



WORKPLACE JUSTICE

COLLATERAL DAMAGE: SCHEDULING CHALLENGES FOR WORKERS IN LOW-WAGE JOBS AND THEIR CONSEQUENCES

More than 21.6 million people work in low-wage jobs

(typically paying \$10.50 per hour or less),¹ and more than six in ten of these workers are women.² Low wages can make it difficult for women holding these jobs to support themselves and their families, but wages are not the only problem. Many low-wage jobs that are primarily held by women—such as cashiers, maids and housekeepers, and restaurant servers—are marked by work scheduling policies and practices that pose particular challenges for workers with significant responsibilities outside of their job, including caregiving, pursuing education and workforce training, or holding down a second job.³ The work schedules in these jobs are often unpredictable, unstable, and inflexible. Some require working nights, weekends or even overnight, and many offer only part-time work, despite many workers' need for full-time hours.

Women are disproportionately affected by this problem because women not only hold the majority of low-wage jobs but also still shoulder the majority of caregiving responsibilities.⁴ Women of color especially bear the brunt of unfair scheduling practices, as they are overrepresented both in the low-wage workforce⁵ and among single mothers working to support their families.⁶ For single mothers, scheduling challenges can pose particularly acute problems

that are often compounded by inadequate pay: in 2015, families with children that were headed by a working single mother had a median income of less than \$28,400.⁷

This analysis outlines four of the most common scheduling challenges faced by workers in low-wage jobs and explains their prevalence and detrimental impact on workers and their families. Understanding the work schedule challenges facing workers in low-wage jobs is an essential first step toward developing solutions to this problem that work for workers, their families, and their employers.

Common Scheduling Challenges

Lack of Control over Work Schedules

Many workers in low-wage jobs have few opportunities for meaningful input into the timing of the hours that they work, and are unable to make even minor adjustments to their work schedules without suffering a penalty.⁸ In a 2008 survey, about half of low-wage workers reported having little or no control over the timing of their work hours, and other surveys have similar findings.⁹ Early-career employees of color in hourly jobs report less control over their work hours than do their white counterparts.¹⁰ And more than a third of parents believe they've been "passed over" for a promotion, raise, or a new job due to a need for a flexible work schedule.¹¹

Unpredictable Work Schedules

Some employers adopt "just-in-time scheduling," which adjusts workers' schedules on perceived and predicted fluctuations in consumer demand and often results in workers being given very little advance notice of their work schedules.¹² Scheduling software is frequently used to

schedule workers at the last minute, matching the number of workers as closely as possible to small changes in retail traffic or other indicators of consumer demand, without consideration of the costs to workers of these schedule changes.¹³

- According to research analyzing the work schedules of a representative sample of early-career adults (26-32 years old), over a third (38 percent) of early career employees know their work schedule one week or less in advance.¹⁴ Such short notice is significantly more common among hourly workers (41 percent) than others (33 percent), and among part-time (48 percent) than full-time workers (35 percent).¹⁵ Black and Latino workers are less likely than white workers to receive more than a week's notice of work schedules.¹⁶ Notably, individuals in this age group are especially likely to be the parents of young children.
- A recent survey of nearly 3,000 hourly retail workers (the "Retail Work and Family Life Survey") found that 60 percent received less than two weeks' notice of their schedules.¹⁷ Additional studies have found that workers in retail, restaurant, and hospitality jobs commonly receive just a few days' notice of a scheduled shift.¹⁸
- Sometimes notice is even shorter: an employee scheduled for a "call-in" or "on-call" shift must be available to work, but will find out just hours before the shift whether she must actually report to work.¹⁹ Workers generally are not paid for being on call,²⁰ but if they are unavailable when directed to report for work, they may be penalized.²¹
- Last-minute changes to scheduled shifts are also common in some jobs,²² and shift length can be highly unpredictable as well; on a busy day, an employee may be told to extend her shift²³—and if business is slow, she might be sent home soon after she arrives, with transportation and child care costs amounting to more than that day's pay.²⁴

Unstable Work Schedules

Many workers in low-wage jobs experience unstable schedules with hours that vary from week to week or month to month, or periodic reductions in work hours when work is slow.

