they "don't know" whether a given policy was in place at Year 1, reflecting greater awareness of their site's oversight of scheduling practices (Table 5). Retail and fast food managers expressed continuing uncertainty about the presence of firm policies for paying extra compensation to employees for business-driven schedule changes, but rates of reporting such policies increased across the business types from the baseline period (from no such policies present at baseline to 10 out of the 33 managers reporting a policy on payment at Year 1).

An Overview of Alignment with SSO Provisions from Manager Interviews

In this section, we summarize the strength of alignment between interviewed managers' scheduling practices and provisions in the SSO. Our analysis is based on what managers described in detailed interviews as actually doing, regardless of the policies they reported on the survey. In this sense, and as noted earlier in the report, our findings from the interview versus survey data tell a somewhat different story, helping to unpack why an existing policy (as reported in the survey potentially) may not in fact yield SSO-aligned practice (as described by a manager in an interview), or vice versa, that even in the absence of a policy, managers have adapted their practices to align with the new regulations.

In providing information on the strength of alignment between managers' scheduling practices and SSO requirements, we examine variation by SSO provision (e.g., good faith estimate, advance schedule notice) and across covered business category – retail, limited-service food, and full-service food. As previously explained in Methods, a '1' indicates strong alignment with the SSO provision examined (e.g., following both the spirit and letter of the law), '2' indicates moderate alignment (e.g., a given scheduling practice was not aligned well with administrative rules but the manager did not rely heavily on it), and '3' denotes a scheduling practice at odds with the regulation and the manager regularly employed this practice at the worksite.

Table 5. Comparison of business policies related to scheduling, sites surveyed at Baseline and Year 1 (n=20)

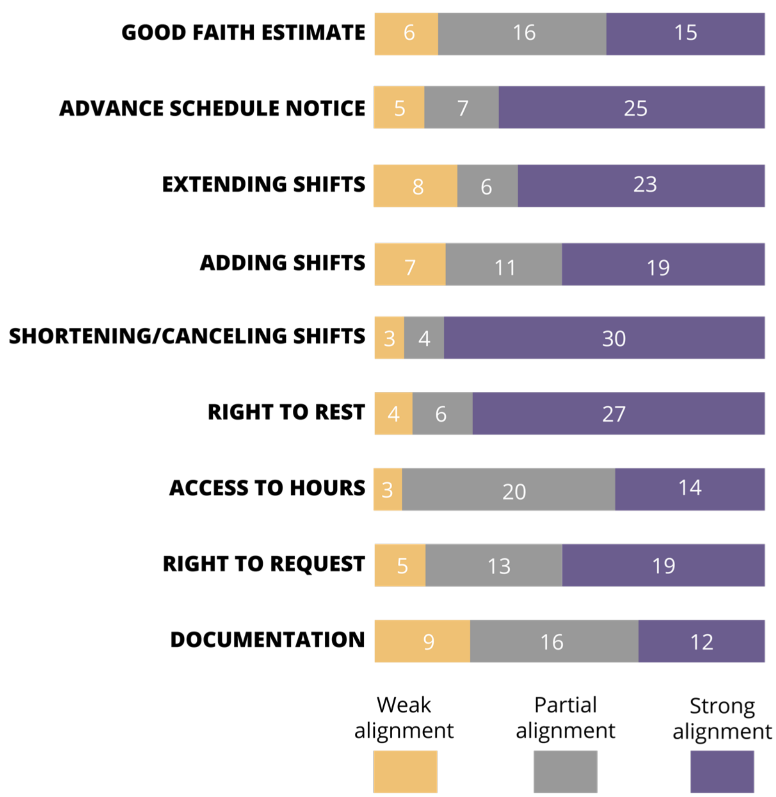
Managers reporting site policy related to...	Retail (n=10)		Limited-Service Establishments (n=5)		Full-Service Restaurants (n=5)		Total (n=20)	
	Baseline	Year 1	Baseline	Year 1	Baseline	Year 1	Baseline	Year 1
Good faith estimate: providing estimated weekly hours (Q13)								
Yes	7	8	3	4	4	3	15	15
(Don't Know)	(1)	(0)	(0)	(0)	(0)	(0)	(1)	(0)
Advance schedule notice (Q19)								
Yes	7	9	3	4	5	4	15	17
(Don't Know)	(0)	(0)	(0)	(0)	(0)	(0)	(0)	(0)
Schedule changes: paying extra compensation to employees for business-driven schedule changes (Q34)								
Yes	0	3	0	3	0	4	0	10
(Don't Know)	(2)	(2)	(1)	(1)	(1)	(0)	(4)	(3)
Right to rest: minimum amount of time between shifts (Q25)								
Yes	6	8	3	5	5	4	14	17
(Don't Know)	(1)	(0)	(1)	(0)	(0)	(0)	(2)	(0)
Access to hours: offering qualified current employees more hours (Q28)								
Yes	6	8	2	4	2	3	10	15
(Don't Know)	(1)	(0)	(1)	(1)	(0)	(0)	(2)	(1)
Right to Request: employee requests for long-term schedule change (Q41)								
Yes	6	7	3	3	4	3	13	13
Don't Know	(1)	(0)	(1)	(1)	(1)	(0)	(3)	(1)

Source: Manager Survey, Year 1.

Figure 2 summarizes the strength of alignment between managers' scheduling practices and specific SSO provisions, among the 37 managers interviewed at Year 1. Managers' scheduling practices were most strongly aligned with requirements guiding advance schedule notice, shortening or cancelling shifts, and shift spacing. Manager-reported practices were more divergent around SSO-required documentation, offering newly available hours to current employees, and providing good-faith hours estimates.

Table 6 provides information on strength of alignment across business type by provision. The table indicates the number of worksites where alignment with a given provision was strong (a "1" on that provision) and the number where alignment was weak (a "3"); worksites coded as moderately aligned ('2's) are not included in this table. Across the business types and provisions, weak alignment was relatively limited, at generally less than a quarter of sites; a somewhat larger proportion of retail stores exhibited weak alignment for provisions related to adding shifts or hours and documentation of schedule changes.

Figure 2. Extent of alignment with SSO provisions (n=37)



Note: The extent of alignment with SSO provisions was determined by the research team based on practices described in the interviews.

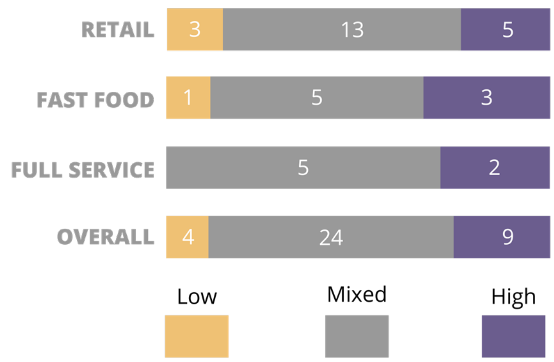
Table 6. Strength of alignment between managers' scheduling practices and SSO requirements, by business category and SSO provision (n=37)

SSO Provision	Business Type						Total (n=37)	
	Retail (n=21)		Limited-service food (n=9)		Full-service food (n=7)			
	strong	*weak*	*strong*	*weak*	*strong*	*weak*	*strong*	*weak*
Good faith estimate	8	4	5	2	2	0	15 (41%)	6 (16%)
Advance schedule notice	12	3	6	2	7	0	25 (68%)	5 (14%)
Extending shifts	9	7	7	1	7	0	23 (62%)	8 (22%)
Adding shifts	6	6	7	1	6	0	19 (51%)	7 (19%)
Shortening/cancelling shifts	20	0	6	2	4	1	30 (81%)	3 (8%)
Right to rest	13	3	7	1	7	0	27 (73%)	4 (11%)
Access to hours	7	2	5	1	2	0	14 (38%)	3 (8%)
Right to request	9	3	6	2	4	0	19 (51%)	5 (14%)
Documentation	6	6	4	2	2	1	12 (32%)	9 (24%)

Source: Manager Interviews, Year 1. Worksites rated as moderately aligned with a provision are not included in this table.

For all three types of business, strength of compliance varied by provision, largely mirroring the variation found when examining alignment by provision. In particular, alignment with requirements for documentation, access to hours, and providing written good-faith estimates were the most weakly aligned for all three types of covered businesses. Strong alignment varies some across business type, though. For example, a smaller proportion of managers in retail (62%; 13 out of 21) than in limited-service (78%; 7 out of 9) and full-service (100%; 7 out of 7) restaurants were coded as strongly aligned with requirements governing the right-to-rest provision. On the other hand, a larger proportion of retail managers (95%; 20 out of 21) than managers of limited-service and full-service restaurants (approximately 60% of both) reported practices strongly aligned with SSO regulations governing shortening or cancelling shifts. This analysis suggests that employers in all covered sectors may find information and support helpful on how to implement SSO-required documentation, offer newly available hours to current employees, and write-up good-faith hours estimates. It may be fruitful to develop more customized information on other provisions for different business types.

Figure 3. Degree of comprehensive alignment with SSO by business category (n=37)



Note: High comprehensive alignment is defined as being strongly aligned on seven or more of the nine SSO provisions listed in Table 6 (coded as "1s"); low comprehensive alignment includes sites that were rated as weakly aligned (3s) on four or more provisions.

Although at Year 1 most all of the managers interviewed were scheduling in ways that strongly aligned with one or more SSO provision, how many were implementing the law in a comprehensive manner? Figure 3 summarizes the extent of 'comprehensive alignment' by business type. High comprehensive alignment is defined as being strongly aligned (coded '1') on seven or more of the nine SSO provisions included in Table 6. Sites with low comprehensive alignment are those with four or more SSO provisions rated as weakly aligned (coded "3" in Table 6). Among the 37 businesses at which we interviewed managers, just ten were comprehensively aligned; these businesses were in all three sectors. Only four showed low comprehensive alignment, including three retail stores and one fast food establishment. The remaining 23 worksites fell in the middle, with strong alignment on some provisions, weak alignment on others, and moderate alignment on some. (Below, we offer examples from managers' quotes to illuminate these distinctions.)

Looking at the subset of 21 sites for which we have interview data pre- and post-SSO implementation permits us to gauge movement in scheduling practices in relation to legal requirements. As shown in Table 8, we observed predominantly increasing alignment with the Ordinance, with most sites moving from alignment with one to three provisions of the law at baseline to alignment with four, five or six provisions at Year 1. Three cases – two coffee shops and a full-service restaurant – have at our second data collection period shifted to notably comprehensive (that is, multi-provision) alignment and another four made observable progress toward comprehensive alignment, shifting from one or two practices being consistent with the law at baseline to five or six. Four establishments, however – one in fast food and three retail stores – exhibit stasis or else decreased total alignment with SSO provisions compared to baseline.

Table 7. Schedule practice alignment for sites with two time points of interview data (n=21)			
Business Type (individual worksites)	Number of aligned provisions at: (maximum score=8[a])		Change
	Baseline	Year 1	
Full-service restaurant	1	8	+7
Fast food (coffee)	2	8	6
Fast food (coffee)	1	7	6
Retail (convenience)	0	6	6
Fast food	2	6	4
Fast food	1	5	4
Retail (specialty)	2	5	3
Retail (grocer)	2	5	3
Fast food	2	5	3
Full-service restaurant	2	5	3
Full-service restaurant	3	6	3
Full-service restaurant	1	4	3
Retail (apparel)	1	4	3
Full-service restaurant	2	4	2
Retail (convenience)	1	3	2
Retail (specialty)	2	4	2
Retail (grocer)	1	2	1
Retail (convenience)	2	2	0
Retail (grocer)	2	1	-1
Retail (grocer)	3	2	-1
Fast food	5	2	-3

[a]See Table 6 for provisions coded. Because documentation was not coded at baseline, the maximum number of aligned provisions is eight.

Summary of Themes from Interviews with Managers

The heart of our analyses are managers' responses to detailed questions about their scheduling and staffing practices, their understanding of the SSO, and the supports they are receiving to facilitate alignment with SSO requirements. As the above tables indicate, alignment with SSO requirements is a work in progress at most worksites. Here, we summarize some of the key themes that emerged from our analyses of in-person interviews with managers. In the next section, we offer interested readers a deeper look at managers' experiences and practices, integrating the summary information from the above tables with quotes from managers.

Implementation of the SSO by Frontline Managers

- Our interviews suggest that scheduling in Seattle is in transition, with most of the worksites in our study moving closer to alignment with the SSO.
    - All sites for which we have data on practices before and after the SSO moved closer to alignment on at least one provision, with some workplaces coming closer to alignment on multiple provisions.
    - Managers provide examples of how implementation has gotten easier with experience.

