

Testimony of Xavier Veliz
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Hardship Regarding Restrictive Scheduling Law

As a General Manager of the Wendy's restaurant Located in Queens Village NY, I have faced many challenges in our business regarding the new restrictive scheduling law. I work side by side daily with my entire crew team and management team together and have met our business goals and personal growth goals. However as of November 26, 2017 a date to remember, this New Restrictive law was put in effect, and a lot of things have changed not only to harm the business including the moral and flexibility of our operation and entire team. Below I will mention a few key points of what we have faced as a restaurant with our team. I understand this new law was put in effect as law makers thought it would help our crewmembers yet it is does the opposite and has hurt our team and affect the moral of our working environment. The first key point is Flexibility of scheduling.

1. Flexibility of Schedule
2. Employee & management moral (Afraid)
3. Family Culture piece destroying little by little
4. Employee turnover increase
5. Excessive paperwork been process
6. Working on a tense atmosphere

Before this law we had a flexible family culture and environment in our Restaurant. If a crew member needed to change their schedule they could call in advance speak to a manager and the manger could make a change to their schedule or they could swap a shift with their crew member and advice management of the change and management would update the schedule. Now with the new laws crew members cannot be flexible with their schedule and cannot make a change last minute and in the case of an emergency will brings on more challenges regarding scheduling and making sure that the crew member have their required hours for the week. I recently had an incident where it broke my heart when a female employee came to work with a severe flu and with fever taking transportation for minimum of one hour just because she is afraid of getting a write up for not coming or sign required documentation. Another example of how this Restrictive Law is hurting our employees in their personal life an opener Narinder her schedule was 7AM she live like a mile away and she was running late and she was speeding up to get here on time and the police pull her over and gave her a speed ticket and she came crying because she was just doing it for her not to clock in late and get a notation, my heart was broken to hear this incident. I really feel that this law instead of protecting is destroying our crew member minds. As a manager in charge, that day I send her home and assured her that she was not going to get in trouble and to please take care of herself and go to the doctor. We have similar stories of high school students and crew members that don't know in advance when appointments or school activities will arise. Per the restrictive scheduling law, schedules need to be made 3 weeks in advance

and sometimes they have to miss these appointments or activities because they know they are responsible to work the shifts that are scheduled. Now my employee's feels that they are working under obligation rather than be flexible. My restaurant turn over last year was less than 50% for the entire year and it has been 3 months with the restrictive scheduling I forecast that to double crew turn over.

Flexible scheduling in a family environment boosts morale and limit turnover. Prior to this new law I was able to hire PT college students and PT high school students, now that group of potential candidates are no longer available. I sometimes feel bad for those high school /college students that we had working for us and that I know are academically doing well in school and they are trying to help their parents with putting in a Friday and Saturday day of work because those are the only days it can be done in order to maintain their grades. The NY law has now limited our ability to keep those team mates previously hired employed. I know when I was starting in this business I was a student working PT for 3 years while attending college. That was the only way for me to have extra cash to pay for books, clothes and lunch money.

The work environment is no longer a family fun place to work. Not only is scheduling a concern, there is so much documentation and paper work that has to be done on a day to day basis. Documentation is required for every situation, for lateness, for schedule changes, for staying past your scheduled time, for wanting to leave early due to bad weather or not being able to come in to work for bad weather, for being sick and for leaving due to an emergency. Any changes to the crew member schedule require documentation and a signature from the crew member. More work load and pressure is added, and we are face with the possibility of losing that great teammate. We now have a city law that prevents employers from making last minute decisions for the wellbeing of their staff. Management will get penalized for adjusting or calling someone in in order to relieve pressure and stress from those that are being valued and loyal to their job.

The restricted scheduling has been extremely hard to manage, teammates don't feel the need to work many hours anymore, which has increased the number of call outs and requests to leave early, and management has to document which requires more paperwork. The crew members feel as though they are being targeted and their jobs are in jeopardy. Management has explained over and over the laws and how this is not a company policy it is a NY law, however the crew members do not see it that way. Our organization has a culture and it is being jeopardized by this new law. My personal opinion is that business will not survive with this New Restrictive law and so our crew members working on this tense atmosphere will seek other employment.