

TIME IS MONEY

THE
RIGHT
to FULL-
TIME
WORK

ADELLE
WALDMAN



MATT
BRUENIG

A woman with short blonde hair and glasses, wearing a white button-down shirt, is pointing her right hand towards a clock on a wall. The clock is a square, dark-colored clock with a white face and black numbers. The background is a blurred office or meeting room with other people and a window with blinds.

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People's Policy Project is a think tank founded in 2017. The primary mission of 3P is to publish ideas and analysis that assist in the development of an economic system that serves the many, not the few.

Two numbers determine what a worker earns:



their hourly pay



and the number of
hours they work.

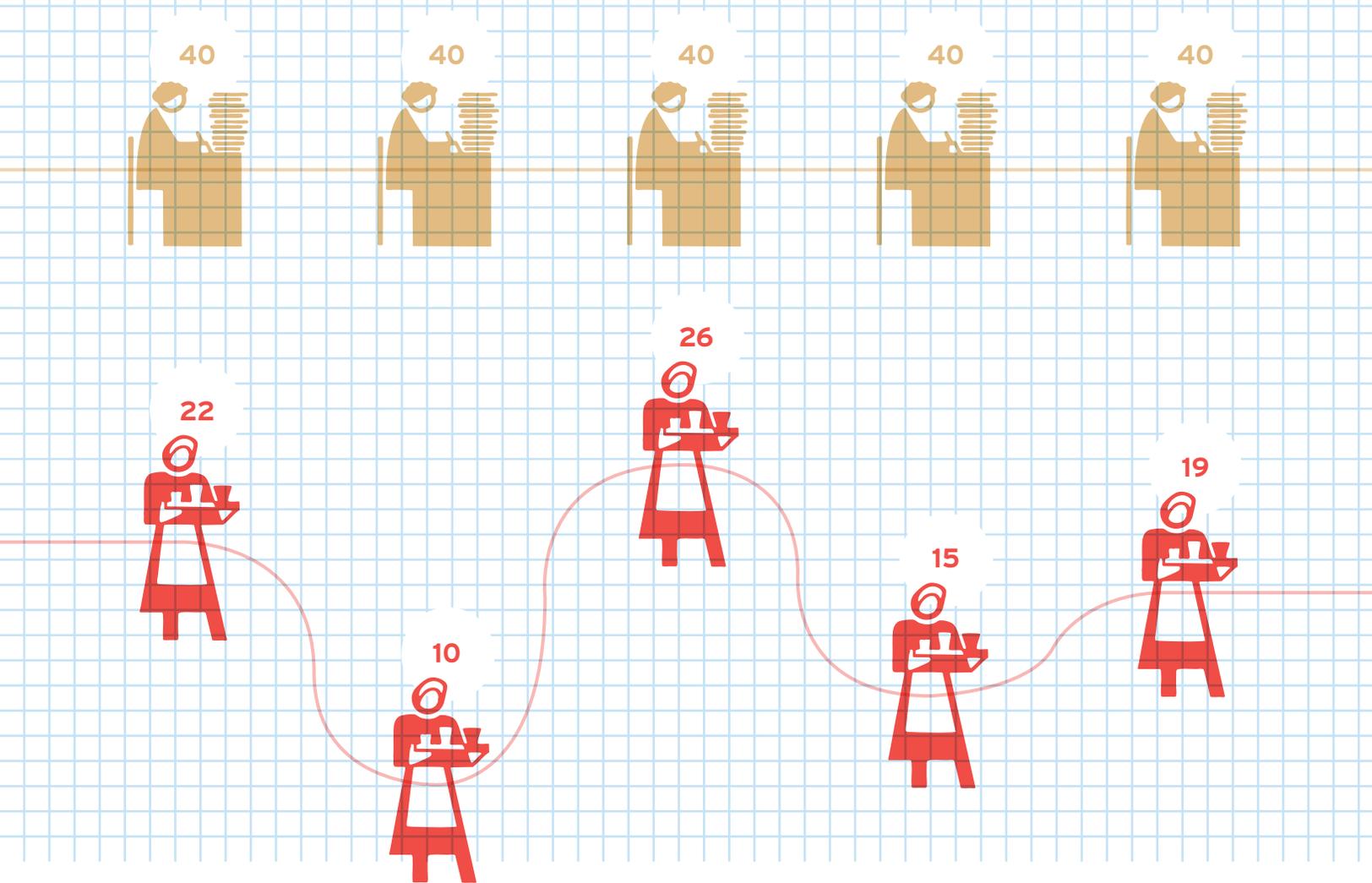
Campaigns for a livable wage, such as the Fight for \$15, have tended to focus on the **first number**. The **second number**—hours worked—has largely been ignored and is often assumed to be fixed at 40 hours a week for most workers.