- It will be important to continue to track implementation by frontline managers. Although the managers interviewed have moved closer to alignment on at least one provision, a few also provided examples of moving away from alignment on other provisions, including examples of moving back to one week advance notice and scheduling on-call shifts.
- For several of the provisions, managers can achieve alignment in two ways: by avoiding scheduling practices that incur premium pay or by continuing to use a given regulated practice and then paying workers the required premium. Our analyses suggest that the former is the more common route when it comes to hour reductions and the latter is more likely when it comes to hour additions.
    - Several managers reported that they "rarely" or "no longer" cancel shifts or ask employees to end a shift early when already working. Only a few managers indicated that their worksite had paid the schedule change premium for shift cancellations or reductions since enactment of the law.
    - We see little evidence in this round of interviews that managers are newly motivated to avoid adding hours after the schedule has been posted. Instead, managers discussed the steps they take to avoid having to pay the schedule change premium to employees when adding hours and/or they talked about how paying a premium for hour additions is becoming part of everyday practice.
- Managers continue to express misunderstanding of the conditions under which the schedule change premium is required. In the next section, we provide several examples of managers who are interpreting employees' consent to change a shift– versus initiating the request themselves – as an employee-driven change, one that does not require payment of the schedule change premium. This interpretation was drawn by managers in all types of businesses and used to explain why they had not paid the schedule change premium when adding and in some cases, reducing hours.
- Some managers (e.g., those posting two weekly schedules at a time) believed they were providing 14-day advance notice when they were providing less.
    - Managers identified factors that can make it difficult for them to consistently provide 14-day advance notice, such as high turnover, the corporation providing their labor budget with only a week's notice, and changes in the timing of shipments and promotions.
- When employees are scheduled to work different shifts from week to week, there can be no or few regularly-scheduled shifts to post when someone leaves, and most everyone may already be working during the few regularly-scheduled shifts (e.g., on weekends). In these worksites, managers tend to follow the same practices to implement the 'access to hours' provision as they use when adding one-off shifts to a posted schedule.
- Managers in every business type described practices that align with both the spirit and the letter of the new law, from making sure employees receive the schedule-change premium to providing a written estimate of work hours they stick to in good faith. Their strategies may hold lessons for other managers.

Knowledge of the SSO

- At the time of our baseline data collection just months before the SSO took effect, nearly half of managers we interviewed – 22 of 52 – had not heard of the Ordinance. By the time of our second round of data collection, a far higher proportion of managers we interviewed had become familiar with the SSO: just three of the 37 managers interviewed said they had limited or no knowledge of it.
- The supports managers received to inform them about the law and to ease implementation varied across and within business type, with some managers receiving on-going training at the time of the interview and others having been left on their own to figure out the law and to set up systems to document schedule changes and premium pay.

Managers' views of the SSO

- Several managers volunteered that they thought the Ordinance was overall "a good thing"; as one pharmacy manager put it, "I think that people are worth it, and I think that if people were paid what they were worth, they'd have a lot better workers out there." However, other managers voiced the opinion that some employees are not benefiting from the SSO because it is restricting their ability to take time off when needed. (Examples of a range of views are provided in the next section.)
- Negative views of the law were especially strong, though not universally so, among the managers we interviewed who were also the owners of franchised fast food restaurants. These manager/owners explained the mismatch between the requirements of the Ordinance and the realities of their workplaces, which often had very few (4-5) employees at the worksite, all of whom had set schedules. They also discussed how unfair they thought it was that other nearby restaurants were not covered by the law.
- When asked about the most challenging aspects of implementation the SSO, a common response was maintaining required documentation and establishing systems to record schedule changes incurring the schedule change premium. Almost half of managers interviewed reported documenting only part of what is required and another quarter reported little or no documentation of the scheduling process.
    - Responses suggest two basic documentation challenges: the lack of systems to support systematic documentation at some worksites and resource-consuming documentation processes at other sites. As one manager in a full-service restaurant quipped, "For a city that cares so much about the environment, that law is a huge waste of paper."
    - A few managers reported innovative systems for documentation, some provided by their company and some established by management at the worksite. Notably, some are involving employees in the documentation process. In particular, employees are asked to record on an app or written form whether or not a change to their schedule was voluntary or not. Managers then use this information to identify changes requiring predictability pay. Such practices highlight the importance of training on the SSO for hourly employees as well as managers.

Implementation of the SSO by Frontline Managers

The following sections provide supporting evidence for the above themes and look in-depth at additional aspects of implementation. In this section, we provide details on managers' implementation of specific provisions of the SSO. In addition to offering examples of strong (rated 1) versus weak (rated 3) alignment, we probe the pathways through which managers have pursued alignment: by avoiding scheduling practices that incur premium pay or by continuing to use a given regulated practice and then paying workers the required premium.

Good Faith Estimate

Most of the managers we interviewed described practices that seemed fully or "in spirit" aligned with the requirements and intent of the "good faith estimate" provision in the SSO – that is, mandating employers to provide an estimate in writing to each employee of the number of hours he or she could expect to work each week. By our close coding of interview data, we found 15 of the 37 managers detailing strongly aligned practices related to this provision, and another 16 who were close, achieving much of the intent if not the letter of this requirement. Just seven reported apparently non-or-weakly-aligned practices related to providing these hours estimates. These statuses of alignment, further, cut across all of the covered business types, and across the different sub-types of retail.

Managers offering accounts of not providing good faith estimates shared varied reasoning. Several appeared unfamiliar with the estimate requirement, and pushed back on their capacity for offering this to employees. As a manager of a larger-footprint fast food site explained:

> MANAGER (FAST FOOD): Honestly… I didn't know I had to give them an actual thing [written document] saying that this is [the hours] they would get.

INTERVIEWER: Does that seem like it'd be challenging?

MANAGER: It's just complicated because if you tell them this and then you don't give them that, it just becomes a big huge complication. That's why we don't guarantee anything.

An apparel retail manager operating with a small payroll (just seven employees) described his approach of providing a verbal-only and very broad range of estimated hours, which felt more manageable to deliver on:

MANAGER (APPAREL RETAIL): I usually ask them what their ballpark is. Like, one of my questions [in the job interview] is usually, "What is the lowest number of hours that you would accept?" And then they give me a number, and then I let them know kind of what the ballpark is. So if it's a part-time associate I usually say we're looking for usually between 15 and 20 to 25 hours.

INTERVIEWER: [D]o you ever give them any information on the variations in hour? Whether from week to week or seasonally or any other times?

MANAGER: That's not usually discussed.

INTERVIEWER: Okay. And do you put any information on the expected work hours in writing that is shared with employees when they're hired?

MANAGER: No.

Several managers viewed workers' receiving more specific information of the hours they could anticipate as needing to be earned with experience and performance, explaining as this grocery manager did, that early on in employment employees would have a limited sense of their hours:

INTERVIEWER: Okay. What information do you provide employees when they are hired about the number of hours they can expect to work week to week?

MANAGER (GROCERY): I don't think that we do. I think we just tell 'em we'll start 'em out, you know.... We'll get you a few shifts here and there. A lot of it is a tryout, not for us as much as for them.... [W]e would explain to 'em, "Somewhere between 20, 24 hours a week," but it's nothing we write out for them or anything.

A full-service restaurant manager more strongly emphasized performance as earning employees more anticipatable weekly work hours:

INTERVIEWER: [W]hat information do you provide to employees when they're hired about the number of hours they can expect to work week to week?

MANAGER (FULL-SERVICE RESTAURANT): Again, it's all ability based. So when you first start, it's going to be lower.... So if I'm hiring one person today, I would say, "I could guarantee you 20 to 25 hours. That's all I can guarantee you right now. That will fluctuate based on how well you work. You work better, the more hours you get, you work worse, the less hours you get."

INTERVIEWER: And do you put that information in writing?

MANAGER: I do not. I have not. I don't.

The middle group of 16 managers who described practices lined up in the spirit if not letter of the good faith estimate provision generally did not give their employees written estimates, but expressed a commitment to fulfilling the number of weekly hours they had promised employees verbally. A few relied on a different approach to the written documentation specified in the SSO, referring to the number of hours specified in the job advertisements as serving as an estimate for the worker(s) hired into those positions, and not reconfirming those hours after hiring. As described by this grocery manager:

MANAGER (GROCERY): [Number of hours are] usually in the posts. I use Craigslist a lot. So the last post for grocery told them exactly what days they would have off, and how many hours a week they would have, and what their shift would be.

INTERVIEWER: And do you put any of that information on expected hours in writing?

MANAGER: No.

INTERVIEWER: And then it sounds like whatever you tell them verbally in terms of their schedule, you're pretty much able to stick with that schedule.

MANAGER: Oh, yeah.

A convenience store manager echoed this approach:

> INTERVIEWER: Do you put any information on expected work hours in writing that's shared with employees?
>
> MANAGER (CONVENIENCE STORE): [N]o, it's just if we put an ad out - which we haven't done in a long time - but it's on the ad in the Craigslist or wherever it goes.
>
> INTERVIEWER: Okay, but after you hire them-
>
> MANAGER: Yeah. No, they don't sign anything.
>
> INTERVIEWER: How often would you say you're able to schedule workers according to the estimate that you gave them at the time of hiring? [L]ike if you say, like, "You're going to have 24 hours," do they pretty much get that 24 hours every week?
>
> MANAGER: Yeah, yeah. Yes.

More often, these managers described having discussions with prospective employees in which they reviewed in detail the hours the applicant sought and what managers thought they could reliably deliver, arriving at verbal estimates – never put in writing – that managers reported consistently adhering to thereafter. As this full-service manager explained:

> MANAGER (FULL-SERVICE RESTAURANT): [I] always let them know that we don't hire full-time, but I would get them as close as I could to the amount of hours that they're looking for. Again, it's based on business, so if you're wanting 30 hours a week, I know that every week I can get you at least 22 hours, and then I'll get you as close as I can to that 30 on the weeks that we are busier....
>
> INTERVIEWER: Okay. Do you put any information on expected work hours in writing that's shared with employees?
>
> MANAGER: Not that I can think of. In their job offer [provided by an online program]... I don't think that there's any ... there's no hour amount. It says that you're being hired for part-time service as a server with the restaurant, getting paid X amount of dollars an hour, and then they agree to it.
>
> INTERVIEWER: It doesn't say you could expect to work between X and X or whatever?
>
> MANAGER: No.
>
> INTERVIEWER: Okay. How often would you say you're able to schedule workers according to the estimate you gave them at the time of hiring?
>
> MANAGER: Pretty good.

Nearly as many sites, however, appear to engage in providing hours estimates to their workers that are aligned with both the intent and specific logistical requirements of the law, as reported by managers. They were following the same steps as many of the nearly-aligned managers above, but going a step further in utilizing tangible documentation for customizing anticipated hours for each employee, including company-created forms, forms described as being given to them by the City, and emails send from Human Resource departments. This specialty retail manager notes that the Seattle-based sites of his firm created a good faith estimate form:

> INTERVIEWER: So you have a form that you created or the company has created, or ...?
>
> MANAGER (SPECIALTY RETAIL): No, we created it....
>
> INTERVIEWER: Oh. And so does that have the number of weekly hours?
>
> MANAGER: Yep.... I think [the estimate] has to be within five hours. It's a range, so we tell them that part of it, that it has the hours that we're going to be trying to schedule them.

A coffee shop manager described something similar:

> MANAGER (COFFEE SHOP): So we have a good faith estimate that's on our availability form. So when we do all their on-boarding paperwork, they fill out an availability form with me. On that is actually a good faith estimate of, "Hey, so here's what you... I know you really want 40; I can, good faith, I can give you at least ... 28 hours a week...."
>
> INTERVIEWER: And does that also include any information about variation in shifts and hours?

> MANAGER: It's on there, yeah. So it's actually written in, like we can't touch it. It's written in by corporate. They're like, "This is the good faith estimate - if you find that this is not holding true, please contact your store manager and/or district manager."

The process worked similarly for this full-service restaurant manager reporting using a City-provided form:

> MANAGER (FULL-SERVICE RESTAURANT): We have what we call a good faith estimate. That happens day one of orientation, where I say, "Hey, I have such and such amount of hours that you're gonna work. Does that sound good to you?" They say yes or no, boom, easy. There is a form for that, yeah.
>
> INTERVIEWER: Specifically ... You talked about number of hours, but the days and times they'll work?
>
> MANAGER: No, we don't usually go that far. The form that we got from Seattle just asks us to have a specific days or time.

And this pharmacy manager reports that the HR department delivers the good faith estimate via email communication to the employee:

> Manager (pharmacy): [Employees] have an email sent out from HR. Yeah. For instance, I was hired full-time when I was hired. And from HR came a statement that said I would work a minimum of 32 hours a week. So I knew where I stood.

Advance Notice

Of the provisions in the Secure Scheduling Ordinance, sites' practices related to providing 14-day advance notice appear to be among the most aligned with the SSO. As shown above in Table 6, our analyses of manager interviews indicate that 24 of the 37 managers we interviewed (68 percent) regularly provided 14-day advance notice.[5] Although this is the majority of managers interviewed, this is less than the proportion of managers (91 percent) who reported on the survey an official policy regarding advance notice, thus offering an example of the importance of examining policy implementation in practice. Overall, our data suggest that posting practices have moved closer to alignment since baseline, with 10 of the 21 worksites for which we have both pre- and post-implementation data moving closer to alignment, including 6 sites that moved to strong alignment (coded 1 at Year 1) and 4 that moved from weak (coded 3) to moderate alignment (coded 2); only 1 site is rated as moving away from alignment [not in table].

