



Consumer Affairs

Office of Labor Policy & Standards
42 Broadway, 9th floor
New York, NY 10004
Monday-Friday: 9:00 a.m.-5:00 p.m.

Telephone: 311
nyc.gov/dca

COMPLAINT FORM FOR FAST FOOD WORKERS – VIOLATIONS OF FAIR WORKWEEK LAW

Please fill out this form as best you can, clearly printing or typing your answers to each question. A representative from the Department of Consumer Affairs (DCA) Office of Labor Policy & Standards (OLPS) will contact you.

NOTE:

- Employers cannot punish, penalize, retaliate, or take any action against employees that might stop or deter them from exercising their rights under the law, including submitting this form to OLPS. Workers should immediately contact OLPS about retaliation.
The law covers workers regardless of immigration status.

You can submit the completed form in one of the following ways:

- Email FWW@dca.nyc.gov OR
Mail or hand deliver to the address above.

If you have questions about the form or want to speak with an OLPS representative, call 311 and ask for "Fair Workweek Law."

Form with sections: What do you want OLPS to do?, About You, About Your/the Fast Food Workplace, and If you answered Yes to 2, please tell us about the business that appears on the pay stub below.

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3. Do you/the worker still work at the fast food workplace?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If No: When was your/the worker's last day of work? _____ (MM/DD/YY) Please select the reason. <input type="checkbox"/> Employer moved work location <input type="checkbox"/> Discharged/Fired <input type="checkbox"/> Laid Off <input type="checkbox"/> Resigned/Quit <input type="checkbox"/> Other
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Complaint Information

1. Do you think the employer violated NYC's Fair Workweek Law? <input type="checkbox"/> Yes <input type="checkbox"/> No	2. If Yes , on which date(s) do you believe the employer violated the law? _____ (MM/DD/YY)
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3. Please indicate which of the following ways the employer violated NYC's Fair Workweek Law. Check all that apply.

<input type="checkbox"/> The employer did not give me/worker a written schedule with days, times, and locations of shifts ("Good Faith Estimate") before starting work.	<input type="checkbox"/> The employer gave me/worker the schedule less than 14 days (2 weeks) before the start of the schedule.	<input type="checkbox"/> The employer added time to my/worker's schedule without consent less than 14 days (2 weeks) before the beginning of my/worker's shift.
<input type="checkbox"/> The employer changed my/worker's schedule less than 14 days (2 weeks) before the beginning of my/worker's shift and did not provide premium pay for the change.	<input type="checkbox"/> The employer required me/worker to work a <i>clopening</i> * without consent.	<input type="checkbox"/> I/worker worked a <i>clopening</i> *, and the employer did not provide premium pay for the work.
<input type="checkbox"/> The employer hired new workers without offering the newly available shifts to workers at my location.	<input type="checkbox"/> The employer did not give me/worker a copy of coworkers' current schedules when requested.	<input type="checkbox"/> The employer did not give me/worker a copy of a schedule that I/worker worked within the past 3 years when requested.
<input type="checkbox"/> The employer retaliated against me/worker for requesting a schedule, refusing to work a shift that was scheduled without prior notice, refusing to work a <i>clopening</i> *, asking for copies of schedules, or exercising rights under NYC's Fair Workweek Law in some other way.	<input type="checkbox"/> I believe that the employer may take action against me/worker for requesting a schedule, refusing to work a shift that was scheduled without prior notice, refusing to work a <i>clopening</i> *, asking for copies of schedules, or exercising rights under NYC's Fair Workweek Law in some other way.	<input type="checkbox"/> The employer did not post a notice of rights required by NYC's Fair Workweek Law in my/worker's workplace.

Other:

***A *clopening* involves working 2 shifts over 2 days when the first shift ends a day and there are less than 11 hours between shifts.**

4. In your own words, please describe what happened. Use additional sheets, if necessary.

5. Please provide us with any additional information that would be helpful in resolving this issue.

Please provide any relevant documents along with this form (i.e., a pay stub, employment contract, collective bargaining agreement, or employer's scheduling policy).

About OLPS and NYC's Fair Workweek Law

OLPS enforces key NYC workplace laws and rules. We investigate complaints about the laws that we enforce and, for other workplace issues, we connect workers to relevant government agencies, legal service providers, and other resources to help them access and protect their rights and get critical services.

NYC's Fair Workweek Law gives fast food workers the right to an estimated schedule (Good Faith Estimate) and first work schedules on or before the first day of work; 14 days' (2 weeks') advance notice of work schedule; consent and premium pay for last-minute schedule changes; priority to work open shifts; and consent plus a \$100 premium to work a *clopening* shift. Visit nyc.gov/dca to learn more.