But for low-wage workers, the assumption of full-time hours as the norm is dated at best. Activists' and policymakers' indifference to hours has been a gift to large, low-wage employers, many of whom have, in the past several decades, quietly shifted their workforces from primarily full-time to primarily part-time.

For employers, a part-time labor force has yielded significant cost-savings; for workers, it has been catastrophic. But this shift is little understood outside the low-wage workforce. For white-collar workers, part-time work often involves an employee *choosing* to work fewer than full-time hours, perhaps because they have other responsibilities, such as childcare or school. In such a scenario, the employer and employee are presumed to agree on a mutually acceptable schedule.



But in certain low-wage industries, part-time work is rarely a choice. It is often the only option available to workers in the retail, hospitality and food-service sectors, which collectively employ [twenty percent](#) of American workers. Moreover, low-wage, part-time workers frequently have little say in scheduling. They are subject to [erratic schedules](#) in which the days, the times, and the number of hours they work are [highly variable](#), determined solely by the employer's ever-changing needs. A part-timer may be scheduled for 36 hours one week and 18, or 12, or 4 the next.



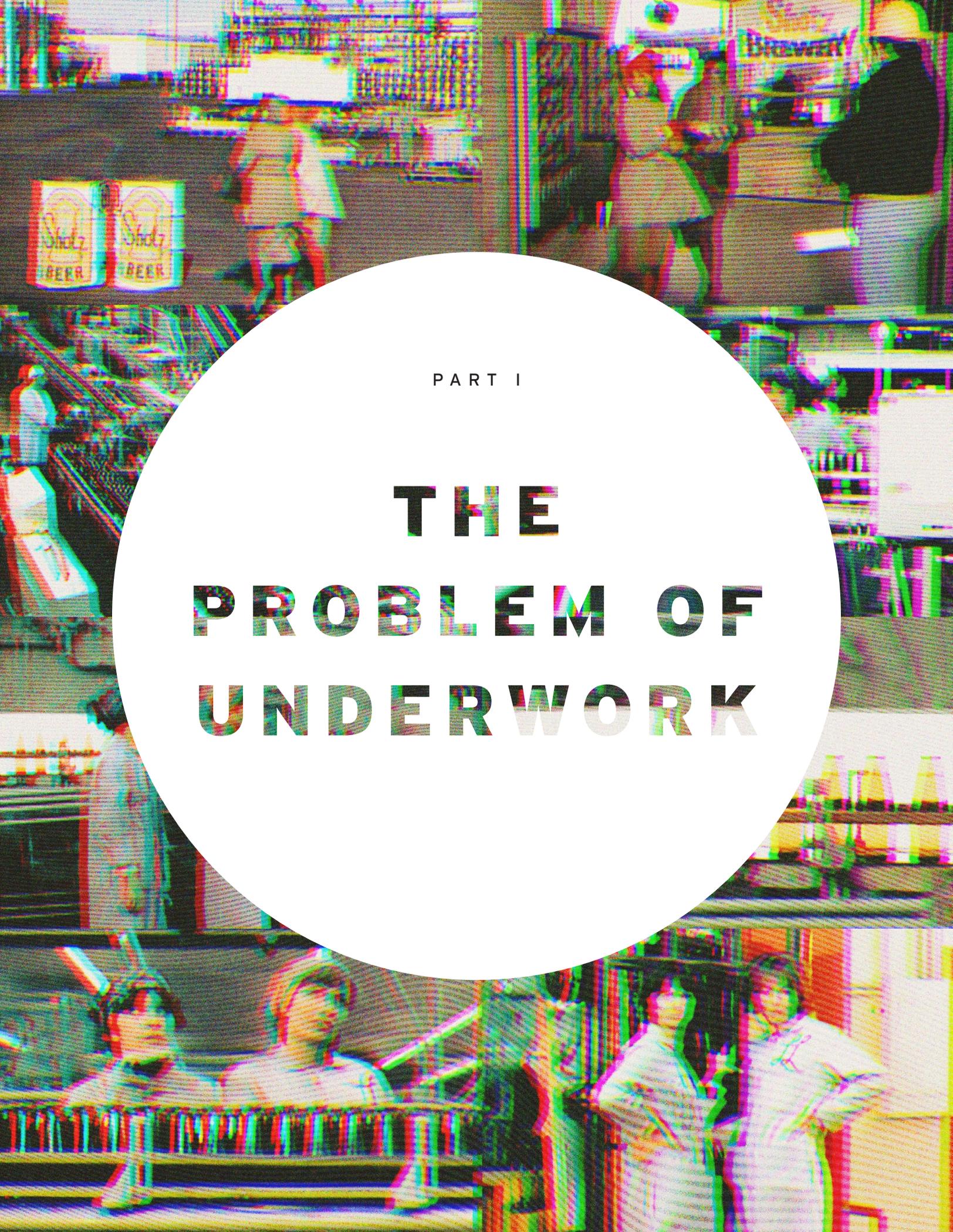
For millions of workers stuck in these types of part-time jobs, **hours** are a bigger issue than the minimum wage. If an employee needs to work at least 30 hours a week to cover their basic expenses but is scheduled some weeks for only 10 hours, then even a fairly significant bump in hourly pay, a raise of \$1 or \$2 or \$3—from, say, \$12 an hour to \$15 an hour—will have a limited impact.

