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Impossible Choices: How Workers Manage Unpredictable Scheduling Practices

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Abstract

A total of 16 percent of hourly workers and 36 percent of workers paid on some other basis experience unstable work schedules due to irregular, on-call, rotating, or split shifts, which negatively impact workers' ability to manage family responsibilities, finances, and health. Primarily drawing on data from in-depth interviews conducted in Oregon in 2016, this study expands research on how workers navigate through "bad jobs" by exploring the ways in which they respond in an attempt to manage the individual impacts of precarious work arrangements. We found that workers respond to unpredictable scheduling in four ways: they acquiesce, self-advocate, quit, or directly oppose employers. Our findings highlight the "impossible choices" workers face as they negotiate prevalent, unpredictable work conditions, juggle work-life obligations, and struggle to remain employed. We conclude with fair week, work policy recommendations.

As Aldana, a bakery worker who migrated from Cuba ten years ago and lives with her husband and daughter, explains,

> The problem at work is solved when I stay overtime, because I had to stay and I did, but then my problem at home begins, because my husband gets back from work tired, and his

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dinner is not ready, nothing is ready, and if we had to be somewhere we have to cancel because I'm still at work because they wanted me to stay overtime and I can't say no.

Her situation is not uncommon for a growing number of workers in the United States whose work arrangements include changing and irregular work schedules, inadequate hours, lack of employment benefits, lack of workplace representation, mandatory overtime, among other practices. Workers in the low-wage and gig economy (Kalleberg 2009, 2011) are particularly vulnerable, and low estimates suggest that more than 10 percent of the workforce are subject to these practices. A total of 16 percent of workers are paid hourly, and 36 percent of those paid on some other basis have unstable work schedules due to irregular, on-call, rotating, or split shifts (Golden 2015). In other words, these practices are pervasive, affecting a significant percentage of the overall workforce. Furthermore, because low-wage workers are particularly vulnerable, these practices also disproportionately affect women, people of color, and single- and female-headed households (Michel and Ben-Ishai 2016).

The precariousness of Aldana's employment and the varying demands made by her employers regarding her schedule create a paradoxical situation for Aldana: in order to keep her job to support her family, she must make decisions that create problems for her family life, demanding sometimes what we consider impossible choices. A growing literature explores the increased use and consequences of unpredictable scheduling practices in the contemporary economy (Bond and Galinsky 2011; Golden 2015; Grzywacz, Carlson, and Shulkin 2008; Henly and Lambert 2014; McCrate 2018). Scheduling manipulation, Halpin (2015) argues, obscures the precariousness experienced by the workers and is used by firms to control market uncertainties, and acts as a form of what Wood (2018) calls "flexible discipline." In this literature, labor scholars have exposed the negative impacts of unpredictable schedules on workers and their families, including variable income, inability to schedule childcare or attend to important other obligations, difficulty paying bills, and sometimes negative health effects of changing schedules. We follow Halpin and Smith's (2017) exploration of what they call "Employment Management Work," offering a detailed and qualitative account of how workers navigate and negotiate work in precarious jobs. Our findings expand research on workers' navigation strategies through "bad jobs" (Sallaz 2017) by examining the decisions to stay and leave that workers make while navigating precarious work. To be sure, workers have historically faced precarity in the workplace (Jacoby 1985), but precarity in our contemporary economy is exacerbated by the use of just-in-time, erratic, and unpredictable scheduling that, many times, relies on new technologies and new forms of communication.

In this study, we highlight the agency of workers in responding to various practices that result in unpredictable and unstable schedules, while acknowledging the institutional factors and material conditions that give rise to contemporary forms of employer control. Using qualitative data from in-depth interviews conducted in Oregon in 2016, we add to this body of literature by examining the multiple, and, at times, contradictory, approaches workers use to respond to the often-unmanageable working conditions produced by unpredictable scheduling practices. We found that contemporary

workers respond to irregular scheduling practices in low-wage work in four ways: they acquiesce, self-advocate, quit, or directly oppose employers. These responses to unpredictable scheduling do not unfold in a linear process and are often deployed simultaneously. Additionally, the responses of workers vary and often seem to be shaped by their different social positions (class, race, parental status, age, etc.), type of work, and interactions with, and idiosyncrasies of, their bosses. Below, we provide some background to the problem of precarious work conditions and the effects on the lives of workers and their families. We then present our findings, focusing on four approaches taken by workers in response to employer practices. We conclude by highlighting the "impossible choices" of workers who face the catch-22 of needing to accept the prevalent, unpredictable work conditions to remain employed, indeed, to survive, yet these work conditions challenge their ability to keep their jobs and juggle work-life obligations. Still, workers subject to unpredictable scheduling practices find ways to respond to, challenge, and retain employment despite challenges to their family life and the inevitable precarity of their work. We conclude by highlighting recent legislative efforts aimed to protect fair scheduling practices in the state of Oregon.

Precarity in Context

Labor scholars who focus on precarious work emphasize a work regime situated in a globalized neoliberal labor market, usually including some combination of the following elements: variable hours; mandatory overtime; on-call shifts; inadequate notice of, and unpredictable, schedules; regular violation of labor regulations; lack of employment benefits; lack of workers' representation; and wage theft, among other elements (Appelbaum, Bernhardt, and Murnane 2003; Bobo 2009; DeFreitas 1991; Gordon 2005; Juravich 2009; Kalleberg 2000; Vosko 2006; Waldinger 2003). Kalleberg (2009, 2) defines precarity as "employment that is uncertain, unpredictable, and risky from the points of view of the worker." While literature on contemporary work arrangements importantly addresses the growing prevalence of precarity, uncertain work arrangements and lack of protections in the workplace are not unique to the current era. It was, in fact, lack of labor protections and risky employment that compelled workers in the early twentieth century to pursue legal frameworks as a particular way of navigating employment instability (Freeman 1985; Jacoby 1985).

Irregular and insecure employment arrangements today should be understood as more of a return to pre-New Deal work arrangements than the development of altogether new work arrangements. Drawing on political debates regarding precarity in Britain and Australia from 1800 to 1940, Michael Quinlan (2012) offers evidence of irregular work before the protections of the New Deal era came to fruition. Quinlan shows that insecure employment standards in the late nineteenth century sparked debate over the state's role in protecting workers. Highlighting the historical roots of precarious employment is crucial to debates today regarding social policy.[1]

While not entirely new or unique, precarious work arrangements have certainly been expanding since the deindustrialization of the Fordist economy beginning in the 1970s, and now constitute standard labor practices in entire sectors of work. This

expansion is occurring in a particular historical moment of neoliberal approaches to economic reform, a globalized labor market, and new technologies for management control. Declines in organized labor, institutional labor protections, and trade unions have further encouraged and permitted precarious work arrangements in the United States and other industrialized countries. These trends push economic inequality in employment, leading to increases in "bad jobs" (Kalleberg 2011) with less work autonomy and more precarious conditions.