Managers in all three SSO-covered industries reported that providing a minimum of 14-day advance notice is now the norm, demonstrating a mastery of the details and process. For example:

> MANAGER (COFFEE SHOP): Two weeks in advance is non-negotiable. It's just like the way ... we want to do it, is three weeks to one month in advance.
>
> ---
>
> MANAGER (SPECIALTY RETAIL): We do the schedule one [week] at a time... I have next week's schedule, the week after that and then the week after that – that I just did today. .. Saturday's like the deadline. It has to be up by Saturday, we are always compliant with that.
>
> ---
>
> MANAGER (FULL-SERVICE RESTAURANT): We publish every two weeks, two weeks' worth of schedules. [We post on] Thursdays. Fourth day. It's kind of almost two weeks and a half.
>
> INTERVIEWER: Seventeen days?
>
> MANAGER: Eighteen days.

Some of the managers noted that posting 14 days in advance is directly the result of the SSO. As a manager in a fast food restaurant explained:

> MANAGER (FAST FOOD): They changed it. Corporate.... We get, always a direction from Corporate. They follow the City regulations. I think we started probably about a few months ago, six months,

5 We are guardedly optimistic about the accuracy of information on actual posting practices. We attempt in our interviews to identify the number of days between the day the schedule is released to employees and the first day on the posted schedule by examining actual schedules at the worksite and their start and end dates and confirming the date(s) they were first released to employees.

maybe a year, that the schedule has to be posted before two weeks. That's no problem, like I said, because it's the same schedule every week.

Managers also discussed factors that can make it difficult for them to consistently provide 14-day advance notice, even when the firm has a policy specifying that schedules should be posted with at least 14-day notice. Managers mentioned business factors that can impede their alignment with this SSO requirement. For example, one manager in specialty retail who provided four days' advance notice noted that "We're really supposed to schedule, I believe, two or three weeks ahead," but "We receive [the labor budget] a week in advance." Others reported delaying posting when there is staff turnover, not wanting to post a schedule that may need to be changed:

Manager (grocery): I try my very best to do … two weeks. So, most of the time, I'll have three schedules up there, the current week and then two weeks [after the current week]. I just had like three people go back to college, so I've been in the middle of kind of doing some hiring. And I have another cashier that had left for a few months… so I'm waiting to hear if she's coming back. So, I currently have one week at a time [the current week]… But, majority of the time, I have three weeks posted, the current week and then the next two weeks.… I'd say 80% of the time.

Manager (full-service restaurant): …we always have two [weekly schedules], minimum of two, three if we can… but because we had so many new employees I just didn't post [a new one]. Make sure they started.

As indicated in Table 6, managers in both the retail sites (n=3) and limited service establishments (n=2) were regularly posting schedules with less than 14-day advance notice. As at baseline, a few of these managers thought they were providing more lead time than they were. For example, a manager in a fast food restaurant talked about providing three weeks of notice, but upon probing, the notice is approximately six days:

Interviewer: For my understanding, the three week thing, is it really only six days? I guess I'm confused. You're posting your schedule-

Manager (fast food): On Saturday.

Interviewer: And then that schedule actually starts?

Manager: Saturday.

Interviewer: It's about a week before the schedule actually starts?

Manager: Yeah.

Most of the managers were aware when they were providing less than 14-day notice, however. When asked the question, "Thinking about the new schedule you post on Wednesday for the first time, how many days are there between the day you post the schedule and the first day that's listed on the schedule?" a special retail manager stated "Four," with no hesitation, whereas a grocery manager said, "Yeah, it'd be seven, I guess. [O]n Saturday the 16th I will post for the week of the 24th."

Extending Shifts

At baseline, managers reported that extending shifts was common practice in all three industries, and they remained so in Year 1. The SSO requires that business-driven shift extensions be voluntary for employees, and if asked to extend their shift, that employees be compensated with the schedule change premium of an additional hour of pay. As shown in Table 6, we rated 23 of the 37 sites (62 percent) as operating in alignment with SSO guidelines on shift extensions. Our coding suggests that, overall, many sites have moved into alignment with the rules governing shift extensions over the first year of SSO enactment, with 10 of the 21 sites moving from a "3" or "2" to strong alignment (rated a 1 at Year 1). However, six sites evinced practices moving toward, or continuing, weak alignment, raising questions about the direction of scheduling practices in some worksites and managers' understanding of this provision of the law.

The SSO permits managers two paths to aligning scheduling practices with its requirements: they can eliminate employer-driven shift extensions, or else provide employees with additional compensation when employer-driven extensions occur.[6] Some managers are acutely aware that an employer request for an employee to

6 Under the SSO, employees have the right to refuse a manager's request to extend their shift beyond the scheduled end time. Employees who agree to do so are to be paid one hour of pay in addition to actual hours worked. However, employers are not required to provide additional compensation when employees volunteer to extend their shift. The administrative rules allow voluntary behavior to be established through active employee behavior, specifically, by the employee either

extend hours will come with a requirement for premium pay and assiduously avoid this scenario, as reflected in these comments by fast food and full-service restaurant managers:

> INTERVIEWER: [H]ow often are employees asked to extend their shift that is due later than they were originally scheduled to work?
>
> MANAGER (FAST FOOD): Never, never.
>
> ---
>
> INTERVIEWER: And how often are employees asked to extend their shift? That is, to stay later than they were originally scheduled to work?
>
> MANAGER (FULL-SERVICE FOOD): [W]e don't ask. We're usually trying to say get out on time, 'cause that's a great way to wreck your labor.

Yet our interviews suggest that, to a greater extent than with shift reductions, some frontline managers are willing to pay the schedule change premium for the additional staffing flexibility provided by extending a worker's shift. Across the three covered industries, several managers reported that they pay the schedule change premium when they consider the shift extension management-driven, as these managers describe:

> INTERVIEWER: How often are employees asked to extend their shifts?
>
> MANAGER (FAST FOOD): I would say maybe a couple of times a week.
>
> INTERVIEWER: When was the last time that happened?
>
> MANAGER: Last week sometime. I have a cashier who works 7:00 to 3:00, and she was asked to stay till 4:00 or 5:00, and she did.
>
> INTERVIEWER: Why is that?
>
> MANAGER: We were busy for snack time again, and I think I was down a person, someone had called in that day, so she stayed longer to help.
>
> INTERVIEWER: And then, how did you go about that? Whether you asked her... It sounds like you asked her?
>
> MANAGER: Mm-hmm (affirmative).
>
> INTERVIEWER: Did you at any point ask a group of employees? Or ask a group of people ...
>
> MANAGER: It was only me and her up front, so there was nobody else to ask, because everyone else that was there was in the kitchen. They did not train for the front. I asked her, and I gave her premium pay. I keep a log that I send in weekly to my supervisor, but then I also keep a monthly log in my office, just so that I can reflect back to it. I sign it and have them initial it when I send it in, just because I want them to know they're getting it, not just saying that.
>
> ---
>
> MANAGER (FULL-SERVICE FOOD): [O]ftentimes we still have people that stay later than their scheduled hours based on the flow of business, and that happens, and we pay usually five or six people every single day. That extra hour of predictability pay... if I was to put an estimate on it, something close to like 50 to 60%. It's everybody in the kitchen, it's probably a third of the server staff, and probably half the hospitality staff.
>
> ---
>
> MANAGER (RETAIL PHARMACY): [T]he opinion of my district manager is, that if we give it to them and we weren't supposed to, it's okay. If we accidentally gave someone predictability pay and we weren't supposed to, it's better than not giving them pay for having adjusted their schedule.

As in the case of shift reductions, however, some managers are defining employees' consent to extend a shift when approached – versus initiating the request to stay on - as an employ*ee*-driven change, one that does not require the payment of the schedule change premium.[7] Specifically, several managers described asking individual employees to extend their shift but without paying the schedule change premium, sometimes

approaching management with a request to work longer or actively responding to a request that has been communicated to multiple workers at the worksite. If a manager asks an individual worker to work beyond the scheduled end time, the employee is to be compensated with the schedule change premium of an additional hour of pay.

7 Only a couple of managers mentioned that they bring employees together at the worksite to ask the group who would like to extend their shift. For example, when asked about adding whole shifts, one full-service restaurant manager mentioned, "Unless ... they're all here already. Then we would get in a group communication and say, "Hey, this is what we have going on. Any volunteers to do this?"

explicitly stating that if an employee agrees to a request, then payment of additional compensation is not required under the new Ordinance. For example:

> INTERVIEWER: [D]id anyone stay later than they were scheduled to work last week as far as you can remember?
>
> MANAGER (FULL-SERVICE RESTAURANT): At their out time ...we're like, "It's time for you to go home." If they don't want to leave, then they're volunteering to stay for the rest of the duration of whatever the table is, and no, they do not get compensation.
>
> ---
>
> MANAGER (CONVENIENCE STORE): The only time I've asked people to stay late is if someone didn't come in for their shift and I'm working on finding coverage. It did happen recently. I asked an employee to stay an extra hour, which he said "fine". If he said no, then I would have had to come in and work it. Since, essentially, if I at that point forced him to stay, I would have had to compensate him by paying time and half for that time and, budget-wise, I can't afford that, at least from my understanding of secure scheduling.
>
> ---
>
> MANAGER (FAST FOOD): Almost every day I ask a person or two to stay late an hour or two.
>
> INTERVIEWER: ... thinking about this specific situation why did the person stay ... or why did you ask the person to stay late?
>
> MANAGER: We had an employee quit. We literally just hired him last week and he walked out of his shift on Tuesday. ... I just realized between that 9:00 to 11:00 hour that they might need help and [the employee I asked to stay] was only scheduled to 9:00, so I asked if he could stay until 11:00. He was only working a five hour shift anyway.
>
> INTERVIEWER: Okay. Did you ask him to stay? Did you ask a group of employees for a volunteer to stay or just ...
>
> MANAGER: I just look at the schedule and who's working shorter shifts who can possibly stay to that hour and since it's in his availability I asked him, and he said yes.
>
> INTERVIEWER: Okay. Will the employee receive any extra compensation for working longer?
>
> MANAGER: No.
>
> ---
>
> MANAGER (GROCERY): [Asking an employee to extend their shift] would still only be the case if somebody called in sick. Like today I have somebody who called in sick to close, so there's one checker out there that's not working a full shift, so if we have to, we'll ask her to stay 'til close if she can.
>
> INTERVIEWER: Okay. And then will the employee receive any extra compensation for working longer other than pay for the hours they actually worked?
>
> MANAGER: No.

Finally, some managers explained that they rarely, if ever, ask employees to extend their work beyond their scheduled shift, though employees sometimes approach them to do so:

> INTERVIEWER: How often are employees asked to extend their shift –that is, to stay later than they were originally scheduled to work?
>
> MANAGER (FULL-SERVICE RESTAURANT): Never asked. Some may choose to because they know it is needed, but managers will never ask it.
>
> ---
>
> INTERVIEWER: How often are employees asked to extend their shift – that is, to stay later than they were originally scheduled to work?
>
> MANAGER (FULL-SERVICE RESTAURANT): Many times the servers have to stay later than scheduled because they want to see their tables through to the end of their meal in order to get their tip.

INTERVIEWER: When was the last time this happened?

MANAGER: This happened last night… The server wanted to stay to collect the tips from that table.

INTERVIEWER: How did it happen?

MANAGER: The person just stayed later because they wanted the tips.

INTERVIEWER: Did the employee receive any extra compensation for working longer – other than pay for the hours they actually worked?

MANAGER: No, they did not.

Adding Shifts

As with the other provisions, when needing employees to work shifts for which they were not scheduled (not merely a few extra hours, per the shift extension discussion above), the managers we interviewed varied in terms of the path they are taking to bring their practices into alignment with the SSO. Across the covered industries, we see little evidence in this round of interviews that managers are newly motivated to avoid adding shifts after the schedule has been posted. Instead, managers discuss the steps they take to avoid having to compensate employees for shift additions, but many also talk about how paying for shift additions is becoming part of everyday practice. Our analyses suggest variation in the alignment between managers' scheduling practices and Ordinance requirements for how such extra shifts are offered and compensated, with the practices of managers we interviewed in limited-service (7 out of 9 coded 1) and full-service (6 out of 7 coded 1) establishments exhibiting greater alignment than the retail managers (6 out of 21 coded 1). Our analysis suggests movement toward alignment with SSO requirements on how additional shifts are offered and compensated, with 16 of the 21 sites for which we have baseline and Year 1 data moving closer to alignment with the law, 12 of which moved into strong alignment (coded 1 at Year 1) (not in table). As with other provisions, our interviews suggest confusion on the part of some managers on the when they are to pay the schedule change premium under this provision.

Across covered industries, managers provided recent examples of the schedule change premium being paid to employees who were directly asked to work an additional shift by a manager:

INTERVIEWER: Did you call in any employees to work last week?