Workers in this situation lose more than the income full-time employment brings—they also lose the stability that comes from working a set number of hours, that is, from knowing how much they will make in a given week or month, or whether they will be

able to cover their bills. Without this security, it is impossible to plan ahead or invest in the future. Approval for a lease or auto loan is unlikely when a worker’s paycheck fluctuates.

Ironically, this type of part-time scheduling also makes it harder, not easier, to work a second job. Employers typically advise employees to keep their availability open if they want more hours—to be, in other words, permanently on call.

As of July 2025, 27.5 million Americans [work](#) predominantly part-time jobs. In this context, increasing the minimum wage without also addressing the issue of hours is insufficient to ensure a living wage.



PART I

THE PROBLEM OF UNDERWORK



THE 40-HOUR WORK WEEK WAS not standard in the United States until the New Deal. The 1938 Fair Labor Standards Act (FLSA) banned many forms of child labor, established the federal minimum wage, and guaranteed overtime pay—time-and-a-half—to most nonmanagerial and non-professional employees who worked more than 40 hours in a single week. The 40-hour ceiling was meant to prevent employers from demanding long work hours without extra pay, something that had been commonplace before the passage of the FLSA. In 1905, the U.S. Supreme Court in *Lochner v. New York* struck down a New York law that banned bakers from having to work more than ten



hours a day, six days a week, on the grounds that such laws interfered with the freedom of employers and employees to enter into private contracts. After *Lochner*, employers could make employees work as many hours as they wanted. If employers couldn't find adults who were willing to work on their terms, they often turned to more pliable workers, i.e., children.

