



NEWS

HOW SCHEDULING REGULATIONS COULD IMPACT RESTAURANTS

By [Alaina Lancaster](#) on Sept. 30, 2016



Some restaurant operators say that the scheduling legislation unfolding in [Seattle](#), New York and Oregon might change their expansion and hiring practices.

“It doesn’t take into account some of the realities of the restaurant business,” says Don Fox, CEO of Firehouse Subs, which is approaching 1,000 units across the U.S. “Not only on the part of the business manager, but the realities of the employee and what they prefer and enjoy about their jobs.”

Earlier in September, Seattle passed an ordinance requiring restaurant and retail operators with at least 500 employees or 40 full-service locations worldwide to release

schedules two weeks ahead of time and face penalties for last-minute changes. Seattle's legislation is not the first of its kind. Last October, San Francisco's "**Retail Workers Bill of Rights**" went into effect, applying similar regulations to chains. However, more lawmakers seem to be getting behind the scheduling regulations. Shortly after Seattle's City Council passed the law, New York City Mayor Bill de Blasio stood in front of a McDonald's announcing his support for "Fair Workweek" legislation that champions more stable schedules for fast-food workers, and some Oregon legislators have pointed to it as the next item on their agenda.

To pivot to the changes, Fox thinks operators will take extra time, labor and costs for record keeping and compliance. "The operators will have to study the details and make their best efforts to comply," he says. Since operators will be penalized for last-minute changes to the schedule, Jerry Hancock—founder of Sub Zero Ice Cream and Yogurt—foresees that operators will have to pick up the slack and expand the role of what it means to run a restaurant. Yet a ban on back-to-back closing and opening shifts means that franchisees will have to hire more workers to spread out shifts, giving current employees less hours.

For Hancock, the legislation is enough for him to crumple up expansion plans in those areas and focus advertising in states such as Texas and Florida. "I'd love to grow in Washington, but I am just going to focus advertising efforts on Texas and Florida, places that are friendly to franchising," he says.

Operators are also turning to labor and scheduling software that crunches analytics about weather, sales history and other data points, says Christin Fernandez, the National Restaurant Association's director of media relations and public affairs. "This tech can revolutionize the scheduling process; it can help make things more streamlined and up to the moment," she says.