

October 31, 2016

Members of the Emeryville City Council
1333 Park Avenue
Emeryville, CA 94608

RE: Fair Workweek Employment Standards

Dear Mayor and Council Members:

On behalf of the Retail Industry Leaders Association (RILA), I am writing to express opposition to the Fair Workweek Employment Standards ordinance. RILA is the trade association of the world's largest and most innovative retail companies, many of whom have storefronts and employees in the City of Emeryville. These companies have developed long standing comprehensive scheduling practices that value the needs of the employee and balance those needs with the appropriate demand for staffing to satisfy consumer demand.

RILA is opposed to the ordinance and predict that, if passed, it will make the City of Emeryville one of the most challenging localities in the nation for retailers to do business. Many of the provisions in this ordinance are written in a manner that seeks to achieve uniformity in an otherwise dynamic environment. Retail is an industry in which the needs of a particular store are as unique as the needs of their employees. It is expected that there is an established level of flexibility to ensure that the needs of both are met. Legislation such as this neither promotes nor maintains the flexibility that is so critical to this industry. This is not predictive scheduling, this is restrictive scheduling.

Requiring employers to post their schedules two weeks in advanced and penalizing employers for changes within those two weeks or with less than 24-hour notice is unrealistic. While employers do their best to ensure that employees are issued schedules in advance, sometimes changes are out of their control. Whether delays, family emergencies or employee illness all require managers to respond to varying situations, often at the last minute. This ordinance seeks to penalize employers for making common sense choices to respond to the real time needs of the business. Successful businesses should not be stripped of their ability to staff to their operational needs at all times – and in all situations.

The Fair Workweek Employment Standards ordinance before you is not jobs-friendly, it is not business-friendly, it is not employee-friendly, and it is not economic-development friendly. On behalf of RILA and the retail industry, I respectfully urge the City Council to reject this ordinance and keep the City of Emeryville a welcoming location for future growth and development.

Sincerely,

Joe Rinzel
Senior Vice President of Government Affairs
Retail Industry Leaders Association