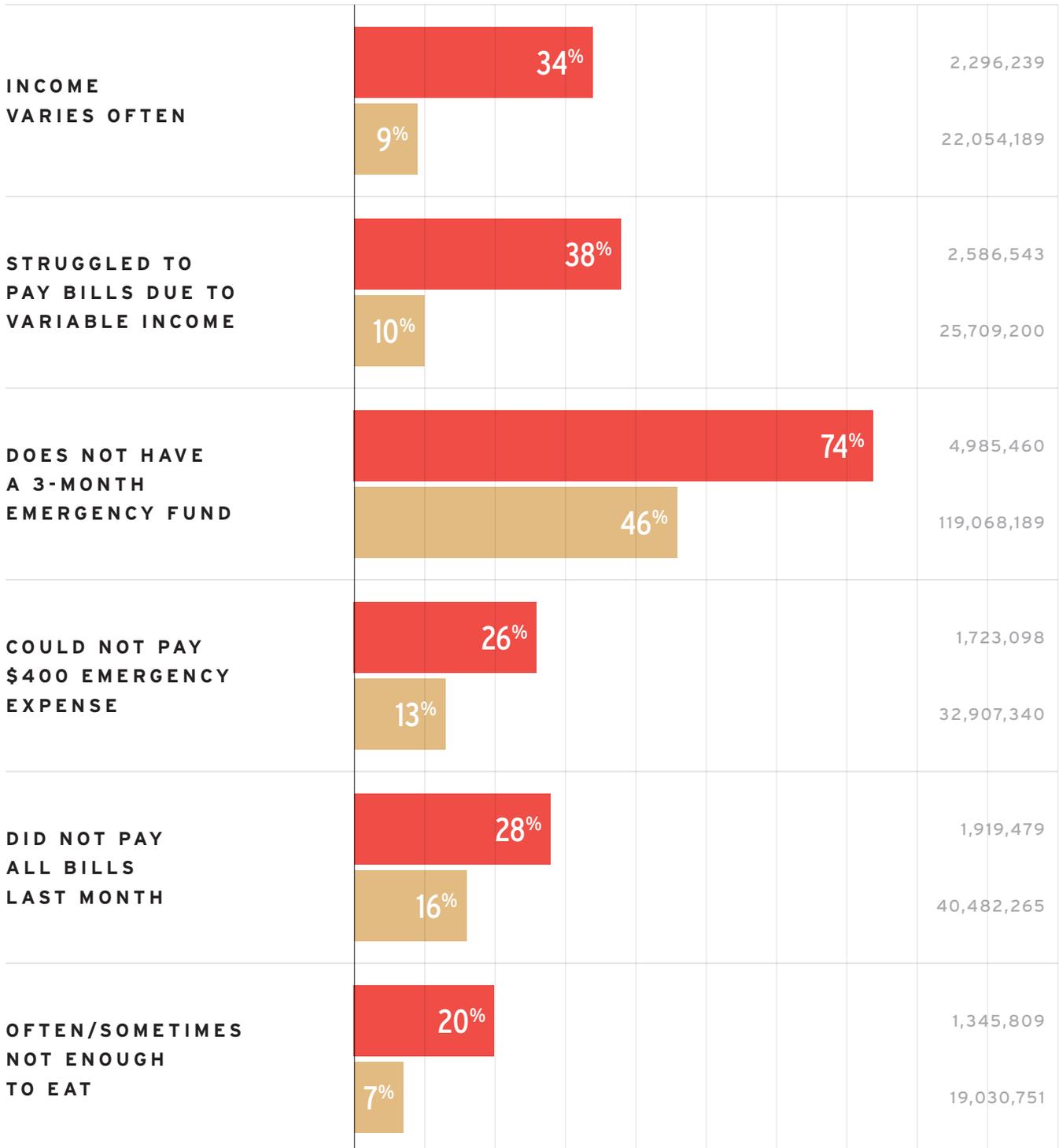
The FLSA proved to be extremely effective at stamping out both child labor and overwork. It also took cultural root in a way few laws do, altering our shared sense of what the typical American life is like. The idea of work as taking place Monday through Friday, nine to five—entrenched in movies, television shows, and songs—derives from the FLSA.



Adults working part-time for economic reasons are much more likely to face economic hardship

- ADULTS WORKING PT FOR ECONOMIC REASONS (6,742,099)
- ALL ADULTS (257,870,636)

SOURCE



UNDERWORKED AND UNDERPAID

WHAT THE FLSA'S AUTHORS didn't envision at the time was that *underwork* might become as significant as overwork had once been. The law's success has compounded the problem: Because the FLSA has so deeply instilled the idea of the 40-hour work week into our national consciousness, we have come to take for granted that most employed people work 40 hours a week—or could if they wanted to.

Employers would like us to believe this. The National Retail Federation, the nation's largest retail trade organization, for example, [claims](#) that sector employees “need flexibility,” as many are “students pursuing a degree, working parents and teenagers,” for whom part-time work is “essential.” Given that the chain retailers who dominate NRF are not widely known for their concern for their employees' welfare, such sensitivity may seem to indicate that the market is working well. To attract and retain employees, the logic goes, low-wage employers must offer the flexible, part-time jobs their employees want.

In reality, the opposite is true. The move toward part-time work in low-wage sectors reflects employers' desires, not those of workers. This was made explicit in 2005, when *The New York Times* [obtained](#) a memo written by Walmart's then executive vice president for benefits, M. Susan Chambers, who was working with the consulting firm McKinsey & Company. At the time, 80 percent of Walmart associates were full-time. In the memo, Chambers proposed “increas-

ing the percentage of part-time Associates in stores,” which she said was a “major cost-savings opportunity.”

The leaked memo created a media firestorm. That didn't stop Walmart from taking Chambers' advice. The following year, Walmart's [reported](#) goal was to double the percentage of its workers who were part-time, to 40 percent. Walmart denied this at the time, but in the decade and a half since, it has exceeded that goal. Now, about half of Walmart's 1.6 million employees are part-time, according to various [reports](#). (The company, the nation's largest private employer, has chosen not to disclose the percentage.)

The advantages of hiring part-time workers aren't as immediately apparent as keeping wages low. After all, a company needs a certain number of worker hours to operate and must pay at least the minimum wage. Why does it matter whether those hours are worked by ten part-timers rather than five full-timers?