- Among early-career adults, nearly three-quarters of those in hourly jobs report at least some fluctuations in the number of hours they worked in the previous month, with hours fluctuating, on average, by 50 percent.²⁵ Among those in retail and food service jobs, close to nine in ten report variable hours.²⁶
- In a Retail Action Project survey of workers in New York City's retail industry, only 17 percent of all workers surveyed—and just 10 percent of those who worked part-time—had a set schedule.²⁷

- The vast majority—86 percent—of retail workers in the Retail Work and Family Life Survey reported a desire for more regular hours.²⁸

Involuntary Part-Time Work

Workers who want full-time work but are only offered part-time hours—often described as the "underemployed"—struggle to support their families with fewer hours and less pay.

- Part-time workers are more than three times as likely as full-time workers to hold low-wage jobs that typically pay \$10.50 per hour or less, and nearly three-quarters of part-time workers in these low-wage jobs are women.²⁹
- One in five part-time employees (7.2 million people) work part time involuntarily and would prefer to find full-time work,³⁰ and involuntary part-time work is especially common in some low-wage sectors. In the Retail Work and Family Life Survey, 70 percent of the retail workers surveyed reported that they would like to work more hours.³¹
- Women who work part time involuntarily are more than twice as likely to be poor as women who work part time for other reasons, and five times as likely to be poor as women who work full time.³²
- Among workers who work part time "voluntarily," 25.5 percent report working part time because of child care problems or other family or personal obligations—and women are especially likely to work part time for these reasons.³³ For example, of the more than 1 million people who report working part time due to child care problems, nine in ten are women.³⁴ While some of these workers may prefer to work part time, for others the "choice" of part-time work is forced by high child care costs, low wages, or inflexible and unpredictable work schedules.³⁵
- Part-time workers may need to hold more than one job to make ends meet—but unpredictable schedules can make it difficult to do so. Women are more likely than men to hold multiple jobs; among the nearly 3.7 million women who worked multiple jobs in 2015, close to one in seven worked at least one job that had variable hours.³⁶

The Fallout from Challenging Work Schedules

Impact on ability to care for children and sick or elderly family members. Workers in low-wage jobs often face extreme demands at home and work. These workers are more likely to be single parents,³⁷ more likely to have children with special needs,³⁸ and more likely to care for elderly or sick relatives.³⁹ They also have higher rates of illness themselves.⁴⁰ At the same time, they have fewer resources to pay for child

and elder care than other workers, and they are far less likely to have paid sick and vacation days, or job-protected leave under the Family and Medical Leave Act.⁴¹ For those workers in low-wage jobs who have little to no control over their work schedules, being able to plan for or respond to the exigencies of daily life—for example, ending a shift on time to pick up a child from school or scheduling an afternoon off to take an elderly parent to a doctor’s appointment—is simply not an option.

Impact on ability to access child care. Low-wage workers’ ability to access quality, affordable, and stable child care is often compromised by challenging work schedules.⁴² With work schedules and incomes that fluctuate from week to week, many workers have no choice but to cobble together child care at the last minute.⁴³ Because many centers require caregivers to pay a weekly or monthly fee, regardless of how often the child attends, holding a spot in a child care center is often infeasible for workers who do not know when, or even if, they will work that week. Further, workers with unstable schedules may not qualify for child care subsidies due to fluctuations in income and work hours.⁴⁴ Relying on family, friends, and neighbors to provide child care—as many workers in low-wage jobs must do—is complicated by the fact that these child care providers may also be balancing an unpredictable part-time work schedule at their own jobs with providing child care. When workers are unable to find child care or child care falls through, sometimes workers must miss work and lose pay. In one study, 40 to 60 percent of workers who reported missing work due to child care problems also reported losing pay or benefits, or being penalized in some way.⁴⁵