The broader neoliberal economic context for these conditions is characterized by less attachment of employees to employers; a trend of long-term unemployment; growth in job insecurity, nonstandard, and contingent work; and risk-shifting from employers to employees. Risk-shifting includes regular cycles of unemployment as well as shifting costs of pensions and health insurance to employees. Kalleberg (2009, 5) explains that while unemployment has always had some place in the business cycle, "layoffs have become a basic component of employer's restructuring strategies." Furthermore, workers are not guaranteed minimum hours—if production is low or demand for labor is less than expected, workers are sent home, thus, transferring the costs of such fluctuations from employers to employees. Although professional occupations allegedly offer workers more secure work arrangements, today's full-time workers are not safe from the deleterious effects of a neoliberal economy. The rise in precarious work arrangements is reflected in the corresponding rise in temporary work (Smith and Neuwirth 2008). This is the ultimate shift in risk responsibility where firms do not need to provide guaranteed hours or benefits for workers, and where employers have complete control over the length and terms of the worker's schedule.

Unpredictable Scheduling

Unpredictable scheduling is one of most prevalent practices of contemporary precarious work arrangements. The rise of scheduling software in the workplace and cellular communications has made it possible for employers to further expand their implementation of irregular and just-in-time practices (Golden 2015). At the same time, demands from the global economy for immediate, around-the-clock services are changing work schedules from a standard Monday to Friday, 8:00 a.m. to 5:00 p.m. (Presser 2003), to an irregular and unpredictable work week. These irregular scheduling practices take different forms, including little or no advance notice of schedules, frequently changing schedules that vary in hours week to week or day to day, requirements that employees be available "on-call" or have open availability, and sanctioning employees who cannot accommodate sudden changes, all of which result in generally little worker control over schedules (Lambert and Henly 2009). Many low-wage, part-time workers have schedules that include a mixture of regular and nonregular hours.

Irregular scheduling practices are found predominantly in retail, healthcare, and hospitality and food services, where the majority of workers are women, racial/ethnic minorities, and low income (Golden 2015; Luce, Hammad, and Sipe 2014). Unpredictable scheduling practices affect workers differently depending on their gender, marital and parental status, racial/ethnic identity, immigration status, and access to

social support. On average, racial/ethnic minorities have lower wages than whites, and women have lower wages than men (Michel and Ben-Ishai 2016). Taking an intersectional approach demonstrates the now-common knowledge that race and gender together structure the labor market. The vulnerability arising from unpredictable work experienced by marginalized segments of the population reinforces what Joan Acker (2006) has called "inequality regimes."

Researchers have begun to explore the consequences of these practices for workers' lives. For example, changes and constraints to schedules limit workers' abilities to arrange care for children and other family members, attend to medical appointments, take second jobs, participate in family events, pursue further education, and sometimes even get enough sleep. Workers with erratic schedules report they are more likely to experience family conflict (Golden and Kim 2017; Henly and Lambert 2014; Kelly, Moen, and Tranby 2011), due to inadequate time for family, partners, and themselves (Bond and Galinsky 2011; Scott et al. 2004). Younger children and adolescents of mothers working unpredictable schedules, especially those who have been single parents for many years, can exhibit negative behavioral outcomes (Morsy and Rothstein 2015). In their survey of hourly female retail workers, Henly and Lambert (2014) found that limited advance notice, in particular, had one of the most substantial impacts on work-life and time-based conflicts. Workers who have greater flexibility and more control over their schedules report being less stressed and less likely to burn out (Grzywacz, Carlson, and Shulkin 2008). Moreover, discretion over the timing of one's work, particularly the ability to take time off during the work day, has been found to be significantly related to workers' happiness. Not surprisingly, ability to determine start and end times to the workday and to take time off over the course of the day is a privilege more available to salaried than hourly workers, and workers with higher incomes (Golden 2014; Golden, Henly, and Lambert 2013; Golden and Okulicz-Kozaryn 2015). As McCrate (2012) finds, it is important to differentiate between forms of flexible work in which the workers have some degree of control over their schedule, and those in which workers are subject to irregular schedules over which they have no control.

While managers have more control over scheduling practices than workers often do, they, too, are constrained by market demands for cutting labor costs. In their study of 139 store managers in a retail apparel firm, Lambert and Henly (2010) found that, often, managers were only given one months' notice for labor costs that month, constraining their ability to provide employees with schedules in a timely fashion. At the same time, scholars suggest that management can use unpredictable scheduling practices as a form of discipline over the workers. Wood (2018) argues that flexible discipline functions as an ambiguous form of control, in which irregularity in workers' schedules, sometimes intuitively tied to workers' actions (like joining a workers' association), cannot unambiguously be said to be the direct result of management discipline. The combination of managerial strategies that distribute the worst outcomes of unpredictable scheduling practice across employees and time in a given firm, and the use of strategic personalism, has led Halpin (2015) to argue that strategies like the use of "mock calendars" serve to mystify the embedded precariousness and elicit consent

from workers to sustain these practices. Research seeking to fully understand the complicated effects of these practices on the lives of workers is ongoing, as unpredictable scheduling becomes increasingly the norm in the labor market in general and particularly in certain job sectors.

Employee Strategies

There is relatively little research focusing on employee strategies in response to employer practices. As Halpin and Smith (2017) note, workers have historically engaged in "Employment Management Work," meaning the "bundle of strategies, decisions and planning" that adults and youth engage in order to navigate the labor market. They explain, for example, how low-wage immigrant workers make calculations about time and money, develop creative approaches to skills enhancement, and manage their reputation and networks to be able to secure and sustain employment.

Other researchers focus on the broader circumstances of workers' lives and the tactics employed to cope with difficult labor conditions, for example, the reliance on social networks or turning to the informal economy to diminish income uncertainty (Crosthwait 2014). In most cases, employees who do make attempts to control otherwise unpredictable schedules or at least decrease irregularity are largely dependent on supervisor-employee relationships and the willingness of employers to disregard formal policies in favor of the employee's wishes (Henly, Shaefer, and Waxman 2006).

In their qualitative study of care aides, Barthe, Messing, and Abbas (2011) examine coping strategies taken by women to mitigate work-family conflict. Most significantly, they find that women with heavier familial responsibilities sacrificed their own health and well-being, for example, by taking sick days to attend to family responsibilities instead of their own health concerns. The work of De Castro et al. (2006) describes immigrant workers' experience of workplace problems. They incorporate in their model the workers' actions in response to problematic circumstances, however, they do not provide a systematic analysis of employee actions. That said, an important component of their work is their analysis of the employers' reactions to the workers' actions, and their conclusion that employers responded either with indifference, retaliation, or termination. Focusing on migrant precarious workers, the work of Gleeson (2009, 2010) and Paret and Gleeson (2016) point out different dimensions that affect workers' ability to exert agency and, particularly, while presenting legal claims when their rights are violated in the workplace. These works are relevant to our discussion, particularly regarding migrants in the workplace, however, their discussion is mostly focused on "legal mobilization," while our study takes a broader approach to exploring worker responses. Based on qualitative data from an ethnography of workers at a call center, Sallaz (2017) conceptualizes navigation strategies in response to job conditions. He highlights the relationship between the patterns of staying and leaving a job, and age, gender, and race, thus, pointing out that decisions to exit and how to do so are shaped by the social positionality of the worker. Sallaz is mostly concerned with whether workers stay or leave, and how they leave the job. Our work builds on Sallaz's work, and asks, What are the multiple approaches taken by workers to maintain

employment in jobs with unpredictable schedules? Do they attempt to negotiate for better schedules, and, if so, with what outcome? Are they able to challenge their employer? Do they resist the scheduling practices in other direct or indirect manners? Or do they quit? How do workers navigate difficult choices in their day-to-day work experiences?

