

Communication from Public

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March 13, 2026

Los Angeles City Council
201 N. Figueroa St.
Los Angeles, CA 90012

RE: Council File 19-0229-S2

Dear Councilmembers:

On behalf of the National Women's Law Center Action Fund (NWLCAF), we write to express our support for the Fast Food Fair Work Ordinance and urge you to vote in favor of the proposed legislation. NWLCAF is a national non-profit legal advocacy organization, working across the issues that are central to the lives of women and girls and centering the needs of LGBTQI+ people, women of color and women with low incomes. NWLCAF is a leader in the fight to secure a fair workweek for all working people, because unstable and unpredictable work schedules disproportionately impact women and are particularly detrimental to women with caregiving responsibilities.

The Fast Food Fair Work ordinance offers solutions to the harmful workplace practices that plague fast food workers, while also encouraging responsible employment practices. The ordinance would offer protection from volatile and unpredictable work schedules; require an annual full day, in-person Know Your Rights training by an independent, trusted third party; and require paid time off so workers can attend the training.

Across Los Angeles, tens of thousands of people work in fast food; a majority are from communities of color and identify as women.¹ These jobs are often marked by volatile and unpredictable work scheduling policies and practices that pose particular challenges for workers with responsibilities outside of their jobs, including caregiving, pursuing education and workforce training, or holding down a second job.² These scheduling practices, enabled by modern workforce management systems, frequently use algorithms to base workers' schedules on perceived consumer demand and maximize flexibility for the employer at the expense of the employee.³ As a result, employees often have little notice of their work schedules, experience last-minute shift cancellations that deprive them of vital income, and are assigned to "on-call" shifts that leave them in limbo, not knowing whether they will be required to report to work.

New survey research from the Shift Project shows that almost 75% of fast food workers in Los Angeles do not have a regular daytime work schedule,⁴ and workers often receive their schedules with very little notice. Less than half of fast food workers receive their schedules with at least two weeks' advance notice, and more than one-quarter receive less than one week's notice.⁵ More than half of fast food workers in Los Angeles work part-time, and more than 6 in 10 of these part-time workers want to work more hours.⁶ Forty percent of workers reported working an "on-call" shift in the prior month.⁷ On-call shifts require workers to keep their schedules open and available, regardless of whether they are ultimately called in to work and paid for their time. Two-thirds of fast food workers surveyed felt like they had to keep their schedules open at all times to accommodate

these last-minute schedule changes, impacting their ability to manage their responsibilities outside of work.⁸

These volatile and inadequate work hours—and the volatile and inadequate incomes that result—undercut workers’ efforts to budget for expenses and maintain family routines and increase economic hardship, including hunger and housing insecurity.⁹ National research also shows that children whose parents have unstable work schedules experience higher rates of emotional distress, increased school absences, worse sleep, and negative health outcomes for conditions like asthma.¹⁰ At the same time, volatile scheduling practices make it hard for families to arrange and afford high-quality child care,¹¹ or to secure the care they need to manage a health condition or disability.

Women—particularly women of color—often bear the brunt of just-in-time scheduling practices that undermine their best efforts to support and care for themselves and their families. Many of the low-paid, hourly, service sector jobs in which just-in-time scheduling practices are most concentrated—including fast food—are jobs that women are especially likely to hold.¹² Women also still shoulder the majority of caregiving responsibilities in families¹³ which can make unpredictable work hours particularly problematic. Black women, Latinas, and Asian American and Pacific Islander (AAPI) women are overrepresented in the low-paid workforce¹⁴ and women of color are also especially likely to be breadwinners for their families¹⁵—and research confirms that women of color face an especially high risk of experiencing just-in-time scheduling practices.¹⁶