Impact on children. Studies have linked parents’ nonstandard work to children’s behavior problems,⁴⁶ with larger effects often observed in families in which the parents work in lower-wage jobs.⁴⁷ Children’s cognitive development may also be affected: for example, parents’ employment in nonstandard schedules early in their children’s lives is associated with lower expressive language ability in early childhood,⁴⁸ and longer periods of nonstandard work are linked to lower reading and math performance in middle childhood and adolescence.⁴⁹ These associations may be due to the increased stress that challenging work schedules impose on parents, straining their relationships with their children⁵⁰ (and with one another⁵¹). In addition, parents with nonstandard schedules may not be available for their children when they would like to be, such as for family meals, homework help, and other routines. In the Retail Work and Family Life Survey, researchers found that variable schedules in particular are associated with higher stress for parents, as well as less time spent with their children.⁵²

Scheduling practices more common in low-wage jobs can also make it more difficult for parents to be engaged in their children’s schooling; for example, in one survey, few professional workers but many low-wage workers reported not participating in children’s school activities due to a lack of flexibility and paid time off.⁵³ A number of the low-wage workers surveyed reported being required to give one to two weeks’ advance notice to their employers to take any time off—far more notice than their children’s schools provided in advance of events.⁵⁴ While studies specifically examining unstable and unpredictable schedules are limited, researchers suggest that the extent to which workers can choose their schedules may influence outcomes for their children, with more positive outcomes linked to parents with more control over their work hours and the degree to which they vary.⁵⁵

Impact on education and workforce training. Challenging work schedules can make it nearly impossible to pursue further education or training while holding down a job. Overall, one of the most commonly cited challenges to completing a college degree is the inability to balance work and school.⁵⁶ In a set of focus groups of students enrolled in community colleges, students identified employers’ lack of flexibility with work schedules as a major barrier to pursuing their education.⁵⁷

Impact on transportation. Just-in-time scheduling often complicates transportation for low-wage workers, who may be relying on friends or family to provide a ride to and from work, or public transportation that may run infrequently or erratically.⁵⁸ Workers may spend hours and precious resources commuting to and from work, to work a shift lasting only a few hours, or to be sent home unexpectedly when work is slow.⁵⁹

Impact on access to health care. Challenging work schedules make it more difficult for women to get the health care they need for themselves and their families. Doctor’s visits—particularly visits for routine, preventive care—such as well-woman visits or pediatric appointments, often need to be scheduled long before low-wage workers receive their work schedules. For example, in the 15 largest metropolitan areas in the country, patients waited more than 26 days to see an obstetrician-gynecologist for a well-woman visit and more than 29 days to see a family physician for a routine physical.⁶⁰ Just-in time scheduling can prevent women from being able to make appointments or force them to cancel, keeping them from getting the health care they need. At the same time, unpredictable and unstable work schedules make it more difficult for women to access needed treatment and procedures, threatening their health and wellbeing. For example, when women are forced to delay

follow-up treatments, such as a biopsy following an abnormal pap smear, it could delay diagnosis and the beginning of needed treatment for a significant illness such as cervical cancer. When it comes to accessing abortion, workers with unpredictable schedules face significant challenges, since restrictive state laws often force women to visit the clinic multiple times, requiring them to arrange time off work, transportation, child care, and lodging.⁶¹ These barriers can push a low-wage worker seeking an abortion later into pregnancy, increasing risks of complications and threats to her health.⁶²

Impact on family economic security. Unpredictable and unstable work schedules yield unpredictable and unstable income, making it difficult for families to budget and to pay the bills. In the Retail Work and Family Life Survey, nearly half of the retail workers surveyed reported that their household incomes vary from week to week, and one-third reported that it is hard for them to pay their bills in a typical month.⁶³ Workers with more variable schedules experienced greater income volatility and difficulty paying their bills, as well as higher stress; similarly, workers who receive less than two weeks' notice of their schedules experienced more income volatility and higher stress than workers who receive at least two weeks' notice.⁶⁴