In preparation for introducing legislation addressing fair scheduling practices, policy makers in Oregon asked researchers in the Labor Education and Research Center (LERC) at the University of Oregon to collect much-needed data with which to better describe scheduling practices in Oregon. The number of part-time workers has increased in Oregon since 2009 (Fields 2018). An estimated 24 percent of part-time workers in Oregon are considered "involuntary part-time workers" (Fields 2018). Using the Bureau of Labor Statistics, Reddy et al. (2014) found that about 39.8 percent of workers in Oregon statewide are employed in low-wage industries of service, sales related, and office and administrative. Furthermore, in Oregon, about 29 percent of workers make less than US$10/hour, 33 percent are part time, and 24 percent are temporary workers (Reddy et al. 2014). We know that both nationally and in Oregon, part-time and low-wage workers are more likely to be subjected to unpredictable scheduling, but, prior to 2017, we knew little about these practices in Oregon. Using qualitative data collected in a study conducted by LERC in 2016, we analyze workers' responses and argue there are four main types. Here, we examine their actions and seek to shed light on the question of how workers respond to unpredictable scheduling practices.

Data and Method

In order to explore precarious labor practices in Oregon, LERC first turned to large national surveys, such as the Current Population Survey, the National Longitudinal Survey of Youth, and the General Social Survey, all of which have been used by national researchers to examine irregular scheduling practices (Golden 2015; Lambert, Fugiel, and Henly 2014). However, the sample sizes for these surveys are not large enough to provide a clear picture of Oregon. To fill that gap, LERC launched a project to understand irregular scheduling practices in Oregon and their impacts on workers, families, and communities.

In that study, LERC used a mixed-methods approach to better understand the experience of irregular scheduling practices (Scott, King, and Reddy 2017). In winter 2016, canvassers and volunteers from the Working Families Party, Asian Pacific American Network, and United Food and Commercial Workers interviewed nearly 750 Oregonians in the Portland metro area face-to-face using a lengthy set of survey questions (2016 Fair Work Week Survey). The survey focused on the breadth and prevalence of irregular scheduling practices, and their impacts on the lives of the workers and their families. The study also relied on data from the U.S. Census Bureau's American Community Survey micro sample for the state of Oregon to create a demographic profile of Oregonians working in jobs more likely to involve unpredictable scheduling practices.

The 2016 Oregon Fair Work Week Survey asked respondents if we could contact them for a one- to two-hour, in-depth interview. Of the more than seven hundred survey respondents, about 46 percent (341 respondents) said yes. This paper is based on qualitative interviews that focused on respondents with dependents. We contacted via phone and e-mailed all 317 respondents who agreed to be contacted and had at least one dependent. Ninety-seven respondents agreed to be interviewed again. About 42 percent did not respond to phone calls or voice messages in our attempt to schedule an interview. About 27 percent ($N = 26$) had a nonworking number or incorrect phone number after the first follow-up. There were three people who did not show up to the interview and failed to reschedule. Our final sample of respondents for in-depth interviews conducted in Summer 2016 was twenty-seven people.

We intentionally oversampled people of color and women for the in-depth interviews because previous research shows they are more likely to experience problematic scheduling practices. A total of 59 percent ($N = 16$) are people of color, including eleven Latinos, three blacks, two Indigenous peoples, one Asian, and two mixed race. Six interviews were conducted in Spanish. In total, 70 percent ($N = 19$) are women. The in-depth interview respondents worked in a variety of job sectors: six in retail, six in food service, five in healthcare, one in education, one in nonprofit, one in hospitality, three in professional service, two in temp agencies, one in transportation, and one in construction. Within the sample, twenty-two of the respondents were paid an hourly wage, three were paid salary, and two did not report their wage or salary. Among the hourly wage workers, the minimum was US$10 an hour, and the maximum was US$36 an hour. The average hourly wage was US$14.27, and the mode hourly wage was US$10. The salary range was US$2,800 to US$7,000 per month. The average age of the respondents is thirty-eight. Our youngest respondent was twenty-six, and our oldest was fifty-six years old. The average number of dependents is two, and the number of dependents ranges from zero to seven. The average age of dependents is fourteen years. The youngest age of the dependents is nine months, and the oldest dependent is thirty-four years old. About 52 percent ($N = 14$) work part-time hours (less than forty hours for the majority of the time).

The in-depth interviews were conducted in a semistructured format. We explored work conditions in current and past jobs, as well as how they managed life under these conditions. The questions covered a number of themes, including employer scheduling practices, hours, childcare, and financial management. We asked respondents about current and previous employment—specifically, their average work day, job responsibilities, wages, benefits, and method of transportation. In the interviews, respondents discussed the number of hours worked versus preferred number of hours, the frequency of schedule changes, types of shifts, method of receiving their schedule, the presence of on-call shifts, consistency and stability of hours, and perceptions of favoritism in scheduling practices. Since our project has a unique focus on dependents, we asked particularly about childcare arrangements and the degree of flexibility available to employees in the case of an emergency or a sick child. We asked respondents if their schedule affects the possibility of their holding another job or pursuing education. Finally, we inquired about financial management, strategies for dealing with income fluctuations, and the consequences for their stability.

In the process of analyzing these data to produce a report on unpredictable scheduling practices (Scott, King, and Reddy 2017), we noted emergent themes regarding how workers respond to their employers and to the work conditions, which we had not asked directly. We recoded these data, looking specifically for their descriptions of worker responses, and developed four emergent codes for the main approaches they used for coping with unpredictable scheduling practices: self-advocacy, acquiescence, quitting, and direct opposition. We then did a final coding of the data using these emergent codes.

When workers described feeling powerless, and did not speak up against, directly oppose, or object to unpredictable scheduling practices, we then coded employee responses to management demands as "acquiescence." Acquiescence became an impossible choice for employees who found themselves complying with management demands, even when this entailed lower pay, unreasonable working hours, or inability to find childcare, and, thus, was ultimately not sustainable.

When workers reported to the interviewer that they vocally objected to their managers' actions, or advocated for management to create a schedule that could accommodate their familial and financial needs, we coded this action as "self-advocacy." Self-advocacy became an impossible choice for employees because managers often appeared to retaliate, or offered solutions to the existing problem, while simultaneously creating new problems for workers.

We also make the distinction between self-advocacy and "direct opposition." While self-advocacy included some element of negotiation between workers and employers, we coded direct opposition for any action taken that did not comply with an employer's demand. Direct opposition included both individual and collective actions that challenged in any way how management arranged work. Direct opposition presented the same risk as self-advocacy, namely, retaliation or termination.

Finally, we include "quitting" as a response in order to emphasize the agentic decision to quit made by workers, as opposed to understanding withdrawal from employment as a passive act. Unlike complying with management actions, negotiating for better working conditions, or overtly objecting to or refusing to meet an employer's demands, quitting was both the ultimate act of noncompliance and impossible choice. We found that unpredictable scheduling practices could become so untenable that workers made the impossible choice to quit their job completely, in hopes that a new job would offer more reasonable working conditions.