It matters a great deal, for three reasons. ►

The first and most straightforward is benefit costs. More part-timers means less money spent on benefits. Even employers that offer benefits to all employees, both full- and part-time, require employees to work a certain number of hours per week for a pre-set period of time to be eligible. For full-time workers, this is not a major issue, since they will by default work enough hours to qualify. For part-time workers, the situation is very different. Employers who want to cut benefit costs can reduce the number of eligible part-time workers by cutting individual worker hours and hiring more part-timers, ensuring that fewer employees will work enough hours to qualify for benefits.

Consider Starbucks, a company that makes a point of reminding the media and lawmakers of the generous benefits it offers its lowest-level employees, both full- and part-time. What the company doesn't advertise is how many of its employees don't work enough hours to qualify. SEC [disclosures](#) show that the median Starbucks worker made just \$14,674 last year. For baristas, who earn a \$15 minimum wage, this amounts to about 19 hours a week, just shy of the 20 hours a week that the company requires to be eligible for those benefits.



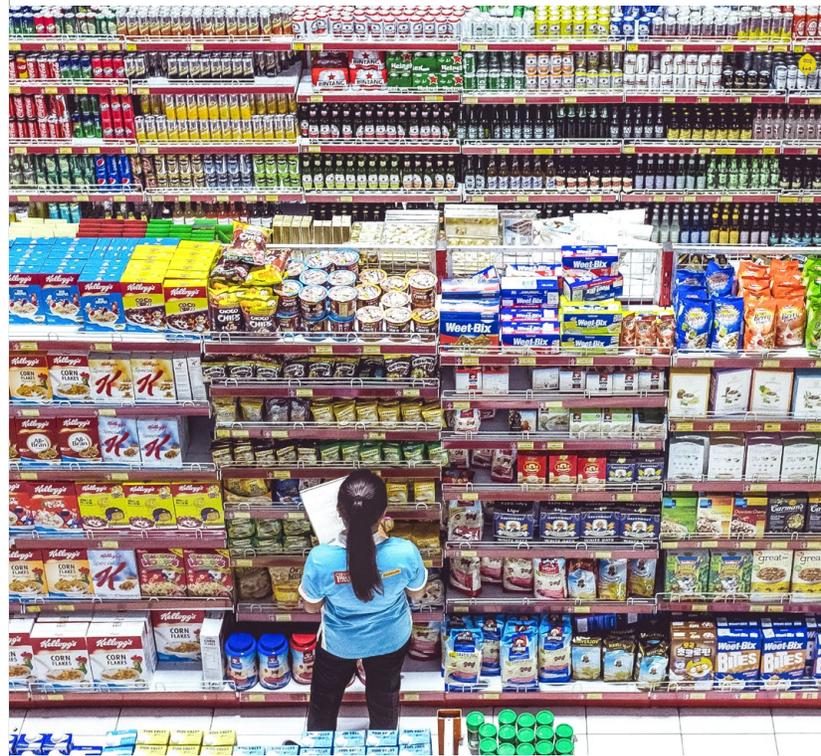
The second factor driving the shift toward part-time employment may be even more significant: the rise of “just-in-time” scheduling. In the last 10 or 20 years, technology has enabled employers to become adept at tracking their customer flow and anticipating their needs at any given moment. Freed from the obligation to utilize almost all employees for 40 hours a week, employers can schedule only as many workers as they expect to need on a given day. When business is projected to boom or when there is some sort of overt need—inventories week, store cleanup—employers can assign part-timers more hours; when it’s expected to be slow, they can cut hours and dramatically reduce their overhead.

From an employers’ perspective, there is no downside: if business turns out to be brisker than they expected, they have a reserve pool of part-time workers who they can call in at the last minute. Instead of being on the hook to pay the majority of their employees for 40 hours, week in and week out, regardless of their needs, employers can now reduce labor costs by paying only for precisely the number of labor hours they need.

This may well sound like an increase in efficiency. After all, why should companies pay for more worker hours than they expect to need? Of course, child labor, 80-hour work weeks and workplaces set up without regard for worker safety were once considered efficient too: they also allowed employers to operate more profitably, with lower labor costs. Labor law exists to balance such efficiencies with other values.

A system that relies on just-in-time scheduling is not a real efficiency. It doesn’t boost output per labor hour, that is, productivity. Rather it boosts profits through

a wealth transfer from workers to owners. Just-in-time scheduling shifts the downside risk of slack business conditions from shareholders—who are theoretically supposed to take on such risks in exchange for a share in profits when business is good—to low-paid workers, the people who are least able to bear the downside and who aren’t entitled to any upside when the business turns a profit.