When women’s jobs pay low wages and don’t allow them to balance their responsibilities at work with their caregiving obligations; when they can’t secure child care that allows them to work knowing their children are getting the care they need to thrive; when they can’t get the rest or the medical treatment they need to keep themselves and their families healthy and productive; when they can’t commit to classes to advance in their careers or even a second job that can help them make ends meet—it is hard, and sometimes impossible, for women to get and keep good jobs and advance in the workplace. These barriers are among the factors reflected in the persistent gender wage gaps that we see across the country and in California, which are especially substantial for women of color and women who are mothers—and for mothers who are women of color most of all. For example, while women of all races working full time in California typically make 87 cents for every dollar paid to a man,¹⁷ mothers make just 76 cents compared to fathers.¹⁸ AAPI moms in California make 78 cents, white moms make 74 cents, Black moms make 50 cents, and Latina moms make just 37 cents compared to white, non-Hispanic fathers.¹⁹ And all of these gaps grow even wider if women’s earnings are compared to men’s without restriction to full-time wage earners, since women are far more likely than men to work in part-time jobs that, relative to full-time jobs, typically pay less per hour, lack benefits, and are more likely to feature just-in-time scheduling practices.²⁰

Working people need and deserve high-quality jobs, with a voice in their work hours, a positive work-life balance, and respect from their employers. In order to build a better economy—one that works for everyone, not just the wealthy few—Los Angeles fast food workers must have the stability, predictability, and input in their work schedules that they need to meet their obligations on the job and in the rest of their lives. Retail workers in L.A. already benefit from the city’s Fair Work Week Ordinance (FWWO), which contains several important features to address just-in-time scheduling practices that should be expanded to cover the fast food sector:

- **Provides two weeks’ advance notice and predictability pay.** By requiring fast food employers to provide 14 days’ notice of shifts and guaranteeing additional compensation when shifts are changed, canceled, or reduced with less than the required notice, the Fast Food Fair Work Ordinance would help compensate employees for the costs associated with changed shifts. These costs can include rearranging child care or not being able to pay a bill as expected—costs that so many working people are not in a position to absorb. “Predictability pay” policies discourage unnecessary last-minute changes while allowing employers to make such changes when they are in fact necessary, so long as they provide the requisite pay to affected employees.
- **Grants employees the right to request a schedule that works for them.** The “right to request” ensures that employees have input into their work schedules by providing them with the right to identify and request, without fear of retaliation, limitations or changes in their availability and preferences for certain work schedules or arrangements. This protection is vital to combat retaliation against employees who place some limits on their availability or request schedule modifications. Unfortunately, this kind of retaliation, for example reducing an employee’s work hours, assigning them less favorable shifts, or even termination, is all too common.
- **Discourages the unhealthy and unnecessary practice of “clopening.”** Like last-minute schedule changes, the practice of “clopening”—i.e., requiring an employee to work the closing shift one night and the opening shift the next morning—is particularly disruptive to family routines and can harm workers’ health and productivity on the job. Granting fast food workers the “right to rest” that retail workers have under the FWWO would help ensure that more workers have adequate time to travel and rest between shifts.
- **Promotes opportunities for full-time work.** “Access to hours” provisions require covered employers to offer available hours to current, qualified part-time employees before hiring new employees, temporary employees, or contractors. Expanding the FWWO’s access to hours protection will help fast food workers gain the hours and income they need to provide for themselves and their families.

The proposed ordinance would also require an annual full day, in-person Know Your Rights training—and require paid time for workers to attend the training—to ensure workers are aware of their rights under the law. Unfortunately, too many workers are unaware of even basic workplace rights guaranteed to them by law. A survey of California fast food workers found that 93% of workers had not heard of, or did not know how to access, benefits programs like paid sick leave, disability insurance, workers’ compensation, or paid or unpaid leave under the Family and Medical Leave Act or California’s paid family and medical leave laws.²¹ Training programs are an integral part of ensuring the efficacy of new workplace protections, and providing paid time to attend the training means that no worker will have to sacrifice their responsibilities outside of work to learn how to uphold their rights.

