NEW HAMPSHIRE NURSES’ ASSOCIATION
POSITION STATEMENT

NEW HAMPSHIRE NURSES' ASSOCIATION
POSITION STATEMENT ON MANDATORY OVERTIME AND NURSE STAFFING

Summary:
In order to eliminate the need for mandatory overtime, the New Hampshire Nurses' Association urges all employers of nurses in the state of New Hampshire to:

- Implement adequate staffing plans;
- Develop programs to actively recruit and retain all levels of direct care staff;
- Develop plans to address worker safety and injury protection;
- Provide incentives and education that ensures a flexible workforce;
- Invest in compensation programs that help attract workers;
- Devise innovative flexible work schedules for direct care staff; and
- Work proactively with nurses to develop innovative staffing plans and
  Compensation programs.

In the fulfillment of our mission, we offer our knowledge, resources and experience to assist organizations in New Hampshire in meeting this goal.

Throughout the American workforce there exists certain professions, occupations and industries where the performance of individual workers has an undeniable and instantaneous impact on the safety and health of other members of society at large. It has been the tradition of our culture to assure that the individuals working in these industries have all possible resources and advantages at hand to maintain both the physical and mental acuity necessary for safe and efficient performance of their responsibilities. There exists concrete evidence that fatigue has an enormous negative impact on an individual worker's ability to perform job tasks. Inadequate sleep and resulting fatigue can affect a registered nurse's ability to deliver optimal patient care. In addition to its association with increased risk for errors and reduced job performance, fatigue has major implications on the health and safety of registered nurses. Substantial scientific evidence links shift work and long working hours to injuries, obesity, cancer and other adverse outcomes. Registered nurses and employers in all care settings must collaborate to reduce the risks of nurse fatigue and sleepiness associated with shift work and long work hours. The ANA recommends that registered nurses not exceed 40 hours of professional nursing work in a seven-day period. In addition, employers should limit shifts to a maximum of 12 hours in 24 hours. The ANA also recommends that nurses need to plan one or two full days off of rest to follow five consecutive 8-hour shifts or four 10 hour shifts. Nurses also are to consider two rest days after three consecutive 12-hour shifts and to consider limiting the number of consecutive 12 hour shifts to three shifts. Evidence-based strategies must be implemented to proactively address nurse fatigue and sleepiness; to promote the health, safety, and wellness of registered nurses; and to ensure optimal patient outcomes.

New Hampshire’s Association for Registered Nurses
Established in 1906
A Constituent Member of the American Nurses Association
In addition to health and safety risks, the effects of fatigue and sleepiness have financial ramifications. Direct costs to employers include increases in health care costs, workers' compensation costs, early disability costs, recruitment and training costs, and legal fees. In the healthcare arena, all of these factors contribute to the spiraling cost of healthcare and the diminished access to healthcare brought on by higher costs.

According to the ANA, appropriate nurse staffing is a match of registered nurse expertise with the needs of the recipient of nursing care services in the context of the practice setting and situation. The provision of appropriate nurse staffing is necessary to reach safe, quality outcomes; it is achieved by dynamic, multifaceted decision making processes that must take into account a wide range of variables. These variables include, but are not limited to the environment in which the care is provided, and the needs of the consumer, such as the acuity of the patients. The ANA notes that staffing is a structure and process that affects the safety of patients, as well as nurses themselves, and others in the environment. Institutions employing a culture of safety need to recognize appropriate nurse staffing as integral to achieving goals for patient safety and quality.

The New Hampshire Nurses’ Association, in its mission to promote the practice of professional nursing, advance the development of professional nurses, and improve health standards and availability of healthcare services for all people of New Hampshire, does not support the use of mandatory overtime. It is our assertion that mandatory overtime is not only dangerous and expensive, it is absolutely unnecessary and only exists in situations where appropriate staffing plans are absent and planning has not occurred. According to Protective Legislation in New Hampshire, registered nurses in NH may not be disciplined, or lose any right, benefit, or privilege for refusing to work more than 12 consecutive hours, except under certain circumstances. These circumstances include a public health emergency, a nurse participating in surgery, and a nurse working in a critical care unit or home health care setting who is awaiting another employee beginning a scheduled shift to relieve him or her. A nurse covered by a collective bargaining agreement containing provisions addressing the issue of mandatory overtime is also exempt from this legislation.

ADOPTED: May 15, 2018

References:
