



## **City of Berkeley Family Friendly and Environment Friendly Workplace Ordinance (BFFEFWO) FAQ**

(Updated September 20, 2017)

**1) Q: Where can I find information on the Berkeley Family Friendly and Environment Friendly Workplace Ordinance?**

**A:** Information related to the Berkeley Family Friendly and Environment Friendly Workplace Ordinance (BFFEFWO), along with other labor standards, are posted on the City of Berkeley website [www.cityofberkeley.info/Labor](http://www.cityofberkeley.info/Labor). You can also call 981-CITY/2489 or 3-1-1 from a landline in Berkeley to receive information about the BFFEFWO.

**2) Q: When did the BFFEFWO take effect?**

**A:** The BFFEFWO went into effect on March 16, 2017. The ordinance requires that Employers provide, upon request by their employees, a Predictable or Flexible Work Schedule.

**3) Q: Does the BFFEFWO apply to all Employers that have Employees who perform work in Berkeley?**

**A:** No. The ordinance requires that employers with 10 or more Employees follow the BFFEFWO regulations.

**4) Q: Are all Employees that work for an Employer with 10 or more employees entitled to request a Predictable or Flexible Work Schedule?**

**A:** No. An Employee must be employed with an Employer for at least three months and must work at least eight hours per week on a regular basis to be eligible to request a Flexible or Predictable Work Schedule.

**5) Q: Does the Employer have to grant all request for a Predictable or Flexible Work schedule?**

- A:** No. An Employer may grant or deny a request for Flexible or Predictable Work Schedule. An Employer who grants the request shall confirm the arrangement in writing to the Employee. An Employer who denies a request must explain the denial in a written response that sets out a business reason for the denial.
- 6) Q: Can the Employer revoke or modify a granted request for a Predictable or Flexible Work Schedule?**
- A:** Yes. Upon reasonable notice to the Employee, an Employer may revoke or modify a Flexible or Predictable Working Schedule for business reasons. Within 21 days of modifying or canceling the Flexible or Predictable Work Schedule, the Employer must provide a Schedule and must provide in writing to the Employee a business reason for the revocation or modification of the Flexible or Predictable Working Schedule.
- 7) Q: What can I do if my Employer retaliates against me because I question him/her about not being provided a Flexible or Predictable Working Schedule?**
- A:** Under the ordinance, it is unlawful for the employer to retaliate against any employee who asserts their right to request a Predictable or Flexible Work Schedule. An employee or another person may report to the Health, Housing & Community Services Department in writing any suspected violation of labor standards, including any acts of retaliation.

Please email further questions to [Rules4Work@cityofberkeley.info](mailto:Rules4Work@cityofberkeley.info)

Or call

Health, Housing & Community Services Department

(510) 981-CITY/2489 or 311 from a landline in Berkeley

[www.cityofberkeley.info/Labor](http://www.cityofberkeley.info/Labor)

*This fact sheet is intended as general information only and does not carry the force of legal opinion. This information is provided as a public service.*