Fair work schedules benefit employees and employers alike—and they are already having an impact in Los Angeles. Los Angeles retail workers are already protected by the City’s Fair Work Week Ordinance. And other major cities across the country, including Seattle, New York City, Philadelphia, Chicago, and San Francisco, as well as the state of Oregon, have already enacted fair workweek laws with broad coverage for workers across industries.²² Research shows that these laws are working to deliver benefits. New research examining the impact of fair workweek laws across three jurisdictions—Seattle, New York City, and Chicago—affirms that workers in jobs

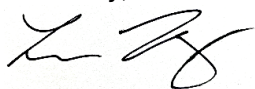
covered by these laws report better outcomes than their peers in uncovered positions across many measures, including more predictable schedules and compensation for employer-driven schedule changes.²³ New research also shows that among retail workers in Los Angeles, the rates of workers receiving two weeks' advance notice of their schedules went up, and on-call shifts, shift cancellations, and clopening shifts all went down, after the Fair Work Week Ordinance was first passed.²⁴

Employers that provide stable and predictable schedules also report reduced turnover and improved employee loyalty.²⁵ More consistent hours and advance notice of schedules make it easier for employees to secure stable child care and arrange transportation so that they can consistently be and stay at work—in turn creating stability, predictability, and cost savings for businesses.²⁶ A study of one major retailer showed that the more hours employees work, and the more consistent those hours are, the longer employees stay with the company.²⁷ At another retailer, improving schedule stability increased productivity by up to 24%.²⁸

* * *

Fast food workers—like all workers—in Los Angeles deserve access to good jobs and a good quality of life, with fair and flexible work hours that help them meet their obligations on and off the job. NWLC appreciates the efforts of the Council to expand protections and provide predictable scheduling for workers in Los Angeles.

Sincerely,



Laura Narefsky
Senior Counsel, Education & Workplace Justice
National Women's Law Center Action Fund

¹ Step Forward Foundation & California Fast Food Workers Union, SEIU, *Knowledge is Power: Workers' Rights Trainings and the Pathway to Improving Conditions in California's Fast Food Industry* (Feb. 2024), "<https://californiafastfoodworkersunion.org/wp-content/uploads/KYR-Report-FINAL.pdf>.

² See generally, Julie Vogtman & Karen Schulman, *Set Up to Fail: When Low-Wage Work Jeopardizes Parents' and Children's Success*, NWLC (Jan. 2016), <https://nwlc.org/resource/set-up-to-fail-when-low-wage-work-jeopardizes-parents-and-childrens-success>.

³ Daniel Schneider & Kristen Harknett, *Consequences of Routine Work-Schedule Instability for Worker Health and Well-Being*, 84 AM. SOC. REV. 82-114 (Feb. 2019), <https://doi.org/10.1177/0003122418823184>.

⁴ Kevin Bruey et al., *Unpredictable and Unstable: Fast Food Jobs in Los Angeles*, SHIFT PROJECT (Jan. 2026), <https://shift.hks.harvard.edu/fast-food-jobs-in-los-angeles>.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Repercussions from Income Volatility in Low- and Moderate-Income Households: Results from a National Survey*, ASPEN INST. (Dec. 2017), <http://www.aspenpic.org/responses-repercussions-income-volatility-low-moderate-income-households-results-national-survey>; Daniel Schneider & Kristen Harknett, *Hard Times: Routine Schedule Unpredictability and Material Hardship Among Service Sector Workers*, 99 J. SOCIAL FORCES 1682 (June 2021), <https://doi.org/10.1093/sf/soaa079>.

¹⁰ Elaine Zundl et al., *Still Unstable: The Persistence of Schedule Uncertainty During the Pandemic*, SHIFT PROJECT (Jan. 2022) <https://shift.hks.harvard.edu/still-unstable>.

¹¹ Dani Carillo et al., *On-call Job, On-Call Family: The Necessity of Family Support Among Retail Workers with Unstable Work Schedules* (Wash. Ctr. for Equitable Growth Working Paper 110116, Nov. 2016), <http://equitablegrowth.org/wp-content/uploads/2016/10/110116-WP-retail-workers-with-unstable-schedules.pdf>; Kristen Harknett, Daniel Schneider & Kristen Luhr, *Who Cares If Parents Have Unpredictable Work Schedules?: Just-in-Time Work Schedules and Child Care Arrangements*, SOCIAL PROBLEMS (Sept. 2020), <https://doi.org/10.1093/socpro/spaa020>.

