



Predictability Pay Structure

| Amount of, Notice of Schedule Change | Length of Shift Affected | Hours of Predictability Pay (at Employee's Regular Rate of Pay) |
|--|---|---|
| Less than 14 days and more than 24 hours | Any | One hour |
| Less than 24 hours | Change is a reduction or cancelation of hours | Lesser of: the number of hours of the scheduled shift; OR four hours |
| Less than 24 hours | All other changes | One hour |

When Predictability Pay **is** Due

- When schedule is changed less than 14 days before shift begins.
- When schedule is changed less than 24 hours before shift begins.
- When there is are fluctuating and/or intermittent needs (examples include but are not limited to: delivery, installation, instruction, service cancellations)
- Unscheduled overtime (in addition to payment at overtime rates)
- When an Employer requires an Employee to leave work early, where the Employee receives regular compensation for the entire scheduled shift.
- When an Employer finds another Employee to cover the shift of the above Employee's shift.
- When an Employer requires an Employee to leave work early due to disciplinary actions, and documents the incident that led to the disciplinary actions.

When Predictability Pay **is NOT** Due

- Civil threats, utility failures, acts of nature, or other courses out of employer's control.
- Employee voluntarily-initiated shift modifications, such as voluntary requests to leave a scheduled shift prior to the end of the shift.
- Grace Periods for additions and subtractions of 10 minutes or less before and after shift starts and ends.
- When an Employee works past scheduled shift end to complete a transaction that results in a transaction, commission, and/or tip.
- When an Employee perform additional work, where the Employee's acceptance of the work was more than 14 days in advance of the shift.
- When there are mutually agreed upon shift swaps between employees.
- When a payment of overtime exceeds overtime predictability pay that would be due.