Importantly, we make categorical distinctions between the approaches that workers take in order to construct a systematic discussion of the array of choices and actions that workers can deploy to respond to precarious work conditions. Their approaches are sometimes spontaneous responses to short-notice changes or insufficient hours, and sometimes they are concerted attempts to strike a work-life balance when necessary. We opted to primarily and synonymously refer to their actions as "responses" and "approaches" in order to capture the idea that while workers do have agency and, at times, their actions are quite calculated, the nature of unpredictable scheduling requires them to respond quickly and sometimes spontaneously. At times, we use the language of strategies to highlight situations in which their actions required greater forethought

and planning (potentially like quitting, collective responses, or direct opposition despite fear of retaliation).

At times, we found workers employed multiple approaches simultaneously; approaches were rarely linear, and were sometimes even contradictory. Workers' economic dependency on employers, and their particular social position (i.e., race, gender, marital status, parental status, etc.) also shaped their responses to unpredictable scheduling practices. Using the qualitative data from in-depth interviews, below, we examine employee responses to these conditions.

Findings

Using data from the Fair Work Week Survey and in-depth interviews, Scott, King, and Reddy (2017) examined workers' perceptions and reports of their control over their work schedules. They found that scheduling practices resulted in instability in schedule and pay, leaving workers scrambling to find last-minute childcare, pay bills, apply for governmental or community aid, be able to attend school, keep the second job that was necessary for a livable income, among other difficulties (Scott, King, and Reddy 2017). Workers often piece together hours from both regular and just-in-time shifts in order to make ends meet. Their schedules often make it difficult to attend to family and arrange for childcare. The labor market conditions force them to work for employers who consistently require more work for stagnant wages. As is true nationally, Oregonians particularly impacted by unpredictable scheduling practices in these industries tend to be disproportionately women, people of color, and just as likely to have children at home as the labor force overall (Scott, King, and Reddy 2017).

In this context, workers found ways to manage and sometimes challenge precarious working conditions. From the in-depth interviews, we found that their workplace responses to the scheduling practices were sometimes contradictory, unsuccessful, and neither linear nor mutually exclusive, but the responses could be grouped into four general categories. Below, we consider the four types of responses separately to illuminate moments in which workers advocate for themselves, acquiesce to demands, quit their jobs, and engage in resistance, either as individuals or collectively.

Self-advocacy

The workers we interviewed reported many instances in which they engaged in some form of self-advocacy in their attempts to manage their work conditions. By our definition, self-advocacy constituted attempts to hold employers accountable to their agreements with workers, making the untenability of choices explicit, and generally keeping employers from degrading an employee's working conditions. We found self-advocacy can take a variety of forms, involving both formal and informal demands and other tactics. In general, though self-advocacy does not drastically improve working conditions, it is an approach that keeps employers from completely taking advantage of workers, breaking labor laws without being held responsible, and allows workers to regain some level of autonomy and dignity.

On one end of the spectrum of self-advocacy, workers simply asked employers to uphold agreements rather than accepting their employer's schedule and hour changes. For example, Meredith is a Latina woman with two children, aged eleven and fourteen. She had custody of her children part of the time, and lived with a partner. Although she had a custody arrangement with her children's father, her inconsistent schedule working as a plant tender at a marijuana dispensary often led her to miss time with her children. When she was originally hired, she made an agreement with her manager to work twenty hours a week. In many cases, we found that steady part-time work is ideal for working parents, allowing them to earn enough money and also spend time with their children, as well as avoid exorbitant childcare fees. After the first few weeks of work, Meredith's boss consistently cut her hours. She confronted him about their agreement, and he bumped her back up to twenty hours a week. Although her self-advocacy initially resulted in the employer upholding his agreement, this did not last. We found that workers had a difficult time holding management accountable to agreements, which requires them to continually advocate for themselves in an attempt to make permanent changes. Meredith recalled what she thought was her boss's retaliation for her request for more hours:

> People would go on vacation, and he wasn't prepared for it. So I was constantly getting called in. And then I was getting scheduled six days a week. So even at 25 hours he had me coming in Monday through Saturday.

Although her employer agreed to finally give Meredith the hours she needed, he extended her work week by giving her short workdays. She explained that she was then required to come in almost every day working only four- to five-hour shifts. Meredith's experience may reflect previous research that shows that retail managers organize work schedules to meet the bottom line and accrue profit by adjusting them weekly and daily in response to consumer demand rather than workers' preferences (Lambert 2008). This respondent had to continuously advocate for hours that were manageable. Although, at times, the employer complied, self-advocacy was not a wholly successful tactic in the long term. As is the case with many workers dealing with unpredictable schedules, ultimately, Meredith quit.

Similarly, Isabella, a Latina married mother of two, took steps to hold employers accountable and advocate for greater control over her schedule. Isabella, a Mexican immigrant, had lived in the United States for twenty years and did not speak English. She worked at a bakery, and lived with her unemployed husband and two daughters in their late teens. When seeking two days off to attend her daughter's graduation ceremonies, she followed the appropriate formal procedure of filling out a request document more than two weeks in advance. Although she was granted the days she asked for, she was also only scheduled to work two days that week, significantly decreasing her paycheck. Isabella, like many respondents in our sample, are in jobs with limited working hours and no guarantee of a minimum number of working hours. In these situations, when workers request adjustments in their posted schedule, they sometimes risk losing earnings (Lambert, Haley-Lock, and Henly 2012). When

Isabella confronted her employer about not working enough hours that week, he said he knew nothing about it.

When Ivette needed to request some days off, she worried that her employer might cut her hours. With that in mind, she audio recorded conversations as a way to hold her employer accountable. Her employer needed more hours from her—which she was willing to work—however, his need empowered her to refuse to be put on call or have her hours cut. In reflecting on her ability to advocate for herself, she identified her personality as a key factor in her ability to negotiate with management. She reflects, "Not everybody has that, you know? Not everybody is understanding of that, of that empowerment, you know? Of being able to control the employer just as much as they're trying to control you." Ivette's confidence allowed her to refuse to come into work in an instance when her child was sick. Refusal to come in on unscheduled (or last-minute scheduled) days was, in some cases, an act of direct opposition, and in others, the only option for workers who had other commitments.

Workers use self-advocacy as a tool to call out employers who ask them to make impossible (untenable) decisions. Because workers often have to make impossible choices between showing up for work and attending to family, we found workers often advocate for reasonable hours and schedules. For example, James, a white male project manager at a construction company, has two children, ages ten and seven, and a wife who works as a nurse and who was planning to go to graduate school soon. His wife works ten days a month, but it can be any ten days, so it is very important that he coordinate his schedule with his wife in order to determine childcare routine. He previously worked for a company that often required him to take trips on very short notice, which he put up with for a while. Eventually, he was not able to work with such a short notice schedule, because his wife also worked, and there would be no one available to take care of the children. He recalls responding when his manager asked him to take a short-notice trip:

> I was like—not happening. I don't have an on-call nanny. And I just kind of went away. And we had a very . . . the second time around it was a very heated conversation. But I didn't fold. I stuck with what I felt was right. They were expecting me to get on a plane and go somewhere. And I was like—I can't. I can't go until Thursday or Friday.

However, James was able to deploy his economic power with relatively specialized skill levels to stand up for himself despite the risk of job loss. In our analysis, we concluded that it is possible that his social location as a white man also affected his ability to advocate for himself.

That said, respondents with less social power and privilege did occasionally report their own refusal to comply with the demands of their employers. For example, Teresa, a black single woman, expressed an inability to come into work at times. She works at a hotel, and has full custody of her two nieces and grandson. She recalled a period when her niece was having trouble in school, requiring Teresa to pick her up early. She said she had to leave work in these cases, and when asked by the interviewer if the employer would let her leave, she responded, "they didn't have no choice. I have to go

up to the school that's my niece and you can't fire me because I have an emergency at school." Even when workers did not need to leave for childcare or a family emergency, they advocated for themselves in an attempt to keep managers or clients from demanding unscheduled work hours.

The most serious cases in which workers chose to advocate for themselves were around health and safety issues. As the literature shows, a fundamental characteristic of precarity is the violation of Occupational Safety and Health (OSHA) regulations. In this context, it is imperative that workers advocate for themselves and ask that employers be responsible for their safety. A worker at the bakery who discovered she had a slipped disk in her spine as a result of a workplace injury experienced difficulty getting her managers to take responsibility for the accident. After months of struggle with management, this respondent advocated for herself by hiring a lawyer and building a case against her employer. Because injuries can be so debilitating to both work and home life, sometimes, workers are willing to challenge management actions despite the fear of retaliation they also report.

When workers are put in impossible positions in which they are unable to compromise either their bodily integrity or family arrangements, or in which the scheduling practices resulted in their inability to make ends meet, we found that workers would advocate for themselves. As with all of the worker responses, self-advocacy is deployed as a response to the dynamic relationship between workers and management when workers are placed in precarious working conditions. Self-advocacy is also not necessarily an escalation tactic, but an attempt to negotiate for better working conditions without disobeying bosses. As advocating for oneself may also not lead to substantial changes in working conditions, workers may be compelled to acquiescence, or accept their limited ability to alter precarious arrangements.

Acquiescence

Workers go to great lengths to accommodate the changing, unpredictable scheduling practices their employers use. We call their accommodation "acquiescence." Their acquiescence to their employers' demands is often intertwined with other approaches to managing their work circumstances. For example, they might also try to negotiate for more stable or different schedules, or more hours, as we previously discussed. When their efforts to advocate for themselves are not successful, they are left with few choices: they can try to accommodate their given schedule, and most do so, at least for a while, as they cannot afford to lose their jobs; some oppose in a variety of ways their given schedules, and some end up quitting, as we explore later in this article.

Meredith (discussed earlier) responded to her employer who varied her hours drastically from week to week by trying to speak with her employer about the impossibility of managing her bills given the erratic income, but, in Meredith's opinion, rather than giving her a more stable schedule, her employer retaliated and reduced her hours. Because of her highly variable income, Meredith ultimately resorted to prioritizing which bills to pay (a common strategy in low-income households), refusing to go to the doctor, borrowing money, and not seeing her children during some of her arranged

custody schedule if she was able to get work hours during that time instead. She acquiesced by working when she could, whatever hours she was given, but found that her hours were frequently reduced to the point where she could not conceivably live without seeking a second job. Meredith's experience reflects Wood's (2018) claim that unpredictable scheduling can be understood as a form of "flexible discipline." Eventually, Meredith quit.

As difficult as it is to work variable hours and, thus, experience vast fluctuations in income, or work highly unpredictable schedules, many workers, like Meredith, felt there was nothing they could do—therefore, they put up with these common work conditions because they needed the job. Vanessa, a single African-American woman, performed in-home care work for elderly clients. Her hours varied enormously from twenty to two hundred per month. Because her hours varied so much, she never refused them or took time off: "I just do the hours. . . . If I don't work, I don't eat. It's just that simple." Her schedule also varied enormously because she negotiated her hours with each client individually in order to meet their demands for her time. When clients called to change the agreed-upon schedule, it was hard: "It gets on my nerves, upsets me, really," but she rarely tells a client she cannot come in. This response exemplifies what Halpin and Smith (2017) term employment management work, where workers must determine what compromises they are able to make around work arrangements to make ends meet. In response to a query regarding how she manages the unpredictable schedule and the variable hours, she responded, "I just go with the flow. There is nothing else I can do but get up and go to work."

Westin, a Native American man with two children, worked at a grocery store for ten years. He had recently changed jobs. Westin took a leave of absence for care work after his second child was born, using vacation and sick time to be able to stay at home for three months. While he was away, management introduced an electronic scheduling system. When he got back, he started getting significantly fewer hours than before, going from thirty-two hours on average to twenty, with some weeks having as few as twelve hours. Westin noted that with the new system, managers had less control over how hours were allocated, and more people were hired for shorter shifts. In order to keep the hours, he made himself available as much as he could, which meant doing any available work at the store: grocery, customer help, stocking shelves, doing bottles, deli, bakery, even handiwork: "I'd take any shifts that I could in any department that I could, just to keep my hours." He would also go into work sick to get the hours he needed. He explained that before the electronic system, he was able to arrange his schedule directly with the managers, with whom he had built personal relationships so that he was favored in the scheduling. However, after the change, not even his close friends could help him, and his hours were constantly cut. Some months, he went under eighty hours and lost his health insurance. His wife, a teacher, went back to work, at first part time, mostly during his days off, but eventually full time as his hours became fewer and less predictable. The family organization changed to the point in which he was more a stay-at-home dad, and his wife provided most of the income for the household. They had just had a baby, and bought a car, which created considerable financial stress. They had to refinance their debt, use their savings, and eventually

borrow money from their relatives to be able to keep up with the bills. He explained it was impossible to get a second job because he was trapped by the necessity of keeping the health insurance. He said,

> I think a lot of times you hear that people . . . they don't want to work, they don't want the hours. That was definitely was not my case. I worked really hard with the management to try to get more hours, to try to make a schedule that worked for me and my family.

Without the hours, his family faced the dual crises of insufficient income and loss of medical insurance:

> I think I lost [medical insurance] three times. Because they weren't giving me the hours I needed to cover it. And right after having a baby, you know? I had a ten year-old, I have a wife. I bought a new car. I had bought the house. Because I was getting steady hours. And then I had to take the time off, and then I come back and then everything changed. It put me in a really bad financial spot. Trying to take care of all my bills, trying to take care of my kids. Make sure they were getting the medical coverage that they needed when I was fighting the employer just to get above 20 hours a week, just so I could keep those benefits.

Irene, a Latina married mother of one, did not know when she would be scheduled to work, and sometimes she was called in when she had prior plans with her family. However, she felt she did not have a choice other than to acquiesce to the employer's demands [translated from Spanish]:

> The day I have to work, I have to work . . . I can't participate and that's it because if I have to work, I can't miss the day, because they wouldn't understand if I have to miss one day [for her family's needs].

She expressed reluctance to advocate for herself and seemed resigned to the circumstances. Repeating over and over that there was nothing to be done about the workplace conditions, the workers are powerless to do anything, they have nowhere to go so they get used to the treatment, she said [translated from Spanish]:

> The workers conform because it becomes something normal, they don't see any way out, you can't do anything unless you go and find another job, and that other job is probably going to be as bad or worse, and in the end nothing changes.