An unexpected reduction in hours can mean not only a loss of pay, but also the loss of employer or government benefits that are tied to work hours, including paid and unpaid time off, health insurance, unemployment insurance, public assistance, and work supports.⁶⁵ Part-time workers tend to be paid significantly less per hour than their full-time counterparts and are less likely to have health care or retirement benefits.⁶⁶ Involuntary part-time workers are more likely to experience significant spells of unemployment than voluntary part-time or full-time workers.⁶⁷ And spells of unemployment can have disastrous financial consequences for low-income families. In fact, low-wage workers are 2.5 times more likely to be out of work than other workers, but only half as likely to receive unemployment insurance.⁶⁸ Workers' inability to pursue or complete education and

workforce training programs as a result of work schedule conflict also makes it much more difficult for them to move up into higher-paying jobs.⁶⁹

The fallout from low-wage jobs characterized by unpredictability, instability, little worker-driven flexibility, and involuntary part-time work is considerable. These challenging work schedules have a cascade of negative consequences for both workers in low-wage jobs and their children.

In contrast, fairer work schedules benefit employees and employers alike. Consistent hours and advance notice of schedules makes it easier for employees to plan transportation, child care, doctor's appointments, and other obligations so that they can consistently be and stay at work—in turn creating a more stable, reliable workforce for businesses, and generating cost savings from reduced turnover. For example, while both unpredictability in weekly work hours and last minute schedule changes have been shown to increase the likelihood that employees will want to leave a job,⁷⁰ accommodating employees' needs in their work schedules can significantly decrease turnover.⁷¹ 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.⁷² And low-wage workers report that more job autonomy and involvement in management decision-making leads to less negative spillover from work to their non-work lives,⁷³ which can also improve productivity and job retention.⁷⁴

For all of these reasons, protections to curb difficult scheduling practices are needed to give workers and their families a fair shot at achieving economic security. To learn more about public and private sector solutions that can help both workers and their families benefit from stable, predictable work schedules, see the National Women's Law Center's agenda for action, ***Set Up for Success: Supporting Parents in Low-Wage Jobs and Their Children***.⁷⁵

* Julie Vogtman and Jasmine Tucker authored this update to Collateral Damage, which was originally published in June 2015 and authored by former NWLC staff Liz Watson, Elizabeth Johnston, Katherine Gallagher Robbins, and Anne Morrison.

1 While this analysis defines "low-wage job" as one with median hourly wages of \$10.50 or less, "low-wage jobs" or "low-wage workers" may be defined in a variety of ways, and the definition of "low-wage" varies throughout this analysis because it draws on multiple data sources. Please reference the individual sources cited for specific details.

2 Nat'l Women's Law Center (NWLC) calculations based on the 2016 Current Population Survey (CPS) using Sarah Flood et al., IPUMS-CPS: Version 4.0 [Machine-readable database] (Minneapolis: University of Minnesota, 2015); Bureau of Labor Statistics (BLS), Occupational Employment Statistics (OES), May 2015 National Occupational Employment and Wage Estimates, http://www.bls.gov/oes/current/oes_nat.htm (last visited Jan. 28, 2017).

