

1MFWF FACT SHEET: WORK FLEXIBILITY POLICY (June 2017)



Policy related to work flexibility exists at city, state, and federal levels across the United States.

CITY POLICY ON WORK FLEXIBILITY

- ◆ **Berkeley, CA**
Berkeley Family Friendly and Environment Friendly Workplace Ordinance. Gives employees the right to request part-time work, flexible working hours, predictable working hours, and flexible working arrangements; employers must respond.
- ◆ **Emeryville, CA**
Emeryville Fair Workweek Ordinance. Requires large retailers to give employees schedules two weeks in advance, to give extra pay for shifts on short notice, and to offer extra hours to existing part-time employees before hiring new staff.
- ◆ **San Francisco, CA**
Family Friendly Workplace Ordinance of San Francisco. Employees in San Francisco (at companies of 20 or more) have the right to request a flexible or predictable work arrangement to assist with caregiving responsibilities; employers must respond.
Retail Workers Bill of Rights. Promotes predictable schedules for hourly workers at San Francisco's retail stores, restaurants, and banks, as well as fair treatment for part-timers.
- ◆ **San Jose, CA**
San Jose Opportunity to Work. Requires employers to offer extra hours to existing part-time employees before hiring new staff.
- ◆ **New York, NY**
Freelance Isn't Free. Requires written agreements for the timeline and payment of freelance work, with penalties for employer violations.
Fair Work Week Package. Series of 5 bills pertaining to fast food and retail workers, providing more schedule predictability and stability, as well as a path to full-time hours.
- ◆ **Seattle, WA**
Secure Scheduling. Requires employers of retail and food service employees to provide workers with a good-faith estimate of hours upon hiring, work schedules two weeks in advance, and compensation for workers if their hours are changed or if they're asked to work back-to-back shifts that prevent adequate resting time.

STATE POLICY ON WORK FLEXIBILITY

- ◆ **New Hampshire**
Senate Bill 416. All New Hampshire employees have the right to request work flexibility for any reason and without the fear of retaliation or retribution.
- ◆ **Vermont**
Equal Pay Act. All Vermont employees have the right to request a flexible work arrangement for any reason. Employers must grant the request unless it is "inconsistent with its business operations or its legal or contractual obligations."
- ◆ **State employees have access to flexible work by state government policy in 30 states:**
Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Hawaii, Idaho, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Hampshire, New Mexico, North Carolina, Ohio, Oregon, South Carolina, Tennessee, Vermont, Virginia, Washington, West Virginia, and Wyoming

The so-called "telecommuting tax penalty" is a serious issue for residents of Connecticut, Delaware, Nebraska, New York, and Pennsylvania, whose tax codes may result in taxation by both the state in which a telecommuter works (from home), as well as the state in which their employer is based. The proposed Multi-State Worker Tax Fairness Act would address this issue federally.

FEDERAL POLICY ON WORK FLEXIBILITY

- ◆ *Telework Enhancement Act of 2010.* Requires all federal agencies to establish telework policies for federal employees.
- ◆ *Working Families Flexibility Act of 2017.* Passed in the House of Representatives on May 2 2017; pending a vote in the Senate. Seeks to amend the Fair Labor Standards Act to allow employers to pay workers nothing for overtime work; instead, workers would get time off in-lieu of overtime payment ("comp time"). This time off would be granted at the employer's discretion.

Join us as one of the 1 Million for Work Flexibility at www.workflexibility.org