

S 1386

Schedules That Work Act

Congress: 115 (2017–2019, Ended)

Chamber: Senate

Policy Area: Labor and Employment

Introduced: Jun 20, 2017

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (Jun 20, 2017)

Official Text: <https://www.congress.gov/bill/115th-congress/senate-bill/1386>

Sponsor

Name: Sen. Warren, Elizabeth [D-MA]

Party: Democratic • **State:** MA • **Chamber:** Senate

Cosponsors (23 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Jun 20, 2017
Sen. Blumenthal, Richard [D-CT]	D · CT		Jun 20, 2017
Sen. Booker, Cory A. [D-NJ]	D · NJ		Jun 20, 2017
Sen. Brown, Sherrod [D-OH]	D · OH		Jun 20, 2017
Sen. Cortez Masto, Catherine [D-NV]	D · NV		Jun 20, 2017
Sen. Duckworth, Tammy [D-IL]	D · IL		Jun 20, 2017
Sen. Durbin, Richard J. [D-IL]	D · IL		Jun 20, 2017
Sen. Franken, Al [D-MN]	D · MN		Jun 20, 2017
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jun 20, 2017
Sen. Harris, Kamala D. [D-CA]	D · CA		Jun 20, 2017
Sen. Hirono, Mazie K. [D-HI]	D · HI		Jun 20, 2017
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jun 20, 2017
Sen. Markey, Edward J. [D-MA]	D · MA		Jun 20, 2017
Sen. Merkley, Jeff [D-OR]	D · OR		Jun 20, 2017
Sen. Murphy, Christopher [D-CT]	D · CT		Jun 20, 2017
Sen. Murray, Patty [D-WA]	D · WA		Jun 20, 2017
Sen. Reed, Jack [D-RI]	D · RI		Jun 20, 2017
Sen. Sanders, Bernard [I-VT]	I · VT		Jun 20, 2017
Sen. Schumer, Charles E. [D-NY]	D · NY		Jun 20, 2017
Sen. Van Hollen, Chris [D-MD]	D · MD		Jun 20, 2017
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jun 20, 2017
Sen. Wyden, Ron [D-OR]	D · OR		Jun 20, 2017
Sen. Feinstein, Dianne [D-CA]	D · CA		Apr 10, 2018

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	Jun 20, 2017

Subjects & Policy Tags

Policy Area:

Labor and Employment

Related Bills

Bill	Relationship	Last Action
115 HR 2942	Related bill	Jun 20, 2017: Referred to the Committee on Education and the Workforce, and in addition to the Committees on House Administration, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

Schedules That Work Act

This bill grants an employee the right to request that the employee's employer change the terms and conditions of employment relating to:

- the number of hours or times the employee is required to work or be on call;
- the location;
- the amount of notification the employee receives of work schedule assignments; and
- minimizing fluctuations in the number of hours the employee is scheduled to work on a daily, weekly, or monthly basis.

The employer, if the request is made, shall engage in a timely, good faith interactive process with the employee that includes a discussion of potential schedule changes that would meet the employee's needs. The bill outlines the process for either granting or denying a change.

The employer shall grant a request, unless there is a bona fide business reason for denying it, if the request is made because of the employee's serious health condition, the employee's responsibilities as a caregiver, or enrollment in a career-related educational or training program, or if a part-time employee requests such a change for a reason related to a second job.

An employer, if an employee requests a change for any other reason, may deny it for any reason that is not unlawful. The employer shall give the employee the reason for the denial, including whether it was a bona fide business reason.

The bill outlines employer requirements for paying reporting time and split shift pay and for giving advance notice of work schedules to retail, food service, or cleaning employees, or the Department of Labor's designated employees, except for those in bona fide executive, administrative, or professional capacities.

The bill makes it unlawful for any employer or other person to: (1) interfere with, restrain, or deny the exercise or the attempt to exercise any right of an employee specified in this bill; (2) retaliate against an employee for exercising the rights granted employees by this bill; or (3) interfere with proceedings or inquiries with respect to violation of an individual's rights under this bill.

The bill sets forth administrative enforcement procedures and civil remedies for violation of these prohibitions.

Labor must give information and technical assistance to employers, labor organizations, and the general public concerning compliance with this bill.

The Bureau of Labor Statistics and the Bureau of the Census shall: (1) include in the Current Population Survey questions on, among other things, the amount of fluctuation in the number of hours the employee is scheduled to work on a daily, weekly, or monthly basis; and (2) conduct at regular intervals the Contingent Worker Supplement, the Work Schedules and Work at Home Supplement, and other relevant supplements to the Current Population Survey.

This bill is inapplicable to any employee covered by a bona fide collective bargaining agreement if its terms govern work scheduling practices.

Actions Timeline

- **Jun 20, 2017:** Introduced in Senate
- **Jun 20, 2017:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.