Her hopelessness was common. Workers see the reality of their powerlessness, both because they do not have a voice in their workplace, and they face slim chances of finding a job with better conditions, especially those with low educational attainment, speak English as a second language, and are immigrant workers.

Sometimes, the reluctance to challenge their employers sounded initially as a form of loyalty and commitment to the job, but this would often be mixed also with expressions of fear of either retaliation or firing. Isabella (discussed earlier) described working her first six months without a day off, saying,

I was always willing to go when they called me, I never failed them, I never missed a day, I never left early, I was never late. I never called in sick and I saw a lot of people going in sick, sometimes with a fever, and that's how I would work, all those months.

She later explained that workers need a job, they do not have the privilege of saying no to the employer's demands:

You get used to the routine, keep doing the same thing, everyone does. You get used to everything, to be afraid of leaving early because they might fire you or give you a warning, and you depend on the job. . . . There are a lot of unfair things that affect a lot of people, that have been there for years and never have the opportunity to say, "I'm going home because I'm sick," they can't, they don't have that privilege, because . . . the worker there has no voice and no vote.

Often, workers described acquiescence after they tried to advocate for themselves and experienced what they described and saw as retaliation for their efforts. Because losing a job was impossible to contemplate, they would essentially "shut up and put up." Cathy, a white single woman with older children, described herself as "vocal" and "not your typical worker." She said she was aware that her employer, a large chain retail store, was "used to treating people [poorly]" and that "older women who lost their husbands are terribly afraid that if they do anything to rock the boat, they will have their hours cut." Indeed, Cathy experienced just that. She reported that she requested Sundays off for religious worship and subsequently was still scheduled to work on Sundays. After taking time off to help her son move, she reported that her hours were cut: "He's punishing me. And I told him I wanted to work days. Now he has me work every single night. I close every single night." To be promoted, she said, you need to "have open availability and be pretty good at kissing butt."

However, even workers with considerably greater human and social capital—in this instance, a white male project manager in a construction company—expressed the impossibility of resisting their employer's demand that they be on call for jobs at a moment's notice. James, the married father of two, worked for a company that required him to leave on very short notice for jobs requiring travel. He described the sudden notice: "[My employer] would call up and say, 'you're going to [this place], you need to be there on this day. You're going to stay there until this day.' You have no say in that regard." He eventually quit and moved on to another job.

Like most low-wage workers, those we interviewed employed a range of means to cope with fewer hours than they needed and/or a schedule that did not work. As mentioned in these stories, parents made themselves available whenever they could in order to increase their hours. They sacrificed family time and sometimes even the needs of their families in order to be available for work whenever a shift was offered. They resorted to juggling bills (choosing which one to make a late payment, which to prioritize for some payment lest the service be cut off), borrowing money, refusing to make necessary purchases or go to the doctor, working sick, and not being with family members when they were sick. The costs of low-wage work were constant and

sometimes extreme. For example, Teresa, a single African-American woman who had custody of three young relatives, worked in the laundry of a hotel. Due to an incident with one of her children, she called to say she could not come in and was told that if she did not show up, she would not have a job. Her response to the possibility of losing her job was extreme and shows the desperation of some low-wage workers: she put the children in foster care for two weeks so that she could keep her job.

Quitting

Either as a desperate and unavoidable measure, or as a mechanism to escape unmanageable labor conditions, sometimes workers reported that they quit their jobs. At least eight of the twenty-five respondents mentioned quitting a job with unpredictable schedules, while others mentioned at the time of the interview they were actively searching for another position. Most of our respondents had recently left a previous job and mentioned it was specifically because they did not see a sustainable future job in their precarious work. However, it is worth noting that two of our respondents mentioned situations where they sought a "forced fire" so that they could claim unemployment benefits. Quitting is a tricky situation because claiming unemployment from quitting can be difficult, thus, few workers are in a position to be able to quit. As Sallaz (2017) finds, we found many respondents actively looked for another job before they quit. Throughout the interviews, we found the reasons that workers quit included the job did not give enough hours or benefits, the environment of unpredictable scheduling made the workers feel undervalued, there was no clear future in the work environment, they could not manage family-work conflicts, or they moved for better job mobility.

Many of our respondents discussed previous instances when they had quit because the practices of unpredictable scheduling made the work environment unhealthy and unsustainable. Lily, a white woman, works as a manager at a small business retail store. Her previous job was a big-chain retail store; she quit because the hours were too erratic. The number of hours she worked week to week was unstable and led her to be in a vulnerable financial state. She worked three jobs at the time, still living "paycheck to paycheck" and making any hours at the jobs count. She liked working at the retail store, but hated the unpredictable schedule: "One thing that was frustrating for me is that I actually really liked working there in some ways." In order to become manager at the big retail chain, you had to have open availability, and she expressed frustration at this requirement: "I couldn't afford to have open availability because I needed another job where I could guarantee that I was going to have hours." Ultimately, she quit because "I couldn't have afforded for it to be my primary job."

Amelia is a white woman who worked for several years as an adjunct college instructor, struggling with erratic work, including unreliable and temporary contracts. She juggled multiple positions, including online education, but despite working full time, she barely managed to make ends meet. Amelia lived with a "fear that at some points you're not going to be able to make the bill." She explained in the interview why she quit: "Well it's the result of a long process of feeling like there's absolutely no future there and they don't care about you . . . I was super tired. I was tired of fighting

. . ." Similarly, James (discussed earlier), who could not travel on demand for the construction company, said, "After that second time [his boss demanded he leave with no notice], I started to look for a new job for myself. And I wasn't going to live in that environment. It was toxic." In many ways, the respondents feel they are "being treated like a very disposable resources" and, therefore, do not feel attached to the job.

Throughout the interviews, respondents mentioned that the unpredictable scheduling caused family conflict because workers did not see children and partners. Jared, a man who identified as mixed race, discussed why he left a fast-food job despite making less money in his new job:

> [The fast-food job] sucked, because I would leave before my son woke up and also I would come home, he would be sleeping. . . . Yeah as soon as I left [the fast-food chain] . . . I get to see him all the time now.

While working at the fast-food place, he had a second job that paid more but gave him fewer hours. He quit the fast-food job because they were working him too much: "I would find myself not wanting to come [to his new job] because I was so tired from working at [the fast-food chain] and all I wanted to do was to go to sleep or go see my son."

Precarious work was not always completely dead end for the workers we interviewed—some eventually escaped the jobs with erratic schedules. Damon, a black man, worked at a call center through a temp agency and had no job-related benefits. In the interview, he described that full employment could only be gained at the call center if the employee worked through the temp agency for one year. Damon mentioned that during that time, he was only able to survive because he was "superflexible" while others had to quit. He pushed through with the support of his wife so that later on, he could have a more stable job.

Many workers find unpredictable scheduling practices impossible to manage. However, quitting may not be an option for a number of reasons, including the negative impact on chances of receiving unemployment and future job opportunities. In some instances, workers find themselves in a difficult position in which they asked to be "force fired." Meredith (previously discussed), who worked at a dispensary, demanded that her boss fire her so that she could claim unemployment insurance. At first, they resisted but eventually fired her when she called him sexist. But quitting is a highly risky strategy, since there is no guarantee that they can claim unemployment benefits after "voluntarily" leaving a job.