This system isn’t accidentally exploitative; it is exploitative by design. It wouldn’t work otherwise. Just-in-time scheduling works only if companies maintain a large pool of excess labor supply, part-time workers whose dire need for more hours means that they will come in at the last minute as the need arises. This is impossible with a full-time work force. Not only are full-time workers not desperate enough to reliably come in at the last minute, additional shifts would put them over the 40-hour threshold for over-time pay.

The third advantage is employers' complete discretion over part-time workers' hours, which gives them an additional and potent lever of control over workers: they can use scheduling to punish workers who complain. Although this kind of retaliation is technically illegal, employers' unchecked control over hours makes it hard to prove intent.

Although companies routinely fail to disclose what percentage of their workers are part-time, we can see how thorough the shift has been at large chain employers because of an SEC rule that requires these companies to report the ratio between their CEO pay and that of their median worker. These disclosures also serve to illustrate these companies' reliance on part-time workers. At Target, for example, where pay starts at \$15 an hour, the

median employee makes, not \$31,200, the annualized full-time equivalent, but \$27,090, suggesting that at least half of its employees are part-time. And that number is the median. We have no way of knowing how much less than \$27,090, the bottom half of Target's 440,000 workers earns.

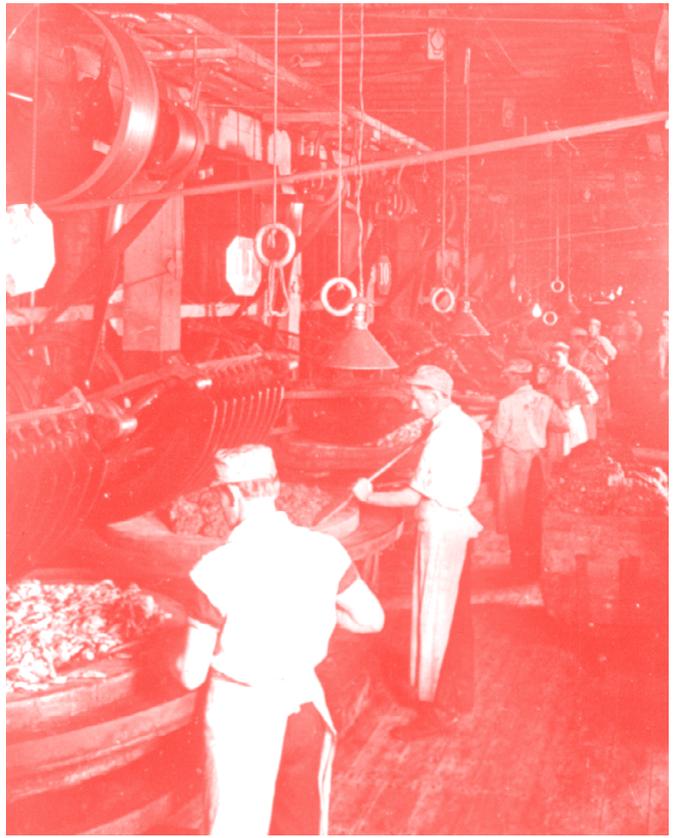
And Target is better than many other retailers. The median employee of TJX (owner of such stores as TJ Maxx, Marshalls and HomeGoods), for example, makes \$13,884 a year. The median Kohl's employee makes \$12,366. As with Starbucks, the reason these figures are so low is not the hourly wage.

Although policymakers have paid comparatively little attention to the issue of hours, the same cannot be said of workers themselves. The number one item on the platform of Target Workers Unite, for example, is not higher wages but rather more hours. The second item is stable schedules.

“Target workers can't live decent lives when we have no fixed schedules or no guaranteed hours while we are encouraged to have open availability and be on call for any open last-minute shifts,”

the platform reads. Meanwhile, a survey of more than 6,000 Walmart employees conducted by the Center for Popular Democracy found that 69 percent of part-time workers would like to be full-time.





Still, the assumption that anyone who chooses can work 40-hours a week is so entrenched that even some Bureau of Labor Statistics data is skewed by it. BLS calculates the annual earnings for various types of workers—including retail salespersons—by taking the hourly wage reported by participating employers and multiplying it by 2,080 (40 hours a week, multiplied by 52 weeks a year). When [BLS tells](#) us that the median retail salesperson made \$33,680 in 2023, the figure is more aspirational than accurate.

The Jungle, Upton Sinclair's muckraking 1906 novel, is known for its grisly details about Chicago's stockyards. But the book's hero was not broken by the low pay or miserable working conditions. What disillusioned him was having his hours cut without notice, saving his employer a few cents and costing him his ability to make payments on his house or buy food for his family. Millions of American workers find themselves in a similar position today.