MANAGER (COFFEE SHOP): Let me check. I did, actually. There was an employee who requests to be off the whole month. I just jumped in and ask him, "Hey, can you work on a Saturday? It's a big event." And he said yes.

INTERVIEWER: How did you contact that employee?

MANAGER: He works [at another job?? nearby], so, I just like met him in person.

INTERVIEWER: Did that employee receive extra compensation?

MANAGER: Yeah, he will get one hour penalty because it's change of your schedule.

MANAGER (RETAIL PHARMACY): I usually end up asking somebody at least once a week to, "Hey, you want some extra hours this week?"

INTERVIEWER: So specifically, how often do you ask for volunteers? Just like, "Hey, I'm gonna need somebody who wants to do it."

MANAGER: Actually, I don't ask that way, because there's nobody that can usually do it besides [Employee A]…. Like I couldn't ask [Employee E], obviously, in the middle of the week, 'cause she is in school…. I can't ask [Employee D] to work in the afternoon, because [Employee D] has her afternoon job.

INTERVIEWER: Okay. So you have one employee that would probably be able to pick up a shift…. So you do that … directly communicate with that one employee?

MANAGER: Mm-hmm (affirmative).

INTERVIEWER: Okay, and do you know if they receive extra compensation r?

MANAGER: They do.

Several managers provided examples of how they often – though not always - offer shifts to multiple employees, seeking in those instances to avoid the requirement of compensating workers with the schedule change premium. The tactics they describe range from using email, group texts, Facebook, and new apps.

> MANAGER (FULL-SERVICE RESTAURANT): We send out a mass communication. Let's say it's to the servers. We would send out an email to all of the servers letting them know what it is that we were needing, if anybody was interested in volunteering, that sort of thing.
>
> INTERVIEWER: Do you ever text or call individual employees?
>
> MANAGER: No.
>
> ---
>
> MANAGER (SPECIALTY RETAIL): [I] almost never [ask employees to come into work on a day that they were not originally scheduled to work].
>
> INTERVIEWER: And when that does happen, like for example, with 20 hours being offered for a project, how do you get people to do that? How do you select folks?
>
> MANAGER: I would offer it to everybody qualified and available.
>
> INTERVIEWER: Okay…how do you go about doing that? Do you post it somewhere? Do you text?
>
> MANAGER: Sometimes I…it depends on how far in advance it is. If it's like a week or so out, I might put…I've got a board out there. It's like, "Hey, if you want some extra hours we need to get this done…." And other times we will send like maybe a text to everybody. And then with the [app], we actually have the option of posting an unfilled shift, and once again it would go to everybody who would be…qualified and available to work that shift.
>
> INTERVIEWER: And does the employee receive extra compensation for working shifts not originally on the schedule?
>
> MANAGER: No, because it was all voluntary…
>
> ---
>
> MANAGER (SPECIALTY RETAIL): Well, actually what we do is when people come on board, we actually ask them to friend the store on Facebook. We create a group for [each department] and then we send out a blanket "Hey, would anybody like to work today," and then wait for any responses.
>
> INTERVIEWER: You do that first and then do you ever text or call individual employees?
>
> MANAGER: I do. If I don't have any responses, then I look at who is technically, who potentially could do it and then I start making phone calls at that point.
>
> INTERVIEWER: In the last week, did you call any employees in to work?
>
> MANAGER: Yes…Sick calls. Yeah, the flu that is going on around here right now is awful. Tried Facebook first and then from there, direct phone calls.
>
> INTERVIEWER: For the employees that you got, that you called in. Did they receive any extra compensation for working the shifts that they were called in for?
>
> MANAGER: Well, it depends. If they responded, if they volunteered through Facebook, then they wouldn't. But the ones that we call direct and said they would, then yes. We have an excel spreadsheet where anytime we called anybody or do anything like that, we note it on there and it gets added to their pay.
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> ---
>
> MANAGER (COFFEE SHOP): We have a mass communication form, like if someone called [to say they cannot work], we have the mass communication form that we print and then we also literally just take a picture and have a group text for the whole store. But we just make sure we have a paper copy and we go that route. If we're having trouble at our own store, we email other managers in our district with the exact same mass communication form and go from there.
>
> INTERVIEWER: And so mostly folks would be seeing that by text?
>
> MANAGER: Yeah. By text or by email.

A few managers reported that they follow a sequential approach to calling multiple individuals. For example, a manager of a specialty retail store explained how they call "the first person to the last," until someone calls them back who wants to work, and that they compensate employees with premium pay when using this strategy:

> INTERVIEWER: Okay. So like in alphabetical order or…?
>
> MANAGER (SPECIALTY RETAIL): Yeah, that's how they're done…. That's how it is in the computer. But there's also people, I look at availability, a lot of people say I can't work on Thursdays, so I'm not gonna call that person on a Thursday. I'll call anybody that's available on that Thursday.
>
> INTERVIEWER: [A]nd did the employee [last week] receive any extra compensation for working a shift not on the original schedule?
>
> MANAGER: Yes, mm-hmm (affirmative). Specialty pay is what our company calls it.

But some managers explained that they did not pay the schedule change premium to employees who worked extra shifts, even if the employee was directly asked to do so by a manager. A common logic was the employee was already receiving extra compensation by being paid for the additional hours:

> INTERVIEWER: So probably a couple of times a week, you would call somebody in [to work an extra shift when another employee calls off]?
>
> MANAGER (SPECIALTY RETAIL): Yeah. And it's not based on preference or anything. We will just see who is available.
>
> INTERVIEWER: And specifically how often do you, have you ever asked for a volunteer? If you've got three people that are available, do you ask all of them who wants it? Or do you just text the first person on the list?
>
> MANAGER: Kinda the first person.
>
> INTERVIEWER: So you usually text or call individual employees?
>
> MANAGER: Yes, correct.
>
> INTERVIEWER: Do you ever send out a general email or group text or anything?
>
> MANAGER: No.
>
> INTERVIEWER: So did the employees that had to come in on days that they weren't scheduled for here, did any of them receive any extra compensation for working an extra shift?
>
> MANAGER: Extra hours.
>
> INTERVIEWER: Just their extra hours.
>
> MANAGER: Yeah.
>
> ---
>
> INTERVIEWER: When you need somebody to come in and work on a day they weren't scheduled for, do you ask for volunteers?
>
> MANAGER (GROCERY): So, no. I … know everyone personally and I know how much people work, and I know who's eager for hours and who's like … You know, I have a guy who never answers his phone, so he wouldn't be my first choice to call ….
>
> INTERVIEWER: So, you basically call or text individual employees that you think would be interested or open to it?
>
> MANAGER: Yeah.
>
> INTERVIEWER: And did the employee [last week] receive any extra compensation for working a shift not on the original schedule?
>
> MANAGER: No, not other than the extra hours.
>
> INTERVIEWER: Okay. Right. And so, why not?
>
> MANAGER: I don't know. They got the extra hours.

As with shift extensions, managers discussed how they believed that paying the schedule change premium was unnecessary because employees could, and many did, decline opportunities to work additional shifts, even when a manager asked them individually to work, as these managers explain:

> Interviewer: And did the employee receive any extra compensation for working a shift not on the original schedule beyond pay for time worked?
>
> Manager (grocery): Not extra, no.
>
> Interviewer: Okay. Why not?
>
> Manager: I don't know, just never done that.... The employees have the right to decline any hours. We always ask; it's never "You have to come in."
>
> ---
>
> Manager (specialty retail): We had a safety issue in my store, so four of our freight people were called in and then the other four were call-outs.
>
> Interviewer: And so how did you contact the employees in those situations?
>
> Manager : Called them.
>
> Interviewer: You called them? Okay. Did employees receive any extra compensation for working a shift not on the original schedule?
>
> Manager: They didn't. It was all volunteer. Yeah, everybody's like, "I need hours right now; it's getting too close to the Christmas time."

Shortening/Cancelling Shifts

As shown in Table 6, we coded 95 percent of the practices around reducing employee shifts reported by managers in retail, 67 percent in limited-service food, and 57 percent in full-service restaurants as aligned with the Ordinance. As with advance notice, our data suggest that practices regarding shift reductions have moved closer to alignment since baseline, with 12 of the worksites for which we have both pre- and post-implementation data moving closer to alignment, including 9 sites that moved to strong alignment (rated 1 at Year 1), and only one site rated as moving away from alignment (not in table). But managers can take two paths toward alignment: they can avoid shift reductions or cancellations, or else they can compensate employees with the schedule change premium required by the Ordinance for cancelled or shortened shifts. Our data suggest that the former is the more common route among the managers we interviewed. As discussed below, several of the managers we interviewed reported that they never or only rarely reduce shifts, including both cancelling shifts on the schedule and asking employees to go home early when already working. Those who reported that they sometimes shorten or cancel shifts emphasized that shift reductions are not forced on employees, though managers vary in how they establish the voluntariness of shift reductions, as does the alignment of those approaches with the law. Only a few managers indicated that their worksite had paid the schedule change premium for shift cancellations or reductions.

Several managers specifically mentioned that they do not reduce shifts on the posted schedule because the company would have to pay the new schedule change premium. Two retail managers, for example, explained when asked, "How often does a manager send workers home early or ask workers if they want to go home early?":

> Manager (retail): Well, we don't do that anymore. I'd have to pay them anyway, so there's no point.
>
> ---
>
> Manager (specialty retail): Not anymore.
>
> Interviewer: Okay. Changed... for the Ordinance?
>
> Manager: I mean that used to be pretty ... That is pretty standard procedure in retail.
>
> Interviewer: Okay. Say that again. So what's standard procedure?
>
> Manager: That if business was slow, you would send staff home... We used to do that but...we try to avoid that at all cost.

Whether or not attributed to the SSO, managers from across all three of the business types reported that rather than asking workers to leave early or cancelling shifts, they regularly assign them to other tasks. For example when asked, “When business is slow on a given shift and you feel like you have excess staffing, if ever, what if any adjustments do you make to staffing levels or tasks?,” a fast food manager replied:

> Manager (fast food): We’ll give them cleaning … nobody gets sent home, nobody. It’s just, we follow the schedule rules ‘cause it costs you more to send somebody home than to have them here, so it’s just not worth it.
>
> Interviewer: [H]ow often do you cancel shifts on the original schedule, for example delete a shift and tell an employee not to come in for a scheduled shift, maybe?
>
> Manager: Never.

Managers from retail and grocery sites echoed this strategy:

> Manager (retail): We don’t ever send anyone home. We don’t send them home early. So we’ll come up with projects in the store… We always have work.
>
> ---
>
> Manager (grocery): We don’t typically adjust the schedule. If I determine that I need x-number of hours to run the store, and then we find ourselves slow, our belief is that we have given somebody a schedule, and we should own up to it. So we don’t ask people to go home early. We’ll have them go out in the store, they can work in a department, they can clean, they can do different things. But if our sales are down, there’s always something to be done. So we’ll do that instead of ask … People will ask to go home early, and we’ll try to make every accommodation to do that. But as far as us cutting hours because of slow sales, we don’t do that.
>
> Interviewer: And how often do you cancel shifts on the original schedule, just like delete a shift?
>
> Manager: Never.
>
> ---
>
> Manager (convenience store): We don’t [adjust staffing levels].
>
> Interviewer: Okay, and do you make adjustments to any tasks based on-?
>
> Manager: Well, yeah sure. It’s a gas station. When the guys are working, their priority is serving the customers, right? Convenience, you know, in and out, and then there’s just a chore list. And if it’s really slow they do a lot more chores.
>
> Interviewer: And how often do you or another manager send workers home early, or ask if they want to go home early?
>
> Manager: I don’t…That’d be a bummer; they plan to be here.
>
> Interviewer: How often do you or another manager cancel shifts on the original schedule? Because say business is slower for some reason.
>
> Manager: We don’t, never.

Other managers we interviewed reported that their worksite does practice shift reductions, but that managers try to ensure that these are voluntary on the part of employees, especially for employees already at the worksite. A few managers said they make it a practice not to even insinuate that anyone should leave early, let alone ask anyone to do so, as explained by this coffee shop manager:

> Manager (coffee shop): If employees volunteer to go home, we’ll think about it. Because they’ve made the suggestion, we’re fine with that at that point.
>
> Interviewer: It sounds like you don’t really send workers home. Do you ever ask if they want to go home early?
>
> Manager: So we actually try not to, because corporate said that that’s technically us volunteering someone instead of them [the employee].
>
> Interviewer: Because they feel like they can’t say no or something?
>
> Manager: Correct. It’s like we can’t do the “You know if someone were to volunteer right now….” So we try not to do that. But most of our employees are pretty perceptive about seeing that it’s

slow and like, "I'm supposed to be off at two. It's one. Hey, if you need anybody to go home, I'm cool to go home. Thank you." …We cannot ask for volunteers because technically in a legal manner, we have put the suggestion there.

Manager (full-service restaurant): I definitely don't ask people to ask, but they know to ask.