Direct Opposition

In addition to acquiescence, self-advocacy, and quitting, the workers we interviewed also resisted the employer's practices, sometimes implicitly, sometimes overtly, though direct opposition seemed to be rare. In our case, we found the most clear examples came from a particularly precarious population: Latinx immigrant workers, some of them undocumented, most of them lacking any knowledge of English. As we will

discuss below, in seeking to explain how these particularly precarious workers provided the most obvious cases of direct opposition, we looked to their common employment in an industrial bakery where a unionization attempt had taken place. In line with Gleeson's (2009) claims, we found access to knowledge of workplace rights, legal counsel, and other organizational resources have an impact on migrant workers' ability to take more formal steps to oppose what they understand as workplace violations. We found, further, that direct opposition does not happen in isolation from other forms of response. Although these workers oppose, they also acquiesce at times, they engage in self-advocacy, and they also quit.

Irene is a clear example of how workers engage multiple means in response to their employers' unpredictable scheduling practices. Having immigrated to the United States from Cuba three years ago, she lived in other states before arriving in Portland. When asked about her previous work experiences, she did not hesitate to say how exploited she felt wherever she went. She lives with her husband, daughter, and extended family in a house in a Portland suburb, as her nuclear family had to give up their own apartment because they could no longer afford the rent. Irene explained, soon after starting work at the bakery, she learned that the schedule posted every Friday meant little: her days off could change without notice, her shift could be prolonged from eight up to fifteen hours, and she would get phone calls at 2:00 a.m. to go into work early. What Irene experienced is not uncommon. As Halpin (2015) explains, the use of "mock calendars" allows management to conceal the more despotic elements of unpredictable scheduling by providing workers with the illusion of a schedule, while allowing management to navigate the variation of the market demands by cutting workers without notice, overscheduling them, redistributing shifts across employees, and withholding shift information. Unsure of how the workplace rules worked, she learned through her coworkers that it was best to do whatever the supervisor asked to avoid losing hours, or, worse, a job. However, after a while, Irene found it impossible to meet all her employer's demands. She explained that after a few instances of being called late at night to come in immediately, she decided to turn off her cellphone at night: "They treat me like a dog every day at work, I'm not going to go in the middle of the night of my day off also to be treated like that." Turning off her cellphone was how Irene individually opposed the employer's demand of absolute availability.

In the same workplace, Mari, born in Mexico, was having trouble getting the employer to respect that she was not available on Sundays because of her religious commitments. Although she had included this information in her application and the employer had agreed to it, Mari soon realized that this initial agreement was not being respected:

> So they started scheduling me for Sundays and I told them "I'm not coming on Sundays" so they started to punish me. They would only give me two or three days of work. So I went and told them "why are you only giving me three days when you know I have no kids, nothing, and I can work much more?" If I'm willing to work 40 hours from Monday to Saturday? Just not Sundays, and they said they would take care of it but never did.

Mari decided not to show up, call, or do anything:

> The first Sunday I didn't go they gave me a warning, and I said, "It's the same to me if they fire me or not, because they treat people really badly here." I told them I wasn't going to come and they kept scheduling me so at some point I wasn't even telling them anything, just not showing up.

She kept being scheduled for very few hours a week and was looking for another job, until production needs forced the employer to give her more hours. However, when the employer continued to disregard their agreement, Mari decided not to comply. This had serious consequences for her economic situation, and it was only because she had no direct dependents and her husband was currently employed that she was able to continue her act of direct opposition. Furthermore, access to legal advice through the union organizers gave Mari tools to explore other channels to force the company to comply with the arrangement they had agreed to. Mari decided to hire a lawyer and follow their professional advice regarding how to get Sundays off for religious reasons.

At this bakery, we also found collective forms of direct opposition. Mari explained how when she was forced to stay overtime, she and two other coworkers would sneak out when no one was watching:

> They would say "you need to stay and work until the dough is finished" . . . and I would say "ok," but as soon as they left I would leave . . . because they wouldn't let us go! We would sneak out, there were three of us that would sneak out when there was no one there . . . it wasn't our fault, we had already finished our schedule.

In order to leave, they would coordinate with other workers in the line and make sure to leave as soon as they had a chance. However, her actions resulted in her hours being cut, which she understood as punishment for leaving. In general, workers are at risk of facing retaliation when taking active forms of direct opposition. Nonetheless, it is important to note how, in the aforementioned case, the worker was able to engage in this form of resistance because of the resources provided by the union, and also because she had no dependents and, thus, fewer financial pressures.

In two other instances, workers who had been involved with union drives in other workplaces narrated examples of individual and collective direct opposition. Cathy, a white woman, was a cashier at a major grocery store. Her children are older, and she is not married. Like Mari, she asked for Sundays off when she transferred from Bend to Portland: "I let them know that I can work any time, any day, except for Sunday, because I like to go the church and that's my day. It's my day with my family." The boss confronted her: "He threw the form across the desk . . ." Cathy decided to file a grievance through the union, to make sure her religious rights are respected. Although, when we interviewed her, she continued to work on Sundays, per advice of the union, she was continuing the grievance process and expected it would force the company to respect the arrangement they made with her before transferring.

Meredith (discussed earlier) chose to organize a group text in her current job, where, in protest of schedules given to them by the manager, individuals collectively determined equitable and desirable schedules. Meredith explained that her major issue was that hours changed drastically from week to week, and that the schedule was not posted but communicated individually to workers via text. She believed this managerial strategy was meant to keep coworkers from communicating and coordinating, and that the group chat allowed them to regain control over their schedules. Management started to give them the schedules they requested, knowing they would trade them anyway through the group chat:

> All of us were working part-time jobs. And if everyone is working 20 hours or less a week, then you're really relying on those 20 hours. It can make a huge difference. So we would always communicate with each other, and let each other know what was going on.

Workers' narratives about direct opposition, both in the case of the bakery and in the other examples, show how there are instances in which employees are able to overtly defy the workplace arrangements imposed by management. These attempts are not always successful, and they usually require resources not always available to precarious workers. The role of experience in organized labor or contact with union organizers cannot be overlooked, as it remained a common thread in all the cases of direct opposition in our sample. Furthermore, different elements of their social position, such as having no dependents and having a partner who can provide temporary economic support, also allowed some workers to engage in a strategy that might not have immediate positive results and carried the risk of retaliation or termination by the employer.

Although not all of the workers who gave examples of direct opposition were unionized or part of a drive to unionize, most were. Resources unions bring seem to play a significant role in providing these workers with a context in which they feel empowered to fight back against their working conditions in ways that seem rare in our overall sample. The union appeared as an outside institution that could provide them with resources and knowledge about their rights, access to lawyers and translators, and a common reading on how bad their working conditions were. The union modeled possibilities for change. Direct opposition took not only a collective form, when the unionization attempt was taking place, but individual forms probably fostered by that collective experience.