- 3 See generally JULIE VOGTMAN & KAREN SCHULMAN, NWLC, SET UP TO FAIL: WHEN LOW-WAGE WORK JEOPARDIZES PARENTS' AND CHILDREN'S SUCCESS (Jan. 2016), available at <https://nwlc.org/wp-content/uploads/2016/01/FINAL-Set-Up-To-Fail-When-Low-Wage-Work-Jeopardizes-Parents%E2%80%99-and-Children%E2%80%99s-Success.pdf>.
- 4 See U.S. Dep't of Labor, BLS, 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, 2015 annual averages (2016), available at <https://www.bls.gov/news.release/atus.t01.htm>.
- 5 ANNE MORRISON & KATHERINE GALLAGHER ROBBINS, NWLC, CHARTBOOK: THE WOMEN IN THE LOW-WAGE WORKFORCE MAY NOT BE WHO YOU THINK (Sept. 2015), available at http://nwlc.org/wp-content/uploads/2015/08/chartbook_women_in_the_low-wage_workforce_may_not_be_who_you_think.pdf.
- 6 See, e.g., SARAH JANE GLYNN, CTR. FOR AM. PROGRESS, BREADWINNING MOTHERS ARE INCREASINGLY THE U.S. NORM (Dec. 2016), available at <https://www.americanprogress.org/issues/women/reports/2016/12/19/295203/breadwinning-mothers-are-increasingly-the-u-s-norm/>.
- 7 NWLC calculations from the U.S. Census Bureau, CPS, Annual Social and Economic Supplement, 2016, <http://www.census.gov/data.html> (Table FINC-03. Presence of Related Children Under 18 Years Old-All Families by Total Money Income in 2015, Type of Family, Work Experience in 2015, Race and Hispanic Origin of Reference Person).
- 8 LIZ WATSON & JENNIFER E. SWANBERG, FLEXIBLE WORKPLACE SOLUTIONS FOR LOW-WAGE HOURLY WORKERS: A FRAMEWORK FOR A NATIONAL CONVERSATION 6 (May 2011), available at <http://workplaceflexibility2010.org/images/uploads/whatsnew/Flexible%20Workplace%20Solutions%20for%20Low-Wage%20Hourly%20Workers.pdf>.
- 9 See *id.* at 19-20; LONNIE GOLDEN, ECON. POLICY INST., IRREGULAR WORK SCHEDULING AND ITS CONSEQUENCES, BRIEFING PAPER # 394 9 (Apr. 2014), available at <http://s2.epi.org/files/pdf/82524.pdf> (finding in an analysis of International Social Survey Program data that 45 percent of workers surveyed said "their employer decides" their work schedule; only 15 percent reported they were "free to decide" their work schedule, while the remaining 40 percent felt they could "decide within limits"); SUSAN J. LAMBERT, PETER J. FUGIEL, & JULIA R. HENLY, PRECARIOUS WORK SCHEDULES AMONG EARLY-CAREER EMPLOYEES IN THE US: A NATIONAL SNAPSHOT 14 (Aug. 2014), available at https://ssascholars.uchicago.edu/sites/default/files/work-scheduling-study/files/lambert.fugiel.henly_precarious_work_schedules.august2014_0.pdf (finding in an analysis of NLSY data that among early career employees, "about 44 percent of workers overall and half of hourly workers say that they do not have any input into when they start and finish work").
- 10 58 percent of Latino hourly workers, 55 percent of Black hourly workers, and 47 percent of white hourly workers (age 26-32) report that their employer controls their work hours. LAMBERT, FUGIEL, & HENLY, *supra* note 9, at 17.
- 11 White House Council of Economic Advisers, Nine Facts about American Families and Work 4 (June 2014), available at http://www.whitehouse.gov/sites/default/files/docs/nine_facts_about_family_and_work_real_final.pdf.
- 12 See generally NANCY C. CAUTHEN, DEMOS, SCHEDULING HOURLY WORKERS: HOW LAST MINUTE, JUST-IN-TIME SCHEDULING PRACTICES ARE BAD FOR WORKERS, FAMILIES AND BUSINESS (Mar. 2011), available at http://www.demos.org/sites/default/files/publications/Scheduling_Hourly_Workers_Demos.pdf.
- 13 See Golden, *supra* note 9, at 4.
- 14 LAMBERT, FUGIEL, & HENLY, *supra* note 9, at 6. See also, e.g., GOLDEN, *supra* note 9, at 18 (noting that analysis of the General Social Survey shows 43 percent of workers reported receiving less than a week's advance notice of their hours, including almost one in five who received their schedule "a day or less" in advance).