The market will not solve this problem on its own, any more than it solved the problem of overwork or child labor before the passage of the FLSA. It is once again up to lawmakers to act.



EMPLOYERS ARE RESPONSIBLE for the task of organizing economic production, but they are not free to do so in any way they please. Instead, they must abide by rules that take into consideration the well-being of others and the healthy functioning of the overall society. It falls to the government to continually assess whether the existing rules are achieving the desired social results and, if not, to pass new laws aimed at fixing any problems that have been identified.

One of the main ways that the government does this is by regulating the relationship between employers and employees through the labor code. By enforcing this code, the government prevents employers from using labor models that rely on harmful practices, such as identity-based discrimination, very low wages, or unsafe workplaces. The government also requires employers to use labor models that can adhere to judicial

and government agency orders to reinstate workers who were illegally fired and that help achieve certain social goals, like accommodating disabled workers, providing leave for new parents, and, in some states, ensuring a certain amount of paid time off.

Beyond these specific legal rules, our overall “free labor” system effectively requires that employers be able to manage disruptive events like quitting, tardiness, and absenteeism.

The labor code is an effort to mitigate one of the fundamental tensions of our economic system: workers are an input to production but also human beings whom production is supposed to serve. If we allow employers to organize labor in ways that undermine workers’ ability to lead good lives, then our system of production becomes self-defeating. In striving to produce goods and services that promote human flourishing, we instead destroy it.

For the reasons discussed in Part One of this paper, we think that the labor code should be updated to tackle the problem of involuntary part-time work. Specifically,

we propose adding provisions to the labor code that give part-time workers who meet certain conditions the right to request full-time work and require employers to generally accommodate that request.



The purpose of these changes would not be to eliminate all part-time work. Certain workers, such as parents and students, prefer part-time schedules because they are more compatible with other aspects of their life. These changes would preserve these voluntary part-time arrangements while also making it easier for those stuck in part-time jobs to move into full-time positions.

Given that employers are already required to use labor models that adhere to a slew of specific requirements, it should not be too difficult for employers to comply with new scheduling rules. Requiring employers to do so by establishing a right of certain part-time workers to request and receive full-time

positions would no doubt be met with opposition from employer lobbies, just as every similar labor code requirement has been. But the history of labor and employment law reforms demonstrates that, despite what they sometimes say, employers are capable of updating their labor models to follow new rules. In fact, as discussed below,

employers are *already required* to accommodate requests for full-time work in certain circumstances.



CURRENT REQUIREMENTS TO PROVIDE FULL-TIME WORK

There are at least three existing provisions in the labor code that give workers the right to request full-time hours and require employers to generally grant those requests. ►



Family and Medical Leave Act

Under the [Family and Medical Leave Act \(FMLA\)](#), eligible employees that work for covered employers are entitled to unpaid job-protected leave for the birth of a child, for their or their family member's serious health condition, and for their or their family member's military service.

The military caregiver leave entitlement is 26 workweeks during a 12-month period. For the other types of FMLA leave, the entitlement is 12 workweeks. Workers can take the leave all at once or, in the case of military and sickness leave, take it intermittently throughout the year or in the form of a reduced schedule.

For example, if a full-time employee who typically works 40 hours per week qualifies for leave to take care of a sick family member, they could take 12 consecutive

weeks off work or have their hours reduced to 20 hours per week for 24 weeks or reduced to 10 hours per week for 48 weeks. As long as the leave-taker provides the required notice, the employer must accommodate their leave request.

The FMLA requires that, whenever a worker returns from leave, the employer must restore them to their prior or equivalent position. In the case of a worker who opts to take their leave in the form of a reduced schedule, this means that the employer must move them from part-time hours to full-time hours. This is described as a reversion to full-time work, but what it practically amounts to is a right of certain part-time employees to request full-time work and a corresponding employer obligation to accommodate that request.

2



Americans With Disabilities Act

The [Americans with Disabilities Act \(ADA\)](#) gives disabled employees who work for covered employers a right to request reasonable accommodations and requires employers to provide those accommodations unless doing so would cause an undue hardship. Reasonable accommodations can include things like making workplaces more accessible or restructuring jobs and allowing disabled employees to work a part-time schedule.

For example, if an employee who generally works an eight-hour shift develops a chronic illness requiring fatigue-inducing medication that makes it impossible for them to work for more than four hours at a time, their employer must accommodate their disability by switching them to a four-hour shift provided doing so would not be especially costly and disruptive to the business.

