

Fair Workweek

What is the Fair Workweek Ordinance?

In Philadelphia, the Fair Workweek Ordinance provides predictable scheduling to certain service, hospitality, and retail workers. It requires “Covered Employers” to:

- post and provide a written 10-day advance notice of work schedules
- provide predictability pay for all employer initiated changes to the posted schedule
- allow employees to refuse to work additional hours not included in the posted schedule
- offer existing employees the right to additional work shifts before hiring new employees
- schedule nine hours of rest between certain shifts unless the employee provides a written consent and payment of \$40.

Who is a “Covered Employer”?

“Covered Employers” are retail, hospitality, or food services establishments that employ 250 or more employees including all full-time, part-time, and temporary workers and have 30 or more locations worldwide. This includes franchises and chains and then temporary employees hired through an agency.

How does this affect hiring practices?

The employer may only hire a new employee if:

- no employee accepts the offer of available work shifts within 24 hours of the end of the 72-hour posting period
or
- the employer receives written confirmation from eligible employees that they are not interested in accepting the available work shifts
or
- existing employees have accepted only a subset of the available shifts.

This ordinance does not require employers to offer overtime to existing employees.

Have you received your Good Faith Estimate?

At the time of hire, a covered employer must provide an employee with a written good faith estimate of the employee’s work schedule, which must contain:

- the average number of work hours the employee can expect to work each week over a typical 90-day period
- whether the employee can expect to work any on-call shifts
- a list of days and times or shifts that the employee can typically expect to work, or days of the week and times or shifts on which the employee will not be scheduled to work including at least one day off.

How do I file a complaint?

Contact the Office of Benefits and Wage Compliance at
215-686-0802

fairworkweek@phila.gov

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100 S. Broad St, 4th floor
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