OREGON NURSES ASSOCIATION
ACTION REPORT

Registered Nurse Fatigue and Patient Safety

Submitted by: Economic and General Welfare Cabinet

Recommended Actions:

The ONA supports the following employer specific actions, to be articulated within bargaining units’ collective bargaining agreements, where appropriate:

Professional Self-Assessment of Fatigue
1. Provide policies and opportunities for direct care registered nurses to identify concerns about fatigue, relying upon the professional judgment of the registered nurse to assess their own level of fatigue. Implement policies that rely upon and do not undermine or penalize staff when appropriate concerns about fatigue are raised. These include:
   a. Appropriate staffing, including encouragement to report understaffing; assuring sufficient numbers of nurses to allow for scheduled time off from work at a minimum to the time off accrual levels specified by contract;
   b. Attendance policies that recognize the self-evaluation of the fatigued or sick nurse without penalty of discipline;
   c. Recognize the impact of fatigue on patient safety and accept the registered nurse’s right and obligation to refuse an assignment if impaired by fatigue.

Position Availability and Length
2. Institute provisions regarding shifts that will promote health and enhance work life balance including creative options offering a mix of positions and accommodating schedules including full time, part time, and per diem.
3. Length of regularly scheduled shifts ranging from 4 to 12 ½ hours should be offered on multiple nursing units and shifts. These should avoid positioned shift lengths of more than 12 ½ consecutive hours.

Breaks and Rest Periods
4. Consistent availability and enforcement of uninterrupted meal and rest breaks, which includes staffing strategies that include supplemental assigned staff, whenever feasible, to cover for absent staff during breaks (which otherwise would result