Other managers reported that they do ask for volunteers to leave early. Their expressed understanding seems to be that as long as management does not force a shift reduction, the company does not have to compensate the employee with the schedule change premium:

Manager (grocery): We can't require employees to leave early, but we can elect, we can say, "It's kind of sow today, does anyone want to leave early?" And there is always takers on that. That's the way we can manage a slow business day to help save labor,… just solicit employees if they're interested to leave… No one is required to accept that and to leave.

Interviewer: …if they do elect to do so do, they also just give up all of the compensation for that [rest of shift] or are they given part of compensation?

Manager: They give it all up. If someone wants to leave two hours early, they clock out. Sometimes what employees will do is just put in a request for two hours of paid vacation for that day just to maintain their wages as if they would have worked, so they can use their benefits to just kind of maintain their work hours.

Interviewer: How often do you or another manager send workers home early or ask workers if they want to go home early?

Manager (full-service restaurant): Often… Definitely every week…

Interviewer: How do you do this? Do you ask for volunteers to go home early, reduce hours based on seniority, or what?

Manager: We just ask. We just ask them if they want to go home.

Interviewer: Do employees receive any compensation for the hours that they would have worked if they had completed a shift?

Manager: If they don't volunteer, yes. If they volunteer, no.

Manager (fast food): Most days I would say [a manager sends or asks workers to go home].

Interviewer: Okay. How do you typically approach that?

Manager: I just say, "Anyone want to go home early?" It's usually to the people that are off next. If they're off at 1:00 and it's 12:00 and we're just not getting any business say, "Whoever's off at 1:00, who wants to go?" It's all based off who's off next. We don't really cut … unless somebody specifically says, "Hey. I really need to leave at this time today if you can possibly make it happen," then they would be the number one priority, but if it's just a group range of people then we're just like, "Who that's off at 1:00 wants to go home early?"

Interviewer: Okay. Do your employees receive any compensation for the hours they would have worked if they completed their full shift?

Manager: Not that I know of.

Several managers in full-service restaurants discussed how keeping servers around when business was slow did their servers a disservice because few diners mean few tips. They indicated that servers often approach them to request to leave early.[8] They explained that they rarely if ever forced employees to leave early, instead reassigning employees to other tasks when there were few tables to serve or food to prepare.

Interviewer: So when business is slow, on a given shift, and you feel like you have excess staffing. What, if any, adjustments do you make to the staffing level? Or to tasks?

Manager: Oh, we get a lot more cleaning done.

Interviewer: Do you ever send employees home?

8 Later: add details on Seattle's wage rates: $12.00 in wages from employer (even for those receiving tips) and $15.00 in minimum compensation.

MANAGER: They usually want to go home…If they have a choice between cleaning booths or going home, you'll say, "I need highchairs cleaned." "Well, can I go home instead?"…Sometimes I say yes, sometimes I say no 'cause I really need my booths done.

MANAGER: …In a restaurant, if your servers aren't getting tables, they have no use to you. In their mind – I mean I was a server – if I'm not making tips, I don't want to stick around.

INTERVIEWER: …And when employees do go home early…because business is slow, do they receive any extra compensation for the hours they would have worked had they completed their full shift?

MANAGER: No. Otherwise, I'd make 'em stay.

INTERVIEWER: Then you would make them stay to do the side work?

MANAGER: Absolutely.

MANAGER (FULL-SERVICE RESTAURANT): [When business is slow, waitstaff] all want to go home…. They will all come to you, take up your face… They are here to make money; they are not here to work for the hours.

INTERVIEWER: I know you said you usually ask for volunteers, or people ask if they can go home early, if you don't have any volunteers does the business ever send people home without them volunteering to go?

MANAGER: No…it doesn't happen. If we send them, we're going to break [pay for] half of it, you know?

Access to Hours

Our interviews suggest wide variation in how managers are implementing the 'access to hours' provision, which requires firms to offer shifts to current employees before hiring new employees through a process of announcing available shifts to all qualified employees. Note that this provision is different from the provisions pertaining to employer-driven schedule changes that can occur when an employee is ill or there is a temporary need for additional labor. The 'access to hours' provision is intended to expand opportunities for current employees to regularly work more hours a week, which might occur when another employee quits or the establishment is entering a busier season.

As at baseline, managers in all covered industries reported staffing their place of business within a tight labor budget that was driven by customer demand, such as number of diners, store traffic, or sales. One way to limit outlays for labor in the short run is by moving staff in and out of the worksite in concert with demand, called volume flexibility. One way to achieve volume flexibility is to have either a large pool of workers or a smaller but flexible workforce who can work short shifts during peak hours. The majority of managers we interviewed at Year 1 seem to prefer having a flexible workforce rather than a large one. When asked in the survey to choose between one of two staffing strategies, at both baseline (63%) and Year 1 (57%), the majority of managers interviewed chose the statement, "I like to keep my staff on the small side to help ensure that employees get hours" over the statement, "I like to keep my staff on the large side so that I have several employees I can tapto work when needed" [results not shown]. Instead, the majority of managers expressed a preference for maintaining a flexible staff. When asked to choose between two hiring strategies, 85% chose the statement, "I try to hire people with wide availability who can work a variety of shifts" over the statement, "I try to hire people with specific availability to fill current gaps in the schedule" [results not shown]. Providing opportunities for current employees to work additional hours thus seems to align with several managers' overarching approach to staffing and hiring.

This grocery manager describes how offering current employees additional hours before hiring has always been good business at their store:

INTERVIEWER: How do you decide whether to hire someone new or to assign available shifts to your current staff?

MANAGER (GROCER): If we've exhausted all efforts with current staff, 'Can you open your availability? Can you work this day?' and we keep getting 'no-s,' then it's, 'Okay, then we're going to have to hire.'

INTERVIEWER: Has that always been standard operating procedure, or did you start doing it that way because of the Ordinance?

MANAGER: That's always been. Once again, better to keep your staff smaller, than blow it up and have people not getting their hours… Training's hard, costs a lot of money. I'd rather have this person work for these hours, and not have to hire someone new.

But 43 percent of managers interviewed at Year 1 did indicate a preference for keeping headcount high in order to keep labor flexible, suggesting that offering hours to current employees before hiring new ones may be at odds with their usual approach to maintaining labor flexibility:

INTERVIEWER: So how do you decide whether to hire someone new or to assign available shifts to your current staff?

MANAGER (RETAIL): We [hire if we] generally feel we don't have enough coverage or that we are going to need, you know, just to have people on hand. This is why that we usually have so many part timers. In case of call outs or anything like that, that we're able to call people and have people on hand, kind of.

As shown in Table 6, overall, only 14 out of 37 managers we interviewed were coded as strongly in alignment with the 'access to hours' provision (coded 1). The rest described practices out of alignment with the letter or the spirit of the law (coded 2 or 3). Corporate policies capping the number of hours part-time employees can work limited the extent to which managers offered available hours to existing employees, as this retail manager explains:

MANAGER (SPECIALTY RETAIL): I always assign available shifts to my current staff, until I cannot put them anymore hours – more than 25 – and then I would have to hire another person.

MANAGER (FAST FOOD): Even if I go over [X] employees, like I said, we don't guarantee full-time when we hire them. We tell them it's a part-time job, and they can get up to full-time hours if they want…

MANAGER (RETAIL): [T]he company gives us directive as to how many full-timers we're allowed to have.

When employees are scheduled to work different shifts from week to week, there may be no or few regularly-scheduled shifts to post when someone leaves, and most everyone may already be working during the few regularly-scheduled shifts (e.g., on weekends). In these worksites, managers tend to follow the same practices to implement the 'access to hours' provision as they use when adding one-off shifts to a posted schedule:

INTERVIEWER: [D]o you post available shifts for current employees first?

MANAGER [FAST FOOD]: Yes.

INTERVIEWER: And how would you do that typically?

MANAGER: It would be in the office on the sheet in the office. And it would be on the new app. They show up as open shifts. So anyone can sign up for them.

The ambiguity of when employees are being offered additional hours for the week or longer term is also complicated by turnover, as explained by this manager of a fast food restaurant:

MANAGER [FAST FOOD]: I always offer available shifts to the current staff. Always. But we're always hiring too just because our turnover rate is really honestly not good. We at least have one employee quitting a week or every couple weeks.

INTERVIEWER: Do you post available shifts somewhere for current employees to see?

Manager: Facebook and in the crew room…I'll post a note in the crew room that says shifts are available, and they need to come to me if they want to work.

The managers more clearly in alignment with the 'access to hours' provision described specific procedures for offering shifts to current employees before hiring. For example:

INTERVIEWER: How do you decide whether to hire someone new or to assign available shifts to your current staff?

MANAGER (FULL-SERVICE RESTAURANT): Offer open shifts to employees on [app]; if no one wants them, then hire a new person.

INTERVIEWER: [Does management] post hours for employees to pick up if somebody quits, or ...?

MANAGER (RETAIL): We do now. We didn't used to, but we do now. [We]...put a sign up at our designated spot where the schedules go...: "Try to cover these shifts." ... I can't even interview a late-night person to replace the late-night shift until I've had two or three days out with the employees who – none of them – want to work graveyard.

MANAGER (RETAIL): So if somebody quits or gets fired, then all of their shifts are already scheduled for. So we don't just hire somebody and give those hours away. We always give our people an opportunity, and I think it's part of the law too, we give them an opportunity to pick up the hours. So we post it in there [break room where schedule is]... If no one will pick them up, then I have to hire somebody.

MANAGER (COFFEE SHOP): So we actually have a coverage gap chart that we get once a month that's updated by corporate, and it essentially takes all of the available, like your [workers'] available hours and the shifts that you're scheduling every week. Then it finds any gaps that might happen. So for me, one of the gaps was 'opens' ... beginning at 4:30. I just printed the report and I saw, hey I have a gap, let me ask any of my guys, "Hey, does anybody wanna help me open? I know it's early, but it's a little bit more hours per week. "Cool, I filled a spot. I needed one for a midday, because most of my midday people started school. So I asked all my employees, "Hey, is anybody able to take this? Does anybody want this?" No, okay cool. At that point, I started looking at should I hire a new employee or should I reach out to a neighboring store, maybe they have someone who's not getting enough hours. Essentially if I identify a gap and my team can't fill it, that's when I start looking.

INTERVIEWER: How do you let them know about that gap?

MANAGER: We have a print-out...

INTERVIEWER: In the store?

MANAGER: Yeah, it's right by the schedule.

Other managers described how they employ informal practices to offer available shifts to current employees before hiring anyone new. For example,

INTERVIEWER: How do you decide whether to hire someone new or assign available shifts to your current staff?

MANAGER (FULL-SERVICE RESTAURANT): Talking to them. Finding out,"Hey, are you available to work any of these shifts?" Obviously on a consistent basis. It can't be that "Yeah, I can work it every other Tuesday" and whatever the case is. As long as it's being communicated to them that if we don't find anybody to pick up those shifts on a regular basis, then we would look at hiring somebody new.

And some managers state that they just go head and distribute additional hours to their current employees who they think would like more hours and have the availability to provide the coverage needed.

INTERVIEWER: [H]ow do you decide whether to hire someone new or to assign available shifts for your current staff?

MANAGER (SPECIALTY RETAIL): Depending on the availability of the staff, and yeah, mostly the availability of the staff.

INTERVIEWER: So do you post available shifts to employees and see if they can be taken, or how do you kind of determine whether they're going to be able to fill it?

MANAGER: I kind of know what people's availability 'cause I'm such a small staff really. I kinda know what people's availability is and what my needs are going to be. And so usually if somebody is leaving, I need to hire somebody.

INTERVIEWER: How do you decide whether to hire someone new or to assign available shifts to your current staff?

MANAGER (RETAIL): Well, we try to start within our current staff, for sure. We know who they are and what they can do and not do...Then if we can't accommodate the schedule within the staff, then we go outside to find other people.

INTERVIEWER: How do you decide whether to hire someone new or to assign available shifts to your current staff?

MANAGER (SPECIALTY RETAIL): Basically I can tell just because I'm scheduling every week so I know what everybody wants for their hours, and I know how close I am. And usually it's more a concern of "is this person going to be mad because I'm over-scheduling more than they want?" So I can usually tell when something changes right away... whether I need to hire somebody else...

MANAGER (GROCERY): I look ahead at approved vacations and that's one of the factors that determines whether or not if the schedule is starting to feel tight, like there are shifts we are unable to fill I might decide to hire. I've had conversations with employees about their desire, making sure they're happy with their current scheduled number of hours and asking about that flexibility. "Hey, you're at 24, we originally talked about you working 24 to 32, how would you feel if I started scheduling you 32 hours a week? We don't really need to hire another person yet, but I just need to fill a couple more shifts." So I really try to take the temperature of the range of hours people are willing to work and because there is usually a range most people will work within at least 8 hours on either side, that often informs whether we should hire or not.

Given corporate restrictions on the number of hours part-time staff can work and the number of positions that are full-time, perhaps it's not surprising that several managers reported that their workers are still seeking additional hours. For example:

INTERVIEWER: What proportion of your part time workers do you think would prefer to work more hours at your store?