Whenever an employee no longer requires reasonable accommodation, their employer is [obligated](#) to restore them to their full duties or to an equivalent position. Where the reasonable accommodation took the form of part-time work, restoration would require a return to full-time work.

3

Workers' Compensation

The third existing provision is Workers' Compensation (WC) programs, which are state-run systems providing certain rights and benefits to workers who are injured on the job. The precise rules vary state to state, but in some states, WC programs require employers to reinstate injured employees to their former or equivalently suitable position at the employee's request.

For example, in Rhode Island, workers with occupational injuries are entitled to take leave and receive WC cash benefits from the state. This leave can take the form of [Suitable Alternative Employment](#) arrangements, also known as "Light Duty," which include shifting to part-time work. As long as their injuries heal within a year, workers have a [right to request reinstatement](#) to their prior position and employers have an obligation to grant that request.

Thus, as with the FMLA and ADA, there are scenarios in WC programs where part-time workers have a right to request full-time work and employers must accommodate that request.

PROPOSED PARAMETERS OF AN EXPANDED RIGHT TO FULL-TIME WORK

We propose changing federal law in a way that will expand these existing rights to full-time work to a larger set of part-time employees. A variety of different inclusion criteria for these new rights could be appropriate, but the existing labor code provisions discussed above provide a useful starting point.

Statutes that pertain to scheduling rights define eligibility and inclusion through the use of three parameters: **1** employer size, **2** employment duration, and **3** acceptable grounds for refusing requests. The following table displays these three parameters for the FMLA, the ADA, and Workers’ Compensation.

STATUTE	SIZE OF COVERED EMPLOYERS	DURATION OF EMPLOYMENT FOR ELIGIBILITY	ACCEPTABLE GROUNDS FOR REFUSING FULL-TIME REQUESTS
Family and Medical Leave Act (FMLA)	50+ employees	1,250 hours in prior 12 months	Request is from a “key employee” who is among the highest-paid 10% of the workforce and granting the request would result in a “substantial and grievous economic injury” to the employer.
Americans with Disabilities Act (ADA)	15+ employees	No minimum duration	Granting the request would result in an “undue hardship” on the employer.
Workers’ Compensation (wc)*	1+ employees	No minimum duration	The employee’s former position is not available and there are no suitable vacant alternatives.

* Workers’ Compensation parameters are from Rhode Island.



For an expanded right to full-time work, we propose adopting the 50-employee threshold from the FMLA and the “undue burden” exception from the ADA. For the duration-of-employment parameter, we propose that eligibility extend to employees that have worked for three or more months for their current employer.

In other words, part-time workers for employers with fifty or more employees who have worked at their current job for three or more months will have a right to request full-time work and employers will be required to accommodate that request unless doing so would result in an undue hardship on the employer.

Adopting the existing FMLA and ADA parameters in this way will make it easier for employers to comply with the new right to

full-time work. Employers with more than 50 employees are already required to construct labor models that can accommodate similar scheduling requests under the FMLA, ADA and Workers’ Compensation. Likewise, the “undue hardship” standard for refusing requests has been developed and refined over the last 35 years of the ADA and the last 45 years of the Rehabilitation Act of 1973.

After this right is initially established in the labor code, policymakers should evaluate whether it is achieving its intended purpose of minimizing involuntary part-time work and adjust the parameters accordingly, for example by reducing the size requirements of covered employers, the length of the duration-of-employment requirement, or adopting a stricter standard for when employers can reject full-time work requests.



C O N C L U S I O N

AS OF FEBRUARY 2025, A TOTAL OF 5,167,782 American workers were classified as “involuntarily part-time,” according to the Current Population Survey. But this number reflects only a fraction of the number of people who would likely benefit from a right to work full-time. In addition to the more than 5 million workers mentioned above, the same survey reports another 5.8 million workers who say their hours vary. Another 7 million Americans work two part-time jobs.

This policy should not be disruptive to employers. Because the measure we propose would apply only to employers who already have similar obligations under the FMLA, ADA, and Workers Compensation, those employers should already be familiar with handling these kinds of scheduling requests.

If employers are hiring workers on a part-time basis because this is what workers prefer, as many claim, then they have nothing to fear in this policy, as workers will continue to be able to opt for part-time schedules. The aim of the proposal is not to disallow part-time work but to prevent employers from forcing workers into part-time work.

In the United States, we construct social welfare policy upon the idea that those who are able to should work 40 hours a week. Those who don't are labeled lazy or irresponsible. In reality, many workers simply are not given the option to work 40 hours a week. Both liberals and conservatives should be able to appreciate the importance of ensuring that Americans who want to work full-time can do so if they choose.



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