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MADIGAN, STATES ANNOUNCE AGREEMENT WITH SIX MAJOR RETAILERS TO STOP THE USE OF CONTROVERSIAL ON-CALL SHIFTS***Multistate Investigation Leads Major Retailers to Abandon Unreasonable Scheduling Practice***

Chicago — Attorney General Lisa Madigan, along with attorneys general from seven other states and the District of Columbia, today announced agreements with six major retailers to stop using on-call shifts, a practice that can create significant roadblocks for workers seeking to earn a stable and steady paycheck. On-call shifts require employees to call their employer shortly before a scheduled shift – typically one to two hours beforehand – to find out if they will work and earn money that day.

The six companies, Aeropostale, Carter’s, David’s Tea, Disney, PacSun and Zumiez, represent approximately 50,000 workers and were among 15 large retailers that received a joint letter from Madigan and eight other attorneys general in April expressing concern over the prevalence of the controversial practice and requesting information related to the companies’ use of on-call shifts. The retailers have agreed to stop using on-call shifts after discussions with Madigan’s office and other attorneys general.

“It’s unfair for employers to alert employees mere hours before a scheduled shift if they are going to work,” Madigan said. “Our investigation into on-call scheduling practices for low-wage workers resulted in several major employers abandoning these unreasonable practices.”

Four of the companies – Carter’s, Disney, David’s Tea and Zumiez – affirmed their commitment to providing workers with their work schedules at least one week in advance of the start of the work week, helping employees plan ahead to cover child care and other obligations. The remaining nine companies conveyed that they did not use the practice or had recently discontinued it.

The April letter from Madigan and the other states were sent to Aeropostale Inc., American Eagle Outfitters Inc., BCBG Max Azria Group LLC, Carter’s Inc., Coach Inc., David’s Tea, Forever 21, Justice Just for Girls/Ascena Retail Group Inc., Pacific Sunwear of California Inc., Payless ShoeSource Inc., The Walt Disney Company, Tilly’s Inc., Uniqlo Co. Ltd./Fast Retailing Co. Ltd., Vans VF Corp., and Zumiez Inc.

Joining Madigan in reaching an agreement with the retailers were the following offices of attorneys general: California, Connecticut, the District of Columbia, Maryland, Massachusetts, Minnesota, New York and Rhode Island.

Madigan’s Workplace Rights Bureau chief, Jane Flanagan, handled the investigation. The mission of the Workplace Rights Bureau is to protect and advance the employment rights of Illinois residents, particularly low and moderate-income and immigrant residents. The Bureau recently held a symposium on “Emerging Legal Issues in the Workplace” in which national and local experts discussed recent trends and policy proposals surrounding a variety of issues, including on-call scheduling.

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