MANAGER (GROCERY): Maybe half, let's just say.

MANAGER (SPECIALTY RETAIL): Maybe a third.

Managers' Knowledge of and Supports for Implementation Efforts

At the time of our baseline data collection just months away from the SSO taking effect, nearly half of managers we interviewed – 22 of 52 – had not heard of the Ordinance. By the time of our second round of data collection, a far higher proportion of managers we sampled had become familiar with the SSO: just three of those interviewed said they had limited or no knowledge of it.

Those managers with limited familiarity with the law expressed bewilderment that appeared linked to one or multiple of three factors, likely themselves interrelated: similarly little knowledge of the SSO on the part of their superiors, limited other supports for training and implementation, and there being few sites of their companies operating in Seattle where the law applied. A fast food manager, upon reviewing a City-provided summary of the Ordinance shared by the interviewer, commented:

MANAGER (FAST FOOD): I wonder if it's the same paper I have. My boss just gave it to me the other day. He's like, "Have you read this?"....I asked my boss [about an aspect of the Ordinance], because he gave me a paper just like this, and I was reading over it a couple weeks ago because he's like, "Did I ever give this to you?"

A retail apparel manager reported that he knew more about the law than his supervisor:

MANAGER (RETAIL APPAREL): [M]y new district manager, who came from Texas, had no idea [the SSO] was passed.

> INTERVIEWER: Oh, okay.
>
> MANAGER: So, I told her [there] was an ordinance.

And even when managers indicated they knew generally about the Ordinance, several felt they still lacked sufficient knowledge to implement smoothly, or reliably in compliance.

> MANAGER (FAST FOOD): Honestly. [The Ordinance] was just thrown at me. No one ever really trained me other than, "The biggest thing we comply with is trying to get [the schedule posted] two weeks in advance."
>
> ---
>
> MANAGER (RETAIL PHARMACY): With the ordinance, I don't think I really know anything about it....It hasn't really been explained clearly....
>
> INTERVIEWER: What do you think of the different requirements?
>
> MANAGER: [After reviewing the City-provided Ordinance summary] Well, that is very different. We're actually supposed to pay them if they leave early? Damn.
>
> ---
>
> MANAGER (APPAREL RETAIL STORE, QUOTED ABOVE NOTING HIS SUPERVISOR ALSO WAS UNFAMILIAR WITH THE ORDINANCE): I'm actually really surprised that...I guess I'm surprised as a manager, there's a lot I didn't know. I play a direct role in some of these things and I was never trained on it.

As the apparel manager above notes, managers' knowledge of the law and the extent of supports and other resources available to them for its implementation are interlinked. We found the extent to which frontline managers have been supported in transitioning scheduling practices to comply with the Ordinance varies greatly. We define support as having access to information about the Ordinance itself, strategies for implementation, and tools that make it easier to post work schedules further in advance, track changes to posted schedules, and ensure employees are properly compensated as required by the law. The following specialty retail manager captures the connection between his knowledge and company efforts to prepare managers to deal with the law's requirements:

> MANAGER (RETAIL, SPECIALTY): I do know about the law, somewhat familiar with it. We had a previous assistant manager who actually went to some of the meetings about it downtown when they were rolling it out. So yeah, so she brought back, made notes on everything, and we set processes in place at that point to try to comply.

The thoroughness and formality of the training reported differed across sites. Several managers described efforts by their companies, sometimes in collaboration with City officials, to provide structured training sessions, as did this coffee shop manager:

> MANAGER (COFFEE SHOP): [C]orporate did a nice job for us. We actually had a "summon" where we got all the store managers together and like we spent probably eight hours just going through the ordinance, anybody has questions, raise your hand, ask your questions.... It was nice that corporate essentially made a team to summarize [the Ordinance] for us. And if we have any questions, there's actually a dedicated hotline of people, that's their specialty is this ordinance. So if we have questions, we can call them.

Several other managers described a systematic approach by company HR departments to organize materials and sessions to educate staff:

> INTERVIEWER: Okay. Just to clarify, I know you got training at your previous employer. Was that through the city?
>
> MANAGER (FAST FOOD): No. It was through my employer.
>
> INTERVIEWER: Okay. Got you.
>
> MANAGER: They worked in HR. They attended a City class. I can't remember exactly what it was, but something that was held by the City. And then they received training from the city directly. They put together a training program and a class for all of us.

INTERVIEWER: Okay. Did you find that education helpful?

MANAGER: Oh, yeah. 100%.

MANAGER (SPECIALTY RETAIL): When the law was first implemented…the affected stores…had a lengthy conference call with our HR department, who had handled this in several other municipalities across the country. So we had a pretty clear understanding of what was in place….It was pretty helpful….[I] think we'd taken it upon ourselves because we knew it was coming to kind of understand the law going into it, but it was really helpful and to know that HR had already dealt with it and had built a little bit of it into the systems that we already had in place.

This convenience store manager described an initial – and only - infusion of information from his company's corporate HR department:

MANAGER (CONVENIENCE STORE): [HR] got me the packet, who like came here from New York….It was very helpful 'cause I knew nothing about secure scheduling when I came here. It has all of the restrictions and all the things you have to premium pay for, all the things to do to be compliant with like posting, any upcoming changes to hours any upcoming changes to shift's availability and all that stuff.

In a few cases, HR representatives were described as assuming a continuing, consultative role in supporting their Ordinance implementation efforts:

MANAGER (FULL-SERVICE RESTAURANT): We had our HR advisor come in. She worked with me for about a month. Then we still have that HR person that also helps us with our forms and sends over our penalty pay spreadsheet that has how much each employee makes, that we can fill out and send over to payroll. That also helps us with our good faith estimates. We do have a really nice person in HR that helps us with that, makes sure we're in compliance.

MANAGER (PHARMACY): So we have, like in our HR section of our inner store network or whatever, a whole spiel about when you give them predictability pay and when you don't. We constantly have district-wide conference calls about it.

MANAGER (FULL-SERVICE RESTAURANT): From home office, always they send to us updated versions of the law, and why, and how. Also, we have…payroll we can call any time and ask any questions that we have.

And some firms, as with the manager's description above of an HR department's outreach to the City for information, enlisted City representatives to bring training to their employees on-site, as also described by this specialty retail manager:

MANAGER (SPECIALTY RETAIL): And they did a big meeting…with all of the general managers, and the assistants, to let them know what was going on, what the regulations were. In fact, they had somebody there that spoke from the [City], telling us what each regulation meant. What everything meant…so that we understood it. Because we're the ones that have to comply with it, we really need to understand it.

INTERVIEWER: Yeah, and how helpful was that training?

MANAGER: Very helpful, too much information….A lot of information, yeah. And they've gone over it several times since. But I mean, it was a lot to learn…

INTERVIEWER: Okay. And did you find the person that was there from the City to be helpful? Was their contribution helpful?

MANAGER: Yes, very much so. Very much so. Because a lot of our big wigs didn't understand - they'd understand what it meant, but what the little things [meant], you know what I mean?

This pharmacy manager reported a similar, City-provided training at a company location:

INTERVIEWER: Have you contacted the city, or attended any city information sessions about the ordinance?

> MANAGER (PHARMACY): We actually…We had a big training on it.
>
> INTERVIEWER: Okay.
>
> MANAGER: Yeah, at our corporate office. It was like a whole day, and actually some of the Seattle ordinance people…I'm not sure exactly what their titles are, but they came and talked to us about it.
>
> INTERVIEWER: And when was that?
>
> MANAGER: Last year sometime.
>
> INTERVIEWER: Okay, so shortly after the ordinance was put in place.
>
> MANAGER: Mm-hmm (affirmative)….I think one was right before and one was right after.

Numerous managers reported that they appreciated the availability of City representatives for consultation about Ordinance implementation on an ongoing basis, as these fast food and grocery managers describe:

> INTERVIEWER: Have you ever contacted the city with questions on the ordinance?
>
> MANAGER (FAST FOOD): I did, in my previous job, have a few questions that I emailed to my HR manager who reached out to … I don't remember who it was, exactly. But someone who worked with the City that was available to [answer] those questions … when the transition happened.
>
> INTERVIEWER: Okay…. Was the information that you got back helpful?
>
> MANAGER: Yes. Very.
>
> ---
>
> INTERVIEWER: [H]ave you received any support or information from anyone else such as other managers, company executives, city staff, retail association?
>
> MANAGER (RETAIL, GROCERY): I've called whoever's running the ordinance. I've had different information….I've called once and talked to somebody. And they were helpful. And then I made sure I was just on the right track.

Apart from training and other ongoing consultative supports, several managers told us about scheduling software used by their companies – occasionally but not predominantly tailored to capture requirements of the Seattle law – that assisted them in aligning their practices with the new regulation and maintain efficiency in so doing. Very few indicated that these programs had been customized specifically to the SSO, but for those managers reporting it, this tailoring made a significant difference to their implementation experiences, as with this coffee shop manager:

> INTERVIEWER: So what's been the easiest provisions to implement?
>
> MANAGER (COFFEE SHOP): I think documenting it from a pay side for us was incredibly simple. We didn't have to do anything in [the payroll system]. That corporate team did it for us. So when we had to log predictability pay, it was literally a drop down menu that you just click it and that's it. We don't have to do this crazy paperwork….

In several cases, managers reported that their companies were still in the process of adapting existing scheduling software to help them follow the law more easily:

> INTERVIEWER: Have you or your company ever customized a tool specifically for this location or geographic area?
>
> MANAGER (FULL-SERVICE RESTAURANT): No, they're working on that.
>
> INTERVIEWER: Okay.
>
> MANAGER: Yes. They're trying to find…It costs a lot of money to change software.
>
> INTERVIEWER: Yeah.
>
> MANAGER: But they're trying to figure it out. They're trying to figure out a lot of stuff so we don't have to do it.

Most managers at sites using such software, however – and all who did not have access to software provided by their businesses – were left to their own devices for creating tools to facilitate implementation:

> INTERVIEWER: Have they changed software to help you provide the 14 day advance notice?
>
> MANAGER (CONVENIENCE STORE): No. Anything like this I make on my own….
>
> INTERVIEWER: What about any like systems to help you keep track of schedule changes? It doesn't sound like it 'cause you're just kind of doing it on the paper.
>
> MANAGER: No.
>
> INTERVIEWER: Provide any new tools for mass communication to employees about new shifts?
>
> MANAGER: No.

In several cases, managers described software in use prior to the adoption of SSO which, without customization to date, nonetheless is a helpful tool for aligning their scheduling practices to the new regulatory requirements. This fast food manager said his firm's app assists with mass communication to employees about extra hours coming available on short notice:

> MANAGER (FAST FOOD): [The scheduling app is] a very efficient way how we can communicate to our staff [for example, about] the possibility to pick the shift without paying that penalty. Because I open it for everyone, so everyone has access to it. I'm not really picky. Unless everyone is working that shift, only one person, that's when we call that person and say, "Hey, can you work?"

And this full-service restaurant manager explained he was able to use existing software to align his shift-scheduling to SSO rules:

> INTERVIEWER: Has your company changed any of its systems or procedures, such as the scheduling software or when you receive forecasted sales/traffic?
>
> MANAGER (FULL-SERVICE RESTAURANT): My company has not really provided much support other than the requirements of implementation, [but] our software was easily shifted to allow for adding more shifts instead of the on-call shifts.

But multiple managers told us they either did not have access to such company-provided scheduling tools and instead made their own, or that the tools hampered their SSO implementation efforts. This grocer manager fashioned his own program, with help from a certain third party:

> INTERVIEWER: And what tools do you use to make a schedule such as a spreadsheet, software program, or some other system?
>
> MANAGER (GROCERY): I use this spreadsheet, and I use the company's sales from the previous years.
>
> INTERVIEWER: Okay. And so is that spreadsheet used company-wide, or did you develop it?
>
> MANAGER: No, my dad actually made it.

This specialty retail manager reported the availability of a company scheduling program, but one he has to adjust on his own for Ordinance compliance:

> MANAGER (SPECIALTY RETAIL): As a company we have a [scheduling] program … We just enter in [employees'] availability, and then it pushes out a schedule based on the needs of the business and previous sales. And then because the company doesn't have it set up to do it three weeks in advance… I do have a level of adjustment that I can make after the computer would do it. But I just always just do it myself because I want to stay on that three weeks in advance. Otherwise, we'd have to wait and we'd be a week behind.

This same manager explained that predictability pay compensation had been delayed at the site because the scheduling software was not set up to capture it:

> MANAGER (SPECIALTY RETAIL): I don't think [employees have] gotten any compensation yet. [Company] does not have that in place. It's something that we have to keep track of as managers on an individual basis until they update the computer programming.

INTERVIEWER: Okay, so you keep track of it on an individual basis…

MANAGER: Yeah, like I make a note next to the schedule and then we save the schedule and basically I keep track of each time it happens.

INTERVIEWER: And then when you make a note and it goes into the system, does the system then pay them extra? No?

