

BERKELEY CITY FAIR WORKWEEK ORDINANCE POSTER



PLEASE POST WHERE EMPLOYEES CAN READ EASILY
VIOLATORS SUBJECT TO PENALTIES

OFFICIAL NOTICE Berkeley Fair Workweek Ordinance

Operational on January 12, 2024. For complete requirements of the Fair Workweek Ordinance, please refer to Berkeley Municipal Code Chapter 13.102.

Advance Notice of Work Schedules: Employers must provide each employee with an initial estimate of the employee's work schedule in writing on or before their first day of work. Employers must provide employees with at least 14 days' notice of their work schedules.

Offer of Work to Existing Employees: Before hiring new employees, including temporary workers, employers must first offer additional hours to existing part-time employees who 1) are qualified to do the additional work, 2) have worked for the employer for more than two weeks, and 3) whose schedules do not conflict with the additional hours. To accept an offer of additional hours, employees must notify the employer in writing within 24 hours of the offer.

Right to Rest: Employees have the right to decline work hours that occur less than 11 hours after the end of the previous shift. Employees who agree in writing to work hours with less than 11 hours rest must be paid 1.5 times their regular rate of pay for any hours worked less than 11 hours following the end of a previous shift.

Right to Request a Flexible Work Arrangement: Employees have the right to request a flexible or modified work schedule. Employers may accept, modify, or decline the employee's request.

Predictability Pay: Employees have the right to decline any previously unscheduled hours with less than 14 days' notice before the first day of any new schedule. When employees voluntarily agree to such changes or when an employer subtracts hours or cancels shifts, employees are owed predictability pay. Predictability pay is subject to some exceptions, including for employee-initiated schedule changes.

When a Covered Employer makes a schedule change with less than 14 days' notice but more than 24 hours' notice to the employee	
Employer subtracts hours or cancels shifts	Employee must receive 1 hour of predictability pay
Employer adds hours or shifts	
Employer moves shifts to another date or time	

When a Covered Employer makes a schedule change with less than 24 hours' notice to the employee	
Employer subtracts hours or cancels shifts	Employee must receive 4 hours of predictability pay or the number of cancelled or reduced hours in the employee's scheduled shift, whichever is less
Employer adds hours or shifts	Employee must receive 1 hour of predictability pay
Employer moves shifts to another date or time	

Employee rights under the City's labor ordinances are protected from retaliation. An employee or any other person may report to any suspected violation of the labor standard ordinances. The City will investigate possible violations, access payroll records and enforce corrective action to violations of the labor standard requirements.

If you have questions, please contact your employer or the City of Berkeley:

Health, Housing, and Community Services Department
2180 Milvia Street, 2nd Floor Berkeley, CA 94704
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Email: HHCSMWO@berkeleyca.gov
Language Interpretation Available