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**TESTIMONY OF
NATIONAL FEDERATION OF INDEPENDENT BUSINESS (NFIB)
OPPOSING
HB-6859, AAC PREDICTABLE SCHEDULING
BEFORE THE
LABOR & PUBLIC EMPLOYEES COMMITTEE
MARCH 9, 2023**

NFIB is the leading small business association in the nation with thousands of members in Connecticut representing a cross-section of the state's economy. For more than 75 years, NFIB has been advocating on behalf of America's small and independent business owners, both in Washington, D.C., and in all 50 state capitals. NFIB is nonprofit, nonpartisan, and member-driven. Since our founding in 1943, NFIB has been exclusively dedicated to small and independent businesses and remains so today. On behalf of those small- and independent- job-providers here in Connecticut, NFIB offers the following comments:

NFIB opposes HB-6859 as currently drafted. NFIB is very concerned that this proposal would be unworkable and impractical for certain small and mid-sized independently owned businesses who could be impacted by the bill and treated the same as much larger business entities simply because of an owner's choice of participating in a particular franchise arrangement or business model. These impacted small and independently-owned franchised businesses could be required to predetermine, publish, and stick to employee schedules in advance, subject to penalty and payments. Unnecessarily mandating adherence to strict scheduling practices for certain employers, particularly those who have recently been hard-hit by the pandemic in the retail, restaurant, and hospitality industries, among others, is neither necessary nor a feasible approach for such impacted independent business operations.

Scheduling issues are currently worked out in thousands of small and mid-sized businesses in the state every day without state government intervention. In addition, various longstanding federal and state labor laws already adequately govern workplace staffing and scheduling matters. Beyond the impracticality of this legislation on operations, independent business owners are also concerned about the potential for excessive enforcement and private civil actions for alleged violations. It is important for lawmakers to keep in mind that for small and mid-sized businesses, where staffing needs sometimes depends on varying customer demand or other factors outside of the businesses' control, this proposal could have the effect of taking away autonomy and flexibility to staff and schedule as appropriate to meet fluctuating (or even certain emergency/unanticipated) staffing needs. Therefore, NFIB urges lawmakers to take no action on HB-6859.

Thank you for the opportunity to comment and for your consideration of NFIB's concerns on behalf of small business. For any questions or additional information, please contact Andy Markowski, NFIB's State Director in Connecticut, at 860-248-NFIB.