

Amendment to HB 487

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT relative to providing hospitality industry employees with advance notice of the work
4 schedule.
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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 Findings. The general court finds that transparency and advance notice of work schedules for
9 hospitality industry workers, particularly those with either child care or caregiving responsibilities,
10 is critically important to managing child care and caregiving schedules and to minimizing working
11 family costs, including mandatory child care cancellation costs as well as medical and in-home
12 appointment costs. The general court further finds that such notice enhances the ability of
13 employees to pick up shifts or other work when they are not scheduled in order to maximize the
14 value of their time.

15 2 New Section; Labor; Advance Notice of Work Schedule. Amend RSA 275 by inserting after
16 section 30-a the following new section:

17 275:30-b Advance Notice of Work Schedule.

18 I. All hospitality industry employers, including hotels, motels, restaurants, cafes, coffee
19 shops, bars, pubs, casinos, and events spaces, shall provide hourly paid employees notice of the
20 employee's starting hour work schedule at least 7 days in advance of any scheduled shift. The end
21 time of any shift may be included in posted schedules, but the hospitality industry employer is not
22 required to post the end time of each shift 7 days in advance.

23 II. The requirements of this section shall not apply when regular operations of the employer
24 are suspended due to circumstances beyond the employer's control, such as extreme weather or acts
25 of God. If a work schedule changes due to unforeseen circumstances, the employer shall provide
26 notice to the employee as soon as possible, but hospitality industry employees may not be terminated
27 for failure to work a shift if the shift was not scheduled at least 7 days in advance.

28 III. No employer shall retaliate against any employee because the employee has exercised,
29 or may exercise, his or her rights under this section.

30 IV. The requirements of this section may be waived by the parties to a valid collective
31 bargaining agreement.

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1 V. This section shall not apply to employers with fewer than 15 employees or to health care
2 facilities.

3 VI. In this section:

4 (a) "Notice" means either posting the work schedule in a conspicuous place accessible to
5 all employees or providing an employee's work schedule in-hand, by electronic mail, or via an
6 application software program.

7 (b) "Work schedule" means the staffing plan by the employer defining the days and
8 hours to be worked by the employee.

9 3 Applicability. This act shall not apply to employees and employers subject to a valid collective
10 bargaining agreement on the effective date of this act. Any collective bargaining agreement entered
11 into on or after the effective date of this section may waive the requirements of RSA 275:30-b.

12 4 Effective Date. This act shall take effect 60 days after its passage.

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AMENDED ANALYSIS

This bill directs hospitality industry employers to provide hourly employees with advance notice of the work schedule.