

Disability, Leave & Health Management Blog

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Family Flight Fuels Frisco Family Friendly Workplace Law

Billed as a measure to deter more “family flight” from San Francisco, the City’s Board of Supervisors have passed [an ordinance](#) giving employees who are caretakers or parents the “right to request” flexible or predictable work schedules. The mayor has indicated he will sign the ordinance into law.

San Francisco has the lowest percentage of children of any major city in the country, according to the [Legislative Fact Sheet](#) concerning the ordinance.

The Fact Sheet notes that flexible scheduling would give employees more choices about how, when, and where they work and might include a change to start and end times, part time schedules, part year schedules, job sharing and telecommuting. Predictable scheduling involves providing work schedules with adequate notice. Both flexibility and predictability would enable employees to better balance their work and care-giving responsibilities, according to the Fact Sheet.

The ordinance has a time frame within which an employer must consider and respond, in writing, to an employee request. An employer may deny a request for "a bona fide business reason," such as “identifiable” increased costs, a detrimental effect on the ability to meet client or customer demands, an inability to organize work among remaining employees and insufficient work during the requested work time.

The ordinance also prohibits employers from taking adverse action against an employee because the employee is a caregiver and from retaliating against an employee who exercises rights under the ordinance.

The ordinance will apply to employers with at least 20 employees, and will take effect in January 2014.

Earlier this year, Vermont passed a “right to request” a flexible schedule law, which also takes effect on January 1, 2014. For additional information concerning that law, see [here](#) and [here](#).

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