Conclusion

Survey and in-depth interviews conducted in the greater metropolitan Portland area in 2016 (Scott, King, and Reddy 2017) echoed the findings from other studies (Golden and Kim 2017; Henly and Lambert 2014; Kelly, Moen, and Tranby 2011): a high prevalence of workers across occupational sectors, both full time and part time, are subjected to unpredictable scheduling practices that have negative consequences for their financial stability and family life. Workers have historically faced precarity in the workplace. However, the weakening of labor protections and contemporary use of

just-in-time, erratic, and unpredictable scheduling (partially due to new technology and forms of communication), force workers to make "impossible choices" in order to keep their jobs. While previous literature has explored the work done to "manage employment" (Halpin and Smith 2017) or the ways in which workers navigate "bad jobs" (Sallaz 2017), few studies have attended to the focus of this paper: workers' day-to-day responses to contemporary scheduling practices. Using the data from the in-depth, semistructured interviews with twenty-seven respondents, here, we analyze their responses to unfair scheduling practices. While workers want to keep their jobs, and even maintain positive relationships with management, they also seek more tenable work arrangements, stable hours, and greater income.

We focus on four types of responses to these conditions, which emerged inductively in our process of data analysis: self-advocacy, acquiescence, quitting, and direct opposition. We found that employees' responses are neither linear nor mutually exclusive; they often overlap and, at times, contradict one another. For example, workers may acquiesce to manage the emotional impacts of dependence on erratic schedules, while they also, at times, choose to negotiate with or directly oppose employer demands. Workers deploy their responses in both witting and unwitting ways, and as a result, sometimes, their attempts to navigate challenging work arrangements might be considered strategic and calculated. No matter the actions taken, workers often face difficult circumstances when they seek to alter their work conditions: they can experience employer retaliation, lack of knowledge of their legal options, be economically vulnerable, or have difficulty managing work-life balance with untenable work arrangements, and, sometimes, they feel forced to quit their jobs.

Our data suggest, further, that worker responses do not develop in a vacuum. Rather, they are shaped by the circumstances and constraints of workers' social location: having social support, their financial situation, whether they have dependents, experiences of discrimination in the labor market, and the likelihood of finding other employment. In this regard, our findings echo those of Sallaz (2017). Importantly, workers who were exposed to or involved with formal labor organizing efforts were often able to mobilize the resources provided by those experiences (knowledge of workplace rights, support from union organizers, etc.). Even in the case of the worksite where the unionization attempt failed, our findings suggest that the organizing process itself impacted workers' responses. These findings extend Gleeson's (2009, 2010) emphasis on the importance of access to legal counsel to mobilize workers to make formal claims, and echo Paret and Gleeson's (2016) analysis of how structural locations, institutional context, and subjective understandings of agency impact workers' strategies regarding workplace violations.

Furthermore, they were often burdened by the impossibility of a genuinely positive outcome for the worker. Their "impossible choices" were made in the context of substantial constraints and possible negative consequences. Hence, while acknowledging the importance of worker agency, it is hard to be optimistic about the results of their acquiescence, self-advocacy, quitting, and even, sometimes, their direct opposition in the current economic circumstances. When advocating for themselves, workers risked what they thought was retaliation for their audacity in speaking out on their own behalf

(the employers *always* hold the power, and no worker is deluded otherwise). And despite their attempts to advocate for themselves, they often were forced to comply lest they lose their jobs. Therefore, too often, they acquiesce, they "shut up and put up," and tolerate bodily compromise, such as exhaustion, working while sick, struggling with injuries that go untreated; they juggle bills and struggle to make ends meet because of their inadequate pay and hours; and they sacrifice their children and other family members, unable to attend events, stay home to care for them when they are ill, or simply have the time to be there for them. In acquiescing, they make the impossible choice between a bad job, but still a job, and health and well-being. When it is too much, sometimes, they quit, but in so doing, again face perhaps the ultimate impossible choice, the loss of income, the loss of a good employment reference, and the risk of future employment that could be even worse than their current circumstance. The uncertainty and desperate hope for something better are excruciating, and the choice may cost them severely. Even in directly opposing the employment practices, workers make impossible choices: in not complying, they risk potential retaliation or termination. There were few obvious, good choices, even for workers who appeared to be exercising the most agency by either negotiating with, or opposing, their employers.

It is important to note that although workers persistently respond in a variety of ways to employer practices, and thereby sometimes achieve an arrangement that allows them to keep performing their jobs, these "wins" are typically temporary and contingent. For the most part, worker responses do not result in enduring or more general changes in employer practices when scheduling. The limited effectiveness of employee responses to unpredictable scheduling practices reveals the extraordinary constraints many low-wage workers face, and the impossibility of the few choices available to them. Indeed, they still lack a long-term solution.

This research on unpredictable scheduling practices was foundational to advocacy efforts to begin to address just-in-time scheduling practices. In July 2017, Oregon became the first state to pass legislation regulating the scheduling practices of large employers (more than 500 employees) in retail, hospitality, and food services. The law, which went into effect in July 2018, mandates that employers give employees their schedules in writing one week in advance and that they provide a minimum of ten hours between shifts or pay them extra. In 2020, the advance notice will be two weeks. These are small initial steps. Although exhibiting just a first step toward fairer scheduling practices, Oregon is now a model that will be watched throughout the nation by cities and states considering their own scheduling policies. It will be critical to observe the effects, if any, of such first steps toward reestablishing modest worker rights in this era of global, neoliberal employment policies and free-market radicalism. A reassertion of worker rights and regulating employer practices is critical at this historical moment, even if the gains for workers are slow and small. It will also be critical to assess aspects of the legislation that may be problematic (who is covered, what workers are left out, what does it mean to allow employers to ask for volunteers for just-in-time scheduling, as the Oregon legislation does, for example). We do not yet know what the outcomes will be from these new attempts to limit unfair scheduling practices, but despite the potential problems in these early legislative attempts, we still applaud any attempt to establish greater protections for workers in precarious employment circumstances.

We conclude by reflecting on a few limitations of our study. Given the small sample size in the qualitative component of this study and the fact that these findings emerged inductively from our analysis of the interviews, it is not within the scope of this research to present the relative frequency of strategies taken. At the start of this research, we did not intend to explore employee responses, and cannot suggest the predominance of one strategy over the other, or any systematic correlation between particular employer behaviors or practices and employee actions. Furthermore, for the same reason, we cannot directly connect identity positions of either employees or employers with actions taken, or particular employer practices with employee responses. The mechanism for those relationships cannot be determined by these data. Given it is highly probable that there are important connections here, these relationships would be an important focus for future research. Future research might also include the use of survey data to examine the scope and frequency of workers' deployment of strategies to navigate precarious work arrangements. Theoretical sampling with a more robust sample size would allow future research to systematically analyze the relationship between workers' social location and the strategies they use in response to workplace conditions. Additional research should also explore the role of organized labor and unionization efforts in workers' individual and collective responses. Finally, we have the opportunity in Oregon, and in other locations when legislation is passed, to examine comparatively and longitudinally the effects of regulatory mechanisms for transforming and improving workplace conditions.

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Note

1. And, still, the emergence of the standard employment relation, which aimed at providing workers' long-term contracts and stable wages brought about through greater regulation and protection in the pre-New Deal era, systematically excluded sectors of the working class (Armano et al. 2017; Arnold and Bongiovi 2013; Bonacich et al. 2008; Mezzadra 2011).

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