

June 6, 2019

Urge Aldermen to EXCLUDE Hospitals From Work Scheduling Ordinance – Key Committee Hearing and Vote on Monday, June 10

A highly restrictive work scheduling ordinance proposal that includes hospitals (known as the “Fair Workweek” ordinance – [O2019-3928](#)) will go to a hearing and vote of the Chicago City Council's Committee on Workforce Development on Monday, June 10. SEIU Healthcare and the United Food and Commercial Workers are aggressively pushing the ordinance and refusing to exempt hospitals.

IHA strongly opposes any scheduling ordinance that includes hospitals because it would be unworkable and costly. Hospitals are exempted from work scheduling ordinances in New York City, Philadelphia, San Francisco, Seattle, and Washington DC, and the state of Oregon. We need to let Committee members and sponsors of the ordinance know that a work scheduling ordinance would harm Chicago hospitals and patients and that hospitals should be excluded from the ordinance.

**ACTION REQUESTED:** Contact Aldermen on the Workforce Development Committee as well as the Sponsors of the ordinance – BEFORE MONDAY – and urge them to exclude hospitals from the work scheduling ordinance proposal.

Members of the Committee on Workforce Development – Including Sponsors of Ordinance

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Susan Sadlowski-Garza (Chair/Sponsor)	773-768-8138	<a href="mailto:Ward10@cityofchicago.org">Ward10@cityofchicago.org</a>
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Other Sponsors of the “Fair Workweek Ordinance”

Name	Ward Office Phone	Email Address
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George Cardenas	773-523-8250	<a href="mailto:Ward12@cityofchicago.org">Ward12@cityofchicago.org</a>
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Scott Waguespack	773-248-1330	<a href="mailto:Ward32@cityofchicago.org">Ward32@cityofchicago.org</a>

Suggested Talking Points

- I urge you to exclude hospitals from the “Fair Workweek” ordinance proposal.
- Elsewhere around the country, hospitals have been exempted from work scheduling ordinances in New York City, Philadelphia, San Francisco, Seattle and Washington DC and the state of Oregon.
- Our hospital and Chicago's 40 other hospitals are the cornerstones of healthcare for the millions of people residing in

Chicago – and they are vital to the city’s economy, generating more than 130,000 direct and indirect jobs and an annual economic impact of \$29 billion.

- The ordinance’s very restrictive requirements are unworkable and impractical for hospitals given unpredictable shifts in patient volumes and needs and staffing needs.
- The ordinance would undermine the timely and efficient delivery of healthcare to patients, which it recognizes and acknowledges by exempting Cook County Health and the University of Illinois Hospital and Health Sciences System.
- For example, if there were a major disaster or incident in Chicago – e.g., a chemical spill, fire, car wreck, active shooter, violence – many hospitals would receive an influx of patients needing critical life-saving care.
- To ensure that the hospitals are fully staffed to meet this unplanned demand, additional nurses, technicians and support staff would be called in on very short notice.
- But under the proposed ordinance, hospitals would be forced to pay a penalty for every employee who is called in – or they would be forced to go short-staffed and risk the health and safety of their patients or go on emergency bypass and force sick or injured patients to be transported to another hospital, wasting precious time they may not have.
- Imposing this ordinance on hospitals and their employees while exempting hundreds of other employers and tens of thousands of employees from its problematic requirements is irrational and fundamentally flawed. If these employers are exempt, there is an even more compelling argument for excluding hospitals. (Exempt employers/employees include: any employee who works in a sports stadium; state and local government employers; restaurants that have less than 30 locations and less than 250 employees at any one location; any employee covered by a collective bargaining agreement who works in construction, public utilities, telecommunications or for a warehouse that competes with the postal service, such as UPS.
- Our hospital is strongly committed to supporting our healthcare workers in providing them a good, stable, professional work environment -- with flexibility in their schedules and good benefits. We also help train and advance our employees from entry-level or part-time jobs to higher-level, higher-paying, full-time jobs throughout their careers in healthcare.
- Hospitals across Chicago have unique needs and demands and must have the flexibility to align and deploy their employees to provide timely, quality healthcare to patients, but this proposal would unnecessarily jeopardize the ability of hospitals to meet those needs. And it would have the negative impact on hospital employees of imposing rigid work schedules.
- For all of these reasons, I urge you to exclude hospitals from the “Fair Workweek” ordinance proposal.

#### Background – Requirements of the Chicago Fair Workweek Ordinance Proposal

- The ordinance applies to Chicago employers with hourly employees or salaried employees earning less than \$50,000 a year -- and applies to ALL hourly employees.
- Chicago employers must post work schedules for their employees at least 10 days in advance from April 1, 2020 to March 31, 2022; and at least 14 days in advance beginning April 1, 2022.
- Employers must pay their employees for at least one additional hour of “predictability pay” if the work schedule changes or if work hours are added or subtracted.
- If work hours are canceled or reduced with less than 24 hours’ notice, the employer must pay the employee no less than one-half times the employee’s regular hourly pay rate for any scheduled hours that the employee does not work.
- Employees have the right to decline unscheduled hours that an employer adds if the employee has received less than 10 days’ notice of the additional hours from April 1, 2020 to March 31, 2022; and less than 14 days’ notice beginning April 1, 2022.
- An employee has the right to decline shifts that occur during the 10 hours following the end of a shift.
- Before hiring new employees or contract employees, including the use of a temporary or staffing agency, an employer must first offer additional hours to existing employees.
- Employers must provide newly hired employees, in writing prior to or on the commencement of employment, an estimate of the median number of hours they are expected to work and their work schedule.
- Employers face fines of \$300 for each affected employee in each pay period for failing to comply with the ordinance.

For more information, contact David Gross at 217-541-1161 or [dgross@team-ihh.org](mailto:dgross@team-ihh.org).

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