¹² Jasmine Tucker & Julie Vogtman, *Hard Work is Not Enough: Women in Low-Paid Jobs*, NWLC (July 2023), <http://nwlc.org/resources/when-hard-work-is-not-enough-women-in-low-paid-jobs>.

¹³ See Bureau of Labor Statistics, *American Time Use Survey, Table A-1: Time spent in detailed primary activities and percent of the civilian population engaging in each activity, averages per day by sex, 2024 annual averages*, U.S. Dep't of Labor (2025), <https://www.bls.gov/news.release/atus.t01.htm>.

¹⁴ Tucker & Vogtman, *When Hard Work is Not Enough*, *supra* note 12.

¹⁵ Kennedy Andara, Sara Estep & Isabela Salas-Betsch, *Breadwinning Women Are a Lifeline for Their Families and the Economy*, CTR. AM. PROGRESS (May 2025), <https://www.americanprogress.org/article/breadwinning-women-are-a-lifeline-for-their-families-and-the-economy>.

¹⁶ Zundl et al., *Still Unstable*, *supra* note 10.

¹⁷ See *The Wage Gap, State by State*, NWLC (Mar. 2025), <https://nwlc.org/resources/wage-gap-state-state/>.

¹⁸ See *The Wage Gap for Mothers by Race, State by State*, NWLC (May 2025), <https://nwlc.org/resource/mothers-wage-gap>.

¹⁹ *Id.*

²⁰ See Sandra Markowitz, *Part-Time Workers Are Paid Less, Have Less Access to Benefits—And Most Are Women*, NWLC (Sept. 2025), <https://nwlc.org/resource/part-time-workers-factsheet>.

²¹ Step Forward Foundation, *Knowledge is Power*, *supra* note 1.

²² See *State & Local Laws Advancing Fair Work Schedules*, NWLC (Oct. 2019), <https://nwlc.org/resource/state-and-local-laws-advancing-fair-work-schedules>.

²³ Susan J. Lambert et al., *How are Municipal-Level Fair Workweek Laws Playing Out on the Ground? Experiences of Food Service and Retail Workers in Three Cities* (Wash. Ctr. Equitable Growth Working Paper, July 24, 2025), <https://equitablegrowth.org/working-papers/how-are-municipal-level-fair-workweek-laws-playing-out-on-the-ground-experiences-of-food-service-and-retail-workers-in-three-cities>.

²⁴ Bruey et al., *Unpredictable and Unstable*, *supra* note 4.

²⁵ See, e.g., Heather Boushey & Bridget Ansel, *Working by the Hour: The Economic Consequences of Unpredictable Scheduling Practices*, WASH. CTR. FOR EQUITABLE GROWTH (Sept. 2016), <http://equitablegrowth.org/wpcontent/uploads/2016/09/090716-unpred-sched-practices.pdf>; Zeynep Ton, *Why “Good Jobs” Are Good for Retailers*, HARV. BUS. REV. (Jan. 2012).

²⁶ See, e.g., Joan C. Williams et al., *The Stable Scheduling Study: Stable Scheduling Increases Productivity and Sales*, CTR. FOR WORKLIFE LAW 38 (Mar. 2018), <https://worklifelaw.org/wp-content/uploads/2019/02/Stable-Scheduling-Health-Outcomes-Report.pdf>.

²⁷ Susan J. Lambert & Julia R. Henly, *Work Scheduling Study: Key Findings*, University of Chicago School of Social Service Administration (last visited Dec. 15, 2025), <https://ssascholars.uchicago.edu/work-scheduling-study/content/key-findings>.

²⁸ Mahdi Hashemian, Zeynep Ton & Hazhir Rahmandad, *The Effect of Unstable Schedules on Unit and Employee Productivity* (MIT Sloan Research Paper no. 6056-19, last revised Sept. 2021), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3839673.