

POLICY

SCHEDULING (Emeryville, CA)

All locations in Emeryville, CA are required to comply with the **Emeryville Fair Workweek Standards**. These standards apply to all hourly employees working within the city of Emeryville, CA and include the following:

- Initial Estimate of Minimum Hours
- Two weeks advance notice of schedules
- Right to rest between work shifts
- Right to request work schedule preferences and changes
- Compensation for schedule changes (Predictability Pay)
- Access to hours for existing Employees

Initial Estimate of Minimum Hours

Managers are required to provide all new hourly Employees an Initial Estimate of Minimum Hours and the schedule they will be working prior to their first day of work. Managers must complete and email the **Initial Estimate of Minimum Hours Form** located in Talent EssilorLuxottica Recruiting, to all new Employees when extending their offer letter. This estimate must include the following:

- Expected minimum number of scheduled shifts per month
- Days and hours of expected shifts
- Average hours per week for each quarter
- If the Employees will be required to work on-call shifts

The Initial Estimate of Hours Form provided is only meant to be an estimate and Managers are not obligated to provide specifics shifts/hours listed on the form.

Schedules (Two Weeks' Notice)

Managers are required to provide new employees with a schedule that runs through the date in which the next bi-weekly schedule is posted. Current Employees must be provided with schedules 14 days prior to the first day of the work schedule. Employees can decline to work any shift not posted on the originally posted schedule.

Right to Rest

Employees are entitled to an 11 hour break between scheduled shifts. Employees may decline to work any shift that does not allow for an 11 hour break. Any Employees who works a shift where an 11 hour break isn't observed is eligible for Predictability Pay (see below for details).

Right to Request Schedule Preferences and Changes

Employees can request schedule preferences or changes at the time of hire or at any time during their employment in order to balance other life or work commitments. If an employee requests a schedule change the Manager is required to meet with the Employee to discuss and provide a written response on the decisions. Retaliation for any requests is not allowed.

Predictability Pay

Predictability Pay is additional compensation provided for schedule changes that occur after a schedule has been posted. Predictability Pay must be paid out using the **Predictability Pay** pay code in Kronos Timekeeping. Predictability Pay will be charged to the stores labor budget.

Use the following chart to determine when and how much Predictability Pay must be issued.

Action taken after schedule was posted	Hours of Predictability Pay (issued at Employees's base rate)
Any change in hours with more than 24 hours' of notice.	1 Hour
Reduction/cancellation of hours with less than 24 hours' notice.	4 Hours or the number of hours in the Employees's schedule shift, whichever is less .
Increase in hours with less than 24 hours' notice.	1 Hour
Less than 11 Hours of rest between shifts.	1 ½ (1.5) times the number of hours worked that are less than 11 hours following the end of a previous shift

Predictability Pay **DOES NOT** need to be given if one of the following exceptions applies:

- If you notify the Employees of a schedule change more than 14 days in advance
- If an Employee requests a change to the schedule
- If the Employee trades shifts with another Employee
- When operations cannot begin or continue due to reasons outside of the employer's control. (Threats to Employee or property, public utilities failure, acts of God, etc.)

Predictability Pay Examples

- A. When business is slow, a Manager sends his other employee home early. The Employee has worked 2 hours of her regularly scheduled 3 hour shift. The Manager should input **3 hours** of Predictability Pay for the Associate on that day in the timekeeping system.
- B. An Employee is scheduled to work an 8 hour shift. Less than 24 hours before the shift begins, the Manager cancels the shift. The Manager should input **4 hours** of Predictability Pay for the employee on that day in the timekeeping system.
- C. An Associate is scheduled to work a 4 hour shift from 12:00 p.m. to 4:00 p.m. Less than 24 hours before the shift begins, the Manager informs the Associate that the shift will be extended to 12:00 p.m. to 5:00 p.m. The Manager should input **1 hour** of Predictability Pay for the employee on that day in the timekeeping system.
- D. An Associate received only 8 hours of rest between shifts (one shift ended at 12:00 a.m. and the next shift started at 8:00 a.m.). Because there was not 11 hours between shifts, the Manager should input 4.5 hours of Predictability Pay for the Associate on that day in the timekeeping system ($1.5 \times 3 \text{ hour gap} = 4.5$).

Access to Hours for Existing Employees

Managers are required to offer any additional available shifts on posted schedules to any part time Employees that are qualified and their availability can be accommodated for any/all hours prior to hiring a new Employee. Additional shifts are only required to be offered to give the Employee up to 35 hours of work within a week. Additional shifts **DO NOT** have to be awarded if it will result in daily or weekly overtime.

Managers must print and complete the form titled "**Offer of Additional Hours Form**" in Hot Spot and post the form for all Employees to review. Part time Employees must accept the offer of additional hours within one of the following timeframes:

- 72 hours if the expected additional hours will available for longer than 2 weeks.
- 24 Hours if the expected additional hours will be available for less than 2 weeks.

Employees should accept or decline the additional shifts and complete the Offer of Additional Hours form in Hot Spot. Completed forms must be printed prior to submitting and provided to the Manager. If multiple employees accept the offer the Manager can divide the hours between the Employees or provide all hours to one Employee. Hours should be awarded based on the productivity of the Employee. If no Employee's accept the additional hours within the required timeframe, a new Employee may be hired.

PROCESS

Offer of Additional Hours Form (Manager)

1. Log into Hot Spot
2. Press Hot Spot History
3. Log into Hot Spot (Old Version)
4. Press **Action items**
5. Press **Submit Form**
6. Locate the Offer of Additional Hours Form the press **Create**
7. Press **Print** in upper right hand corner
8. Complete the form and post for Employee to complete.
 - Ensure employees provide the completed forms and keep them in the Employee file.

Offer of Additional Hours Form (Employee)

1. Log into Hot Spot
2. Press Hot Spot History
3. Log into Hot Spot (Old Version)
4. Press **Action items**
5. Press **Submit Form**
6. Locate the Offer of Additional Hours Form the press **Create**
7. Complete the form with all information on the form
 - Ensure you select if you are approving or declining the hours
8. Press **Print** in the upper right hand corner and provide the completed for to the Manager
9. Press **Submit**