



## Facts on Mandatory Overtime

### Why nurses care so much about the issue of mandatory overtime

1. Mandatory overtime contributes to poor quality patient care because fatigue which results from excessive overtime increases the likelihood of errors. According to a study by the National Institute for Occupational Safety and Health Division of Biomedical and Behavioral Science, when staff plan to work additional shifts on a volunteer basis, they are more likely to get plenty of rest immediately prior to working the extended shift. However, when overtime is mandated by an employer, this occurs with little or no prior notice. The result is high levels of fatigue and increased errors.
2. Mandatory overtime is one of the main reasons nurses leave nursing. Recent studies indicate that one in five nurses are considering leaving nursing. When polled on their reasons for leaving, mandatory overtime is always listed in the top 10 reasons. In the face of a severe nursing shortage, we need to keep nurses at the bedside.
3. Nurses do suffer retaliation from employers for refusing to accept overtime hours. The Minnesota Nurses Association has documented complaints from nurses who were threatened by their employer. These nurses were told that if they would not work additional shifts, they would be reported to the State Board of Nursing for "patient abandonment". While the Board does not view the refusal to accept additional shifts as "patient abandonment", the fear of such a complaint often compels nurses to work against their better judgement. Another form of retaliation is more direct and involves simply firing or suspending the nurse who refuses overtime. In this situation, the nurse is forced to choose between their ethical obligation to the patient to provide quality care and their livelihood. This is a choice that nurses should not have to make.

### What does the legislation on mandatory overtime really do?

1. The mandatory overtime legislation contained in HF2993 **does not prohibit nurses from working overtime.** It does prohibit an employer from retaliating against a nurse who refuses overtime because the nurse believes patient care would be compromised. We must be able to count on the professional nurses who are providing care to make the judgement call about whether or not they are safe to practice.