MANAGER: The system is not set up to. It's one of the problems with our company being so big, is that this is a very small localized area. It's not all of Washington, so it is very hard to say, "You need to spend this much money to update this program." It would be easy if there was a pay code for us to do it. Like we have sick pay codes, where I go in their schedule on…our scheduling tool, and say this person called out sick. I mark them as absent for the day and then I put in their sick pay for the day.

INTERVIEWER: But you don't have a code for [premium pay].

MANAGER: But there's no code in our system and it's an issue that we've been dealing with since this started. They have repeatedly told us they're working on it…

Managers' Views of the SSO and Implementation Challenges

The managers interviewed held a range of views on the merits of the Secure Scheduling Ordinance for their firm and their staff. Although a few managers expressed strong opinions about only the advantages or disadvantages of the Ordinance, most of those interviewed reflected on both strengths and weaknesses. Two-week advance notice and documentation came up most often in managers' responses to questions about which provisions they found easiest and which they found most difficult to implement in their workplace. Managers, especially at work sites with very few employees, provided examples of what they view as a misfit between provisions in the SSO and the realities of their particular business. We discuss these views and experiences below.

Varied Views on the Overall Merits of the SSO

Several managers volunteered that they thought the Ordinance was overall "a good thing," especially for their employees. For example:

INTERVIEWER: Finally, what would you like us to know about the ordinance or about scheduling that I didn't ask?

MANAGER (PHARMACY): Nothing, really. I think that it's a great program. I do. I think that people are worth it, and I think that if people were paid what they were worth, they'd have a lot better workers out there. I think so. That's me. Not the people who don't work very hard and stuff, but I really think that people are gonna work harder if they're compensated for their worth, and…I think it's a great thing. I think it's a great program.

MANAGER (SPECIALTY RETAIL): I think the ordinance is a great thing. And it really hasn't been that bad for us because of our hours. Back in the old days when…every store was up until 11:00 p.m. and people got out of here at 11:30 and they were back at 7:00, it would've been a little more difficult to do.

MANAGER (FAST FOOD): Like I said, I think [the SSO is] a good thing….A lot of times, people in this field are taken advantage of, scheduling wise. I particularly think it's a good thing. The rules aren't that hard to follow, and it's not anything crazy.

MANAGER (FAST FOOD): They love [the Ordinance]. You're talking about five hours every week. Extra money....They love [advance notice] because they can have a life. Yeah. They can manage their life. They can have like, you know, a balanced life.

MANAGER (COFFEE SHOP): [I]t's good for me as a manager. I want to make sure they know the law, and they know that I'm not trying to basically scam them, or not pay them what they work for. .. At the end of the day you're gonna do all what you can. You're gonna pay them what they work for, and you have to be fair. Even sometimes it's not fair to you or to the corporate. I really don't care. Law is the law....[T]here's lots of people who work so hard to get this labor law in place because laborers, they've been abused.

Other managers voiced the opinion that some employees are not benefiting from the SSO, because it is restricting their ability to take time off when needed. For example:

MANAGER (GROCERY): The biggest problem that I have seen is for the employees themselves. It's really hard, because of the, "Oh my gosh, I have a doctor's appointment, and they can only see me next Friday." ...And that happens all the time. All the time. "Oh, I didn't know the schedule was out." ...It's interesting, because people were always like, "We want to know the schedule," and now it's come all the way back where they're like, "Oh God, does it have to be so far out?" Like, "Yes, it actually does."

Negative views of the law were especially strong, though not universally so, among the managers we interviewed who were also the owners of franchised fast food restaurants. These managers explained the mismatch between the requirements of the Ordinance and the realities of their workplaces, which often had very few (4-5) employees at the worksite who had set schedules. They also discussed how unfair they thought it was that other nearby restaurants were not covered by the law:

MANAGER (FAST FOOD): I spent $450 on admin for the same period of time that I had three hours [of] penalty pay. So I am spending way more on that [documentation], and their [city representatives'] response to me was, "Well then, fine, you won't care about the Ordinance because you're not going to be affected by it." And it just was not what my point was. My point was, if you're really doing it for employees, if that's your real intent, then do it for the [larger, non-chain] restaurants that actually are abusing it. Make it real. Don't make it fake. It's fake with me, because I don't do it [provide unstable, unpredictable hours].

INTERVIEWER: Finally, what would you like us to know about the ordinance or about the scheduling that I didn't ask about?

MANAGER (FAST FOOD): That all they're doing is killing our business...there would probably be most franchise owners right behind me saying the same thing....

Managers' Experiences Implementing 14-day Advance Notice

Managers' views of posting schedules 14 days in advance highlight variations in managers' experiences implementing the SSO. Of all the provisions, advance notice was mentioned most as the easiest to implement:

INTERVIEWER: And what has been the easiest provisions of the law that you-

MANAGER (SPECIALTY RETAIL): The two week [advance notice]... Just because they give us that deadline so that we are always able to stay on top of it and also that employees know to look for a schedule and so they can see if in advance and if they need to make changes that they let us know ASAP. Because that helps us, and it helps them in turn as well.

MANAGER (FULL-SERVICE RESTAURANT): That [two week advance notice] wasn't a problem. That's just getting everybody trained on writing it further out than what they were. That was easy.

Some managers volunteered that posting schedules with greater advance notice helped them as a manager:

MANAGER (COFFEE SHOP): The easiest is I'm always two weeks ahead… I don't have to worry about people calling out, changing schedule, call outs, whatever. People know when they're gonna be scheduled, and they're gonna be there, and I don't have to worry about it.

INTERVIEWER: Yeah. Okay. Like peace of mind.

MANAGER: Peace of mind, and also you get less turnover.

MANAGER (GROCERY): Just having to plan that further in advance is not a bad thing in that it makes me think more about what the needs of the business are further out. It could actually help me predict when we need to hire earlier than having it be right in front of us.

MANAGER (COFFEE SHOP): It did help me on one side because I can manage better my team I can see exactly how many I need. I get better at my job because I'm required to meet ahead of time. So, otherwise I'm gonna pay that much money. So it does kind of help me be in the right track. I am losing money at the same time but, there is some positive things for all managers.

Not all managers, however, are finding it easy to post schedules 14 days in advance of the workweek. Several noted that their employees are used to getting schedules with much less notice and that because the law does not require all retail and food service locations to post this far in advance, their employees are not accustomed to this practice, which can create challenges:

INTERVIEWER: What have been the most challenging aspects of the Ordinance to implement in your work place?

MANAGER (FULL-SERVICE RESTAURANT): Honestly, the two to three weeks scheduling, just simply because of the fluctuation of staff that we have. People leave, come back, and the staff getting used to having their schedules so far in advance, because not every company downtown is required to do that. …So somebody we hire on, we'll put their schedules out that far in advance and they'll be like "Well, I didn't know that this was going on, and I scheduled this", and I'm like, "I wish you would've looked at the schedules because we have to have this far in advance because we're one of the companies that do."

MANAGER (GROCERY): I think it's good for morale. I think that people appreciate having their schedule planned out that far. [But] I don't think all people plan their lives that far in advance, and so there becomes a lot of requesting to switch shifts, which I didn't see as much when we were posting in a shorter time frame…so there is just a lot or requesting to change existing schedules because people hadn't yet planned their doctors appointment or a birthday party for their kid or something else that was going on.

The Challenge of Documentation

When asked about the most challenging aspects of implementing the SSO, a common response was maintaining required documentation and establishing systems to record schedule changes incurring the schedule change premium. As shown in Table 6, about a third (12 out of 37) of managers interviewed reported systematic documentation processes that closely aligned with the requirements in the SSO but about a quarter (9 out of 37 managers) reported practices weakly aligned with requirements, commonly reporting little if any documentation of the scheduling process. Almost half (16 out of 37) of the managers interviewed reported documenting only part of what is required and using informal procedures to do so. Responses suggest two basic documentation challenges: the lack of systems to support systematic documentation at some worksites and resource-consuming documentation processes at other sites. Some worksites are involving employees in the documentation process, thereby reducing some burdens on managers. Examples of documentation for schedule changes and possible predictability pay highlight the variation in documentation approaches and procedures employed at Year 1.

Rather than using electronic systems, several managers reported that they record changes to the schedule right on the posted schedule in the workplace and then either transfer this information to electronic systems or email it to payroll staff as needed. Some managers reported that they do not keep track of the reason for schedule changes. For example:

> Interviewer: …So how do you keep track of changes to the original posted schedules, including when you reduce or add hours? I see you've written on here, do you put it anywhere else? Is it just written on here?
>
> Manager (specialty retail): It's in our actual schedule.
>
> Interviewer: The electronic document too?
>
> Manager: Yeah, it's on our computer.
>
> Interviewer: So do you ever document the reason for the schedule change anywhere?
>
> Manager: No.
>
> Interviewer: And do you ever document how you communicated with the employee about the schedules? So for instance if you texted them versus talked to them in person?
>
> Manager: No.

Other managers, however, recorded both the nature of the change and reasons for the change on the posted schedule. For example:

> Manager (fast food): Any changes that I make to the actual schedule, for instance, if somebody calls out or if somebody extended their shift or anything, [I record them on] the schedule that we have that's posted … We have one full page for every single day. I'll write on that actual schedule and sign it, so that whoever may know that it's approved, and we send all of our schedules in every month to our office.
>
> Interviewer: Do you document the reason for the schedule change?
>
> Manager: Mm-hmm (affirmative).
>
> Interviewer: Do you document how you communicate with the employee about the schedule change?
>
> Manager: Not particularly.

Several managers reported that they keep track of changes that, according to their understanding, require premium pay but do not retain documentation for changes for which employees will not receive extra compensation. For example, in explaining how the store complies with the SSO, one grocery manager explained, "I have a form that I fill out whenever I do pay them. I don't have a way of tracking when I don't have to, just because it's usually always in writing anyway. Or it's in a group setting with more than one person there. I do keep track of it when I do have to pay that. But otherwise, no."

A common theme among managers with systematic procedures for documenting compliance with the Ordinance was that doing so is resource intensive. As one manager in a full-service restaurant quipped, "For a city that cares so much about the environment, that law is a huge waste of paper." Others expressed similar concerns:

> IntervIewer: What have been the most challenging aspects of the ordinance to implement in this workplace?
>
> Manager (pharmacy): It's the paperwork. The paperwork requirements are time consuming.
>
> IntervIewer: Any specific paperwork requirements?
>
> Manager: All of it. …It's a lot of paperwork.
>
> ---
>
> IntervIewer: What have been the most challenging aspects of the ordinance to implement in this workplace?
>
> Manager (fast food): Actually, the tracking of it, to make sure we're documenting everything correctly and making sure that we didn't miss paying an employee when we're supposed to pay them…Actually, it's a ton of admin to do, so we document the conversations. We're documenting

everything, so that could come back to bite us later, from someone saying, "Hey, I worked these hours, and no one told me about it." We're documenting everything.

In larger worksites, a particular manager might be assigned to the task of calculating predictability pay. For example a manager of a full service restaurant described a procedure in which all managers make notes about the reason for schedule adjustments, and then a designated 'predictability pay' manager uses these to determine whether employees are due the predictability premium for the change:

MANAGER (FULL-SERVICE RESTAURANT): We have one manager that's in charge of predictability pay. He goes through the scheduled labor. He goes through the notes and he writes. He literally has a scheduled paper. He has the hours worked paper, and then he has the notes right in front of him [for schedule changes], so he's doing it and he's checking everybody off. He's very methodical about it, and I am very thankful that he's very methodical about it. We have literally never had somebody complain about not getting their predictability pay, and everybody says they get their predictability pay, which I'm very thankful for because everybody knows they're supposed to get predictability pay. And they should know they get predictability pay. I'm just glad we're able to have that one manager in charge, because it would be daunting if everybody had to do everything.

The following example from a manager at a full-service restaurant that had documentation systems in place when the law was first passed but has since stopped documenting compliance provides a sobering view of future alignment with SSO requirements for documentation:

INTERVIEWER: How do you keep track of changes to the originally published schedule including when you reduce or add hours for an employee?

MANAGER (FULL-SERVICE RESTAURANT): We write on the schedule.

INTERVIEWER: Okay. Do you document the reason for the schedule change?

MANAGER: We used to. It became so burdened...Every time you blinked, it was like you were filling out a form.

INTERVIEWER: [S]o when you were [documenting changes] were you documenting the reason for schedule change? [W]ould you document whether it was they asked or it was needed because somebody was out?

MANAGER: We did that too.

INTERVIEWER: Did you document how you communicated with folks about picking up shifts? Like I texted, I called.

MANAGER: We did that too, yeah we did, that's yes. We had to have a record of everybody you called. You had to have every time you hired a new position, you had to have a paper trail that you offered it to all these different people and that they chose not to pick up those shifts. And you had paper trails upon paper trails.

INTERVIEWER: And is there any of that documentation that you still do?

MANAGER: No.

Other managers provided examples of processes they are implementing that hold the potential to reduce burdens on managers for documentation, including the use of electronic tools, involving employees in the process of documentation, or both:

MANAGER (PHARMACY): There's a couple ways that we track [schedule changes], because it is difficult. It's a lot. If there are changes to schedules that have already been posted, then there's a note in [name of app] says 'Employee A' volunteered to have the night off or to leave early or to pick up the shift tonight, to change job descriptions. Then also on the [firm's] system, ...it asks them if they're clocking in outside of their grace period, which is five minutes, then it's either that they volunteered to clock in at that time or that no, they did not volunteer to clock in or out at that time... Let's say that they showed up a half an hour early and I needed somebody and I was like, "Hey Employee A, can you come on the floor early," and she said yes, then when she's clocking in, she would say no, that she did not volunteer to clock in outside of her parameters, so then she would get her penalty pay for the day and then of course all of her regular wages for the day.

INTERVIEWER: [T]he app or the program keeps track of pretty much all the schedule changes?

MANAGER: Yeah. Then at the end of their shift, the same [voluntary/involuntary] question pops up, if it's outside of what their schedule was.

Rather than using electronic systems, one manager of a fast food restaurant described a similar system using a short written form on which employees indicated whether or not a schedule change was voluntary. Managers then compensated employees with the predictability premium depending on this employee-provided information. A manager in a full-service restaurant described another variation of this employee-involved documentation process:

> MANAGER (FULL-SERVICE RESTAURANT): We've got a log book. We ... write the shifts that they [employees] are scheduled for the two weeks period, the time that they were scheduled and the real time that they [worked]. They write it [the changes] with their handwriting. Every team member, every shift, and they state [if the change was] voluntary or we asked them to stay. And they sign it. We calculate right there, their pay, the penalty pay... [We] send up to pay roll no later than nine in the morning.

Additional managers also discussed the possible merits of including employees in the process of documentation, and the scheduling process more generally. For example, a manager of a fast food restaurant who lamented that "my hardest part of it is to track," suggested that tracking would be made easier if employees were engaged more in the implementation of the Ordinance:

> MANAGER (FAST FOOD): Imagine if you have 200 employee, how are you going to track down if you don't have a system that can help you doing that? Things keep changing all the time. I think if the employees are held accountable to write down those hours a day as part of the law, I think we'll have better manager and employee to like, get them paid for those hours...I think the law is perfect. I loved it. But, I think it need to be twisted a little bit. We need the employee to be also part of it, you know what I mean? Like if something change on their part, they need to be accountable, writing it down somewhere on a system to communicate it to the manager.

Implementation as a Process

Our interviews suggest that scheduling in Seattle at the sites we studied is in transition, with most worksites moving closer to alignment with the SSO. As shown in Table 8 and as summarized earlier, all sites for which we have data on practices before and after the SSO moved closer to alignment on at least some provisions, with some workplaces coming closer to alignment on multiple provisions. Our interviews provide further insight into how experience has eased implementation at some worksites, for example:

> MANAGER (SPECIALTY RETAIL): Overall [SSO is] a good thing. Going through the growing pains of getting it figured out, what the departments were, getting setup, that was the big challenge. For the most part, it hasn't had any big effect on the way I schedule. Nothing detrimental...
>
> ---
>
> MANAGER (GROCERY): I mean, one of the biggest difficulties...At first it was posting two schedules at once that first week. I remember doing it, it was really hard. And then since then, you know what? We were already doing so much of this automatically, that that part of it...I mean, this all was very, very seamless. We don't take away shifts, we don't really add shifts, unless they're wanting it, unless it's employee started, that they want it.
>
> ---
>
> MANAGER (FULL-SERVICE RESTAURANT): But now I think that, like I said, I built this culture with my managers and my team members that, this is the law. This is what we have to do. This is why I schedule the way that I schedule. This is why there's no this. This is why there's no that. Because we have to do it to be in compliance with the law. Now, people are like, "Oh, okay, yeah, I'll fill out my form." Or I'll say, "Hey, you didn't fill out your form yesterday." They go, "Oh, I'm so sorry I missed it."

A few managers, however, provided examples of drawing back from alignment after initial attempts toward compliance:

> MANAGER (GROCERY): The biggest challenge is a two week work schedule. It just doesn't happen. It's not that we don't wanna do it. I'd love to do it. Really, for the most part, most of our team already knows what their schedule is next week. It's just been trying to accommodate turnover. So because of that, that's why we stopped writing two week schedules, and eliminated that. I mean, we had two weeks up, and we were tearing them down.
>
> INTERVIEWER: Like every day?

> MANAGER: Oh, yeah. And so to me, that wasn't what the intent of the ordinance was. It wasn't to adjust people's schedules every week and to change it on them. It was to give them a sense that they had an opportunity to schedule their life. And so that's why we've always tried to give people a set schedule and certain number of hours, certain days off, and have never denied a request, is because we understand that they do want a life…We try to accommodate that, hoping that it will make them happier, and they'll stay, as opposed to what we've gotten, which is just, you know, we feel like we treat them pretty good, and all of a sudden they just don't show up.

A full-service restaurant manager also describes adding on-calls back to the scheduling process, at the request of employees:

> INTERVIEWER: You didn't totally get rid of on-calls because people can still volunteer to be on call?
>
> MANAGER (FULL-SERVICE RESTAURANT): Initially, yes, we did not have on-calls at all, and then when people started coming in asking, I said, "Well what if they volunteer?" If you're wanting to be an on-call, then why not? Then we started putting on-calls back on the schedule as long as it was somebody who volunteered and was interested in being an on-call. If they're not, then they're not scheduled like that.

Another manager in a full-service restaurant describes how the restaurant does not post shifts for all servers to pick because they have performance-based scheduling:

> MANAGER (FULL-SERVICE RESTAURANT): They're like, "Well, why can't I pick up those hours?" I'm like, "Because your performance is not where it needs to be." Then there's development conversations and say, "This is how you can get to point B now."
>
> INTERVIEWER: Does the ordinance affect that as well?
>
> MANAGER: It does, yeah. I would say it definitely does. But we don't tend to listen to the Ordinance because we have to run a business. I can't just give Joe Blow hours because I fired someone or someone quit, but then give it to Joe Blow now wants those hours, when Joe Blow is not a good server and cannot work those hours.

Finally, other managers described occasions when the guidelines for implementing the law just did not seem to make sense. For example:

> MANAGER (FULL-SERVICE RESTAURANT): I think the broadcasting if you need a shift filled [has been challenging]. It's just stupid. [I]t was so hilarious one time…I was sitting there and actually it was [Employee A]. And she goes, "[Employee K] is probably going to call off [tomorrow]. So I'll pick up her shift." And I said, "Well wait, I think I have to call people." And she goes, "I'm right here." "I know but I think according to this Ordinance, I have to let like five people know." "I'm right here." "I know! But I think…"

Future Work

In the next wave of the "employer side" of the Secure Scheduling Ordinance (SSO) evaluation, we will continue to probe implementation of the law by frontline managers responsible for scheduling workers at covered worksites, paying particular attention to the strategies managers are adopting to align their practices with SSO requirements and, in particular, to their understanding of the schedule change premium. In addition, some managers told us that their corporations were in the process of updating systems to facilitate compliance with fair workweek legislation in Seattle and other municipalities; we will examine the nature and implications of this possible development. We will also dig more deeply into how the law is affecting managers themselves. At Year 1, some managers mentioned that they are now working longer hours, because they do not have enough employees to cover shifts when an employee declines their request to work additional hours or enough dollars in their labor budget to cover the additional cost of the schedule change premium.

Appendices

Appendix A: Research Team Structure and Biographies

The Secure Scheduling Working Group includes national experts on labor standards, employer practices, and the conditions of work. Working Group members include:

- Professors Anna Haley from Rutgers University and Susan Lambert from the University of Chicago, who are conducting interviews with frontline managers and other key stakeholders;
- Professors Kristen Harknett from the University of California at San Francisco and Daniel Schneider from the University of California at Berkeley, who are leading efforts to collecting survey data from workers; and
- Professor Jennie Romich from the University of Washington, who is contributing contextual data.

Although individual researchers/teams will be working on discrete parts of the study, the full team will be meeting regularly to ensure that the research projects are complementary and contribute to a full picture of the impacts of the Ordinance.

The West Coast Poverty Center (WCPC) at the University of Washington is coordinating these research efforts and will be the City's point of contact for the evaluation. In the role, the WCPC will organize meetings of the Secure Scheduling Research Team/Working Group; draft reports for City stakeholder review; incorporate feedback from City stakeholders; and present findings at City forums and to community stakeholders, as requested.

Team Biographies

Anna Haley is an Associate Professor at the School of Social Work at Rutgers, the State University of New Jersey. Her research falls within the organizational and management area, investigating influences on employers' choices about designing, managing, and rewarding jobs; the implications of those choices for workers, families and communities; and the interplay between public policy and both employer practices and worker outcomes. Using survey, interview, and mixed method case study approaches, Haley has studied low-wage jobs and the workers occupying them in for-profit, nonprofit and public settings, including retail stores, restaurants, human services agencies, and the US Postal Service. Her research helps to identify and assess "upstream" strategies for changing workplaces and public employment policies to promote economic and social wellbeing. She has previously served on the social work faculties of the University of Washington (2003-9) and University of Wisconsin-Madison (2009-16).

Kristen Harknett is an Associate Professor at the University of California, San Francsico, an Adjunct Associate Professor of Sociology at the University of Pennsylvania, and a Visiting Scholar at UC Berkeley's Institute for Research on Labor and Employment. Harknett's research focuses on how policies impact the lives of low-income families. She has an expertise in policy and program evaluation, having been a lead researcher in assessing impacts of welfare-to-work programs in the U.S. and earnings subsidies in Canada in the 1990s, and is currently leading the impact analysis of a federally-funded responsible fatherhood intervention. She received her Ph.D. in Sociology and Demography from Princeton in 2002.

Shannon Harper is the Deputy Director at the West Coast Poverty Center at the University of Washington. She works on the Center's student training activities, including the Social Policy Research Fellowship program; authors written products including the Poverty Flash Series and the Dialogues on Research and Policy; and works to convene academic researchers, policymakers, practitioners, and funders through the WCPC Roundtables and the WCPC's annual Poverty Summit. Prior to joining the WCPC, Shannon worked in Washington, D.C. and Oakland, California, doing research on the effects of welfare reform at the state and national levels. She holds an M.A. in Sociology from the University of Washington.

Appendix B. Monitoring the Experiences of Covered Workers from Limited-English Proficiency Populations

In the process of planning the evaluation, the Seattle City Council requested that the evaluation include particular attention to the experience of limited-English proficiency populations under the SSO. The main employee survey was available in 7 languages. In the (weighted) sample of Seattle workers, 31.3 percent reported that they spoke a language other than English at home.

In addition, the Seattle Office of City Auditor included funding for special outreach to LEP covered workers in the baseline, Year 1, and Year 2 study budgets. For the baseline report, OLS helped provide outreach to LEP covered workers via its network of community partners with ties to LEP populations. In total, the community partners recruited 90 workers to complete surveys, but 56 of these had to be excluded because the workplace was not in Seattle city limits, workers were not paid hourly, and/or workers did not work for a covered employer, leaving 34 valid LEP responses. In feedback about the data-gathering process, community partners reported difficulty finding covered workers among their populations. They also noted that the survey was long and that a web-based survey was not ideal for reaching some LEP populations, such as older Chinese-speaking workers, who might lack access to the internet or be uncomfortable with using the internet.

The City Council reaffirmed its interest in the experiences of LEP populations after the baseline report. For Year 1, the Seattle Office of City Auditor contracted with API-Chaya, a local community-based organization, to do outreach with their community partners to reach covered workers from LEP populations. In addition to in-person outreach, the funding supported community reviews of the translated surveys in Spanish, Mandarin, Vietnamese, Somali, Tigrinya, Amharic and Oromo to catch any potentially-confusing language in the translations. (The survey was available in these languages to all survey takers as well.) The Year 1 data gathering effort yielded 47 surveys, although only 12 were from covered workers. Given the small sample size, that data was not analyzed in this report.

The recruiters for Year 1 echoed many of the concerns from the baseline data collection effort. They noted that the survey was long and they had difficulty finding covered workers from LEP populations. Multiple outreach workers questioned whether LEP individuals would be employed at covered businesses either because of language barriers that would impede the hiring process for the types of large employers covered by the SSO or the types of businesses covered. For example, one organizer noted that Somalis were unlikely to work at businesses that sell alcohol or pork. The organizers also noted some suspicion on the part of potential survey takers about the goals of the research and wariness about sharing salaries or employment information.

Based on the difficult recruiting covered workers at baseline and Year 1, for Year 2, the Seattle Office of City Auditor will work to try to capture the scheduling experiences of a broader group of immigrants and people of color working in covered industries. The effort will attempt to capture these workers' awareness of workplace protections including the SSO (and how they learn about such protections) and how scheduling protections might affect what types of jobs they consider as they make decisions about their employment options.