



**THE CHAMBER**  
of Commerce for Greater Philadelphia



Asian American Chamber of Commerce  
of Greater Philadelphia  
*Making connections that matter...*



Pennsylvania  
**Restaurant & Lodging**  
Association



Pennsylvania Food Merchants Association

COMMITTEE ON CHILDREN AND YOUTH  
PHILADELPHIA CITY COUNCIL PUBLIC HEARING  
Tuesday, March 8, 2018  
City Hall, 1401 John F. Kennedy Blvd., Philadelphia, PA 19107

**Testimony by: Rob Wonderling, President & CEO, The Chamber of Commerce for Greater Philadelphia**

I am Rob Wonderling, President and CEO of the Chamber of Commerce for Greater Philadelphia (the Chamber). Thank you for the opportunity to appear before you this afternoon to offer testimony on behalf of the Chamber, whose members employ 600,000 individuals, The Pennsylvania Food Merchants Association, The Asian American Chamber of Greater Philadelphia, Manufacturers Alliance of the Greater Philadelphia Region, Wawa, Pennsylvania Restaurant and Lodging Association, Pennsylvania Retailers' Association and The Greater Philadelphia Hotel Association in response to Resolution No. 180049.

Like you, we want a vibrant and thriving Philadelphia where families are healthy and prosperous. Our employees, customers and future workforce live, work and learn here. The Chamber recognizes the depth of the sponsor's concern for workers, and is grateful for her willingness to examine this issue through a public hearing.

On behalf of the Chamber and the organizations listed, however, we must sound a note of grave concern with the legislation we understand may soon follow this hearing, which would attempt to regulate the terms and conditions of job scheduling. Although such rules have gained some notoriety, we need to be smarter in Philadelphia.

The current employment landscape did not come to be overnight, and nor should we pursue precipitous remedies. Indeed, more than ever, employers are implementing wellness, diversity and flexibility as core values. Before rushing to impose legislation, it is important to stop, and take the pulse of employers and workers together. Workers are the lifeblood of any operation, and it will be to everyone's benefit to study best practices, and look for win-win solutions to any employment issue.

We also respectfully, but emphatically, oppose making a law that would make City government the maker of personnel policy for broad categories of workplaces. Not all businesses and organizations are alike—they range in size, industry, geography, hours of operation, and personnel needs. They should be able to utilize a full set of tools in order to manage their business, employees and competitive advantage. Rather than set down one-size-fits-all rules for the City, or for broad categories of employers, let's work together to create a win-win, where workers and families thrive,

and find a wide range of job opportunities in a prosperous business community—and better yet, have the opportunity to start their own business.

The Chamber, [other organizations], and our members stand ready to continue this discussion toward the shared interests of workers and businesses. While we do not know how this council is going to move forward, we would like to offer some examples of the impact that has had in other areas and will likely have in Philadelphia:

- While schedules are typically put up 7 to 10 days in advance, employees regularly swap shifts upon release of the schedule, and in many cases don't inform the employer. Currently, this is not a problem, and business continues as normal—but with this type of legislation the business not only must document every change to the schedule (even if it is initiated by the employee) but also update the schedule whenever a change takes place.
- In New York City, where a version of scheduling legislation began in November, one entity accumulated over 11,000 documents in their effort to log all of the changes to the schedule to try and ensure compliance.
- Many businesses, especially in the restaurant and lodging industry, cannot predict schedules weeks in advance. How would the industry have known the Eagles would win the Superbowl and when the parade would be? In the hotel industry, the booking window for business and leisure travelers is within two weeks of travel, yet the hotel would need to try and predict that ahead of time.
- There are many employees who choose to work in the retail or hospitality industry as a second job. If only one job is impacted by predictive scheduling and the other isn't, it is impossible to determine availability—which means the loss of good employees who will move to other businesses not impacted by this inflexibility mandate.
- If San Francisco, Seattle, New York City and others are an example—this type of discussion is a solution in search of a problem that does not exist. We urge you to talk to the business owners in your community and ask how this would impact them, talk to the employees about how they will no longer have the flexibility to change schedules or adjust them as needed and you will see this is not in the best interest of businesses or employees.

In the event that the next step in the process is to produce a bill related to predictable scheduling, however, we are asking for the following:

- Hold a hearing or other open process with HR professionals to get a better understanding on how companies are recruiting talent, and all they are doing to provide the flexibility employees desire.
- Analyze the recently announced citywide workforce strategy – *Fueling Philadelphia's Talent Engine*- through a public hearing and determine if and how scheduling legislation aligns with it.

Thank you for the opportunity to appear before you today. The Chamber, [other organizations], will continue to offer programs and services to help our member companies and employers, including supports that will benefit workers. We cannot, however, support legislation that would make it harder to attract new businesses to the city, or for existing businesses to expand. Quite simply, this is a matter of jobs.