

YOU HAVE A RIGHT TO A PREDICTABLE W-RK SCHEDULE

Under NYC's Fair Workweek Law, certain retail employers must give their employees predictable work schedules. Retailers must post this notice where employees can easily see it at each NYC workplace.*

Retail Employees Covered by the Law

All employees who work at a retail business that primarily sells consumer goods and employs at least 20 workers in NYC.

The law applies regardless of immigration status.

Retail Employees NOT Covered by the Law

Employees covered by certain collective bargaining agreements.



Employers cannot punish, penalize, retaliate, or take any action against employees that might stop or deter them from exercising their rights under the law. Workers should immediately contact OLPS about retaliation. See below.

Your Rights

72

72 Hours' Advance Notice of Work Schedule

Your employer must:

- Give you your written work schedule at least 72 hours before the start of the schedule in the way your employer usually contacts you, which may include text and email.
- Post the schedule at your workplace where all workers can see it.
- Include dates, shift start and end times, and location(s) of all shifts in the work schedule.
- Update and repost the schedule and contact all affected workers if the schedule changes.



No On-call Shifts

Your employer cannot require you to:

- Be ready and available to work at any time the employer demands, regardless of whether you actually work or report to work.
- "Check in" within 72 hours of a scheduled shift to find out if you should report for the shift.



No Shift Additions with Less than 72 Hours' Notice

If your employer wants to add time or shifts to your schedule less than 72 hours before the change, you have the right to accept or decline the change. If you accept an additional shift, you must do so in writing.



No Shift Cancellations with Less than 72 Hours' Notice

Your employer cannot cancel a shift less than 72 hours before the start of the shift.

Exceptions:

Your employer may change your schedule with less than 72 hours' notice due to a closing under the following circumstances:

- Threats to worker safety or employer property
- Public utility failure
- Shutdown of public transportation
- Fire, flood, or other natural disaster
- Government-declared state of emergency

Your employer may also grant you time off at your request or allow you to trade shifts with another retail employee.

File a Complaint

The Department of Consumer and Worker Protection (DCWP) Office of Labor Policy & Standards (OLPS) enforces the Fair Workweek Law and other NYC labor laws.

To file a complaint with OLPS, go to nyc.gov/workers or contact 311 (212-NEW-YORK outside NYC) and ask for "Fair Workweek Law." OLPS will conduct an investigation and try to resolve your complaint. **OLPS will keep your identity confidential unless disclosure is necessary to complete an investigation or is required by law.**

You can also file an action in court. However, you cannot have a complaint with OLPS and a claim in court at the same time.

Contact OLPS

Visit nyc.gov/workers, email FWW@dcwp.nyc.gov, or contact 311 and ask for "Fair Workweek Law."