

Wilmington, Delaware  
September 5, 2019

**#4703**

**WHEREAS**, businesses need an appropriate level of staffing to provide services and

**Sponsor:**

sell goods; however, the appropriate level of staffing cannot always be precisely estimated or  
can change due to numerous factors; and

**Council  
President  
Shabazz**

**WHEREAS**, when an employer pays per hour, its labor costs are determined by the

**Co-Sponsors:**

number of hours an employee works, as compared to the fixed cost of a salaried employee,  
and it has an economic incentive to be able to respond to changing business needs by

**Council  
Members  
Dixon  
Harlee**

reducing and adding employee hours; and

**WHEREAS**, when an employee's hours are reduced, it changes the amount of

income an employee will earn that pay period; and

**WHEREAS**, when an employee is required to remain available to come in to work if

needed, but is not compensated if not needed, the employee is therefore not compensated for  
foregoing the opportunity to tend to other responsibilities or pursue other interests; and

**WHEREAS**, if employers maintain a large pool of part-time employees to draw on

when extra staff are needed, employees in that pool might work fewer and more variable  
hours than employees who are not part time; and

**WHEREAS**, research conducted by Professor Lonnie Golden of Penn State

University found that, by income level, nationally the lowest income workers face the most  
irregular schedules and that 43 percent of part-time workers were working fewer hours per  
week than they preferred; and

**WHEREAS**, in schedule unpredictability among early career workers in the U.S.

Professor Susan Lambert of the University of Chicago found that 40 percent of workers knew

their schedules less than one week in advance, and 74 percent had fluctuating hours during a single month, with 50 percent having fluctuations of more than eight hours or one day's pay; and

**WHEREAS**, increased wages will not help decrease the income inequality gap if employees cannot work sufficient hours to support themselves and their dependents or know what hours and therefore what income they can count on that week; and

**WHEREAS**, several jurisdictions across the country, including Oregon, California, New York, and Philadelphia have enacted scheduling legislation to address the issues faced by employees with unpredictable work schedules and consequently unpredictable income.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON**, that City Council and its constituent associations urge the Delaware General Assembly to require employers with more than 150 employees and over 30 locations worldwide to provide advance written notice of work schedules, predictability pay to their service workers and additional compensation for any last-minute schedule changes.

Passed by City Council,

Attest: \_\_\_\_\_

City Clerk

**SYNOPSIS:** This Resolution calls upon the Delaware General Assembly to enact legislation requiring employers with more than 150 employees and over 30 locations worldwide to provide advance written notice of work schedules, predictability pay to their service workers and additional compensation for any last-minute schedule changes. several jurisdictions across the country, including Oregon, California, New York, and Philadelphia have enacted scheduling legislation to address the issues faced by employees with unpredictable work schedules and consequently unpredictable income.