

# TOP TEN REASONS WHY RETAIL WORKERS NEED A BILL OF RIGHTS

Under San Francisco law, chain stores are categorized as “**formula retail**” if they have 11 or more locations.<sup>i</sup> This definition covers big box stores such as Lowe’s, fast food franchises like McDonald’s and Starbucks, chain restaurants such as Olive Garden, multinational banks like Wells Fargo and other corporate businesses. These are some of the most profitable companies in the world, and yet **employees at formula retailers in San Francisco are struggling to make ends meet**. The **Retail Workers Bill of Rights** is one of many steps we must take to bring balance to our economy – and there’s plenty of reasons why we need it.

**1 If you want to work full-time, you should be able to.** Too many Americans involuntarily work part-time jobs when they want full-time work. California in particular has one of the highest involuntarily part-time employment rates in the country.<sup>ii</sup> How can we grow our economy when people want to work and can’t? Large corporations need to do their share by bringing their part-time workforce into full-time work instead of hiring additional part-time workers.

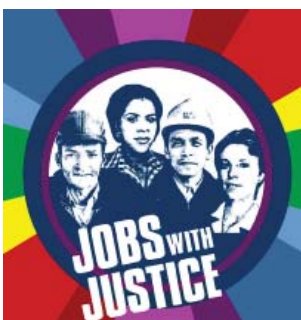
**2 Raising the minimum wage is not enough for working families.** With so many people involuntarily working part-time schedules, raising the minimum wage is only one piece of the puzzle for families seeking a pathway out of poverty. In addition to fair wages, we must guarantee people have enough hours to earn a decent paycheck each week.

**3 Retail employees need family-friendly schedules.** Many of these retail workers aren’t living paycheck to paycheck, they’re living hour to hour, because they’re at the whim of erratic scheduling practices that make it impossible to set a budget, let alone schedule medical appointments or arrange for care for their loved ones. In a study of 17 major corporations, only three gave more than one week’s notice of schedules.<sup>v</sup> Even the few retail employees fortunate enough to have full-time hours still face erratic schedules. In a study of one major U.S. retailer, the majority of full-time, hourly employees had their schedule change on a weekly basis.<sup>vi</sup>

When workers are subject to irregular and constantly shifting schedules, their lives are thrust even further into precarious situations at the hand of their employer.

**4 Retail employees should be compensated for their time “on call” – not getting paid, but not free to do anything else.** Many retail workers are required to call their employer, usually a few hours before a shift, to see if they are scheduled for that day. With day-of notice, these “on call” shifts make it impossible for them to schedule anything else or to take hours at another job. They must sacrifice their time, but they’re not being paid for it. San Francisco should improve upon California’s call-in pay protections to require businesses to pay wages for a minimum number of hours when workers are asked to be on call. Currently, the state requires compensation for just two hours when a worker is called into work and then sent home.

**5 Poor job standards in retail disproportionately affect low-income people of color.**<sup>vii</sup> Studies have shown that involuntary part-time employment predominantly affects people of color, and one survey of retail workers in New York found that white workers were more likely to be hired at full-time status, while the majority of black and Latino workers were hired part-time.<sup>viii</sup> By requiring employers to offer full-time hours to part-time employees before hiring additional staff, we can mitigate discriminatory hiring practices in restaurants and stores in our city.



[www.RetailWorkerRights.com](http://www.RetailWorkerRights.com)  
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**6 Retail jobs are taking over our economy.** The jobs we've gained back during the recovery have predominantly been low-wage retail jobs. If current trends continue, by 2016 nearly half of all jobs in the United States will be in retail and service occupations.<sup>iii</sup> In fact, the number of retail workers in this country is equal to the entire population of Kentucky,<sup>iv</sup> and a disproportionate number of them are living below the poverty line. We can't get our economy working again by creating bottom-of-the-barrel jobs, where corporations protect their own profits on the backs of working people. Since these are the only jobs our economy is creating, then we have to do more to make them the kinds of jobs workers can have long-term.

**7 Chain stores set standards across the entire retail economy,** and they are some of our city's biggest employers, so it makes sense to ask them to do their part in creating good, family-sustaining jobs for the people who work there. Unfortunately, when it comes to low wages and erratic scheduling, formula retailers are the worst offenders. By asking the biggest companies to modify their scheduling policies, we can affect change in smaller sectors as well.

**8 Businesses succeed when employees have stable hours.** Erratic, ever-changing schedules aren't just a nightmare for workers, they're bad for business. Employers that choose to provide stable work schedules experience less turnover.<sup>ix</sup> At Costco, the company's minimum hours

provision has resulted in one of the lowest employee turnover rates in the entire retail sector.<sup>x</sup>

**9 Regulating formula retailers has been good for San Francisco.** Here in San Francisco, we've come together to put other limits on large formula retailers to protect the integrity of our city. Thanks in part to those policies, we have as many independent bookstores per capita as New York City, about 80 local hardware stores and over 900 independent retailers.<sup>xi</sup> With this measure, we're asking these big box stores to be good neighbors and to do right by our city's workers by offering them decent, consistent schedules and paying them when they're kept on call. When massive retailers come in, the impact on neighborhoods can be devastating. One way to mitigate that is to require them to do right by their employees. Let's show these companies that if they want to build here in our city, they have to play by our rules and the higher expectations we have for employers.

**10 San Francisco can lead the nation in more than just income inequality.** San Francisco has the second highest income inequality in the nation, but it hasn't always been this way.<sup>xii</sup> Historically, our city has led the country in workers' rights policies, from guaranteed paid sick days to the nation's highest minimum wage. Seeing our success, many other cities and counties have followed our lead and adopted similar policies. Let's lead the country once again and bring balance to our economy.

## Introducing the Retail Workers Bill of Rights:



**Full-Time Hours:** *Formula retail workers have the right to be offered full-time hours before an employer may hire additional part-time workers.*



**On-Call Pay:** *Formula retail workers have the right to be paid a minimum of four hours of pay if they are required to be "on-call" for a shift, their shift is cancelled with less than 24-hours notice, or they work less than four hours.*



**Job Security:** *Formula retail workers have the right to keep their job for at least 90 days if their company is bought or sold.*



**Freedom from Discrimination:** *Formula retail workers have the right to equal treatment by their employer with respect to their rate of pay, access to time off, or opportunities for promotion.*

**Sources:**  
<sup>i</sup> United States. San Francisco Planning Department. *Chain Stores (Formula Retail Use)*. San Francisco Planning Department, 7 Oct. 2013. Web. 07 Apr. 2014. <<http://www.sf-planning.org/index.aspx?page=2839>>.

<sup>ii</sup> Lopez, Ricardo. "Pitfalls Seen in Growth of Part-time Work." *Los Angeles Times*. *Los Angeles Times*, 06 Feb. 2013. Web. 07 Apr. 2014.

<sup>iii</sup> Swanberg, J.E., James, J.B., Mamta, U.O., Werner, M., & McKechnie, S.P. (2008). *CitiSales Study: Jobs that Work*. [www.citisalesstudy.com](http://www.citisalesstudy.com).

<sup>iv</sup> Thompson, Derek. "The 10 Most-Common (and 10 Least-Common) Jobs in America Today." *The Atlantic*. Atlantic Media Company, 01 Apr. 2013. Web. 07 Apr. 2014. <<http://www.theatlantic.com/business/archive/2013/04/the-10-most-common-and-10-least-common-jobs-in-america-today/274526/>>.

<sup>v</sup> *Tackling Unstable and Unpredictable Work Schedules: A Policy Brief on Guaranteed Minimum Hours and Reporting Pay Policies*. Retail Action Project. Center for Law and Social Policy, Retail Action Project, and Women Employed, 10 Mar. 2014. Web. 07 Apr. 2014. <<http://retailactionproject.org/2014/03/tackling-unstable-and-unpredictable-work-schedules/>>.

<sup>vi</sup> Swanberg, J.E., James, J.B., Mamta, U.O., Werner, M., & McKechnie, S.P. (2008). *CitiSales Study: Jobs that Work*. [www.citisalesstudy.com](http://www.citisalesstudy.com).

<sup>vii</sup> Glauber, Rebecca. *Wanting More but Working Less: Involuntary Part-Time Employment and Economic Vulnerability*. University of New Hampshire: The Carsey Institute, 23 July 2013. Web. 08 Apr. 2014. <<http://www.carseyinstitute.unh.edu/publication/794%2520>>.

<sup>viii</sup> Luce, Stephanie, and Naoki Fujita. *Discounted Jobs: How Retailers Sell Workers Short*. Retail Action Project and City University of New York's Murphy Institute, 17 Jan. 2012. Web. 8 Apr. 2014.

<sup>ix</sup> Chen, Michelle. "The Tyranny of the On-Call Schedule: Hourly Injustice in Retail Labor." *The Nation*, 19 Mar. 2014. Web. 07 Apr. 2014. <<http://www.thenation.com/blog/178879/tyranny-call-schedule-hourly-injustice-retail-labor>>.

<sup>x</sup> *Tackling Unstable and Unpredictable Work Schedules: A Policy Brief on Guaranteed Minimum Hours and Reporting Pay Policies*. Retail Action Project. Center for Law and Social Policy, Retail Action Project, and Women Employed, 10 Mar. 2014. Web. 07 Apr. 2014. <<http://retailactionproject.org/2014/03/tackling-unstable-and-unpredictable-work-schedules/>>.

<sup>xi</sup> Barmann, Jay. "What We Talk About When We Talk About Formula Retail." *SFist*. N.p., 19 June 2013. Web. 07 Apr. 2014. <[http://sfist.com/2013/06/19/what\\_we\\_talk\\_about\\_when\\_we\\_talk\\_abo.php](http://sfist.com/2013/06/19/what_we_talk_about_when_we_talk_abo.php)>.

<sup>xii</sup> Berube, Alan. *All Cities Are Not Created Unequal*. The Brookings Institution, 20 Feb. 2014. Web. 7 Apr. 2014. <<http://www.brookings.edu/research/papers/2014/02/cities-unequal-berube>>.