- 15 LAMBERT, FUGIEL, & HENLY, *supra* note 9, at 6.
- 16 *Id.* at 7.
- 17 Daniel Schneider & Kristen Harknett, *Schedule Instability and Unpredictability and Worker and Family Health and Wellbeing* 16 (Wash. Ctr. for Equitable Growth Working Paper 2016-09, 2016), <http://equitablegrowth.org/working-papers/schedule-instability-and-unpredictability/>.
- 18 For example, in a study of low-skilled, non-production jobs at 22 sites in the hospitality, retail, transportation, and financial services industries, all but one hotel studied posted schedules the Thursday or Friday before the workweek that began on Sunday, and all but one retail firm posted schedules the Wednesday or Thursday before. Susan J. Lambert, *Passing the Buck: Labor Flexibility Practices that Transfer Risk onto Hourly Workers*, 61 J. HUMAN RELATIONS 1203, 1217 (2008). See also, e.g., STEPHANIE LUCE & NAOKI FUJITA, DISCOUNTED JOBS: HOW RETAILERS SELL WORKERS SHORT 8 (2012), available at http://retailactionproject.org/wp-content/uploads/2012/03/7-75_RAP+cover_lowres.pdf (observing that in a survey of retail industry workers in New York, about a fifth of respondents reported receiving their work schedules only three days in advance).
- 19 See, e.g., CTR. FOR LAW & SOCIAL POLICY, RETAIL ACTION PROJECT, & WOMEN EMPLOYED, TACKLING UNSTABLE AND UNPREDICTABLE WORK SCHEDULES 11 (2014), available at <http://www.clasp.org/resources-and-publications/publication-1/Tackling-Unstableand-Unpredictable-Work-Schedules-3-7-2014-FINAL-1.pdf>; CTR. FOR POPULAR DEMOCRACY, HOUR BY HOUR: WOMEN IN TODAY'S WORKWEEK 5 (2015), available at http://populardemocracy.org/sites/default/files/HourbyHour_final.pdf. See also, e.g., LUCE & FUJITA, *supra* note 18, at 8 (finding that 44 percent of retail employees working at large New York City retailers surveyed reported that they must be available for call-in shifts at least some of the time, including one-fifth who reported that they "always or often" must be available for such shifts).
- 20 See, e.g., CTR. FOR LAW & SOCIAL POLICY, RETAIL ACTION PROJECT, & WOMEN EMPLOYED, *supra* note 19, at 11; CTR. FOR POPULAR DEMOCRACY, *supra* note 19, at 5; Dante Ramos, *On-Call Shifts String Retail Workers Along*, BOSTON GLOBE (Apr. 19, 2015), <https://www.bostonglobe.com/opinion/editorials/2015/04/18/dante-ramos-call-shifts-string-workers-along/admOznKJnCM4yFuUced1QI/story.html>; Joe Eaton, *On-Call Employment: Good for Business, Bad for Workers*, CTR. FOR PUB. INTEGRITY (May 19, 2014, 12:19 PM), <http://www.publicintegrity.org/2012/04/06/8608/call-employment-good-business-bad-workers>. See also Charlotte Alexander, Anna Haley-Lock, & Nantiya Ruan, *Stabilizing Low-Wage Work*, 50 HARV. C.R.-C.L. L. REV. 1, 17-25 (2015) (observing that, as interpreted to date, existing state and federal laws generally provide minimal protection for low-wage, hourly workers who are scheduled for "on-call" shifts). However, plaintiffs in a number of lawsuits pending in California claim that retailers' failure to compensate employees for on-call shifts violates the state's reporting time pay law, and in April 2015, the New York Attorney General's office sent letters to 13 large retailers seeking information about their scheduling practices to consider whether uncompensated on-call shifts violate a similar law in New York. See generally Bryce Covert, *Forever 21 and Others Accused of Skirting California Labor Laws Around On-Call Shifts*, THINK PROGRESS (Oct. 16, 2015, 10:29 AM), <http://thinkprogress.org/economy/2015/10/16/3713114/lawsuits-scheduling/>.
- 21 CTR. FOR POPULAR DEMOCRACY, *supra* note 19, at 5.
- 22 See, e.g., Julia R. Henly & Susan J. Lambert, *Unpredictable Work Timing in Retail Jobs*, 67 INDUS. & LAB. REL. REV. 986-1016, 1001 (2014) (finding

- in a study of retail employees that “the average employee experienced mismatch between scheduled and worked days equivalent to almost one-half day”); Lambert, *supra* note 18, at 1218 (finding in a study of low-skilled, non-production jobs in the hospitality, retail, transportation, and financial services industries that “[l]ast-minute adjustments to work schedules—adding or subtracting hours to the posted schedule a day or two in advance—were rampant in the jobs studied”).
- 23 See, e.g., WATSON & SWANBERG, *supra* note 8, at 21 (stating that among low-wage workers overall, between 19 and 31 percent report that they are often asked to work extra hours with little or no notice; roughly 40 to 60 percent of full-time, low-wage workers who are asked to work extra hours with little or no notice report that they must comply with the request to avoid negative consequences).
- 24 See, e.g., CTR. FOR POPULAR DEMOCRACY, *supra* note 19, at 5; LUCE & FUJITA, *supra* note 18, at 13. Eight states and the District of Columbia have enacted “reporting time pay” or “send-home pay” laws, which require employers to provide a minimum number of hours of pay to workers who appear for a scheduled shift but are sent home early. For more information, see NWLC, REPORTING TIME PAY LAWS: A KEY SOLUTION TO CURB UNPREDICTABLE AND UNSTABLE SCHEDULING PRACTICES (Oct. 2014), available at http://www.nwlc.org/sites/default/files/pdfs/reporting_time_pay_fact_sheet.pdf.
- 25 LAMBERT, FUGIEL, & HENLY, *supra* note 9, at 11.
- 26 *Id.* at 17-18.
- 27 LUCE & FUJITA, *supra* note 18, at 8, 12.
- 28 Schneider & Harknett, *supra* note 17, at 17.
- 29 ANNE MORRISON & KATHERINE GALLAGHER ROBBINS, NWLC, PART-TIME WORKERS ARE PAID LESS, HAVE LESS ACCESS TO BENEFITS—AND TWO-THIRDS ARE WOMEN 1 (Sept. 2015), available at http://www.nwlc.org/sites/default/files/pdfs/part-time_workers_fact_sheet_8.21.1513.pdf. 35.5 percent of part-time workers hold low-wage jobs that typically pay \$10.50 per hour or less, compared to 10.9 percent of full-time workers. 71.6 percent of part-time workers in low-wage jobs are women. *Id.*
- 30 *Id.* at 2.
- 31 Schneider & Harknett, *supra* note 17, at 17.
- 32 MORRISON & GALLAGHER ROBBINS, *supra* note 29, at 2-3. 25.1 percent of women who work part time involuntarily are poor, compared to 11.1 percent of women who work part time for other reasons and 5.0 percent of women who work full time. *Id.*
- 33 *Id.* Women are seven times more likely than men to cite “child care problems” and nearly four times more likely than men to cite “other family/personal obligations” as reasons for working part time. *Id.*
- 34 NWLC calculations based on the 2016 CPS using Sarah Flood et al., IPUMS-CPS: Version 4.0 [Machine-readable database] (Minneapolis: University of Minnesota, 2015). Refers to people who reported working part time the previous week due to child care problems.
- 35 See MORRISON & GALLAGHER ROBBINS, *supra* note 29, at 3.
- 36 NWLC calculations from U.S. Dep’t of Labor, BLS, CPS Annual Table 36: Multiple jobholders by selected characteristics, <https://www.bls.gov/cps/cpsaat36.htm> (last visited Feb. 22, 2017). 5.3 percent of women held multiple jobs in 2015, compared to 4.5 percent of men. *Id.*
- 37 JOAN C. WILLIAMS & HEATHER BOUSHEY, CTR. FOR AMERICAN PROGRESS, THE THREE FACES OF WORK-FAMILY CONFLICT: THE POOR, THE PROFESSIONALS, AND THE MISSING MIDDLE 12 (2010), available at <https://www.americanprogress.org/issues/labor/report/2010/01/25/7194/the-three-faces-of-work-family-conflict/>.
- 38 Lisa Dodson, *Stereotyping Low-Wage Mothers Who Have Work and Family Conflicts*, 69 J. OF SOC. ISSUES 257, 259 (2013).
- 39 ANNA DANZIGER & SHELLEY WATERS BOOTS, WORKPLACE FLEXIBILITY 2010 & URBAN INST., LOWER-WAGE WORKERS AND FLEXIBLE WORK ARRANGEMENTS 3 (2008), available at <http://workplaceflexibility2010.org/images/uploads/Lower-Wage%20Workers%20and%20FWAS.pdf>.
- 40 Ellen Galinsky, James T. Bond & Eve Tahmincioglu, *What if Employers Put Women at the Center of Their Workplace Policies? When Businesses Design Workplaces that Support their Employees, Both the Businesses and the Employees Benefit*, in THE SHRIVER REPORT: A WOMAN’S NATION PUSHES BACK FROM THE BRINK (2014).
- 41 See generally, e.g., VOGTMAN & SCHULMAN, *supra* note 3, at 11-12.
- 42 See generally *id.* at 17-21; NWLC, LISTENING TO WORKERS: CHILD CARE CHALLENGES IN LOW-WAGE JOBS (2014), available at http://www.nwlc.org/sites/default/files/pdfs/listening_to_workers_child_care_challenges_in_low-wage_jobs_6.24.14.pdf; Dani Carrillo 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 2016-11, 2016), <http://equitablegrowth.org/working-papers/retail-workers-with-unstable-schedules/>.
- 43 VOGTMAN & SCHULMAN, *supra* note 3, at 17-18.
- 44 *Id.* at 20.
- 45 WATSON & SWANBERG, *supra* note 8, at 8.
- 46 See, e.g., Stephanie S. Daniel et al., *Nonstandard Maternal Work Schedules During Infancy: Implications for Children’s Early Behavior Problems*, 32 INFANT BEHAV. & DEV. 195, 203-04 (2009); E. Rosenbaum & C.R. Morett, *The Effect of Parents’ Joint Work Schedules on Infants’ Behavior Over the First Two Years of Life: Evidence from the ECSLB*, 13 MATERNAL & CHILD HEALTH J. 732, 732 (2009); Wen-Jui Han, *Shift Work and Child Behavioral Outcomes*, 22 WORK, EMP. & SOC. 67 (2008); Wen-Jui Han, Daniel P. Miller, & Jane Waldfogel, *Parental Work Schedules and Adolescent Risky Behaviors*, 46 DEV. PSYCHOL. 1245, 1261 (2010). See also VOGTMAN & SCHULMAN, *supra* note 3, at 14-15 & 33 nn. 116-19.
- 47 See Han, *supra* note 46 (finding that “children whose mothers worked non-day shifts and who had almost always . . . lived in single-mother families, in low-income families, in families where mothers worked in a cashier or service occupation, or in families where mothers worked full-time,” on average had a predicted Behavioral Problems Index score of 8.82, 70 percent higher than the predicted score (5.19) for other children); Han, Miller, & Waldfogel, *supra* note 46, at 1257 (finding that effects of parents’ nonstandard work schedules were “particularly pronounced for . . . children in poor families, and children whose mothers never worked as professionals.”).
- 48 Erika C. Odom, Lynne Vernon-Feagans, & Ann C. Crouter, *Nonstandard Maternal Work Schedules: Implications for African American Children’s Early Language Outcomes*, 28 EARLY CHILD. RES. Q. 379 (2013); Wen-Jui Han, *Maternal Nonstandard Work Schedules and Child Cognitive Outcomes*, 76 CHILD DEV. 137, 137, 152 (2005).
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- 55 See *id.* at 969, 972, 975, 978; Han, Miller, & Waldfogel, *supra* note 46, at 1249, 1257, 1259. Compare with Rucker C. Johnson, Ariel Kalil, & Rachel E. Dunifon, *Employment Patterns of Less-Skilled Workers: Links to Children's Behavior and Academic Progress*, 47 DEMOGRAPHY (2012). For a detailed discussion of these studies and their findings, see VOGTMAN & SCHULMAN, *supra* note 3, at 15 & 34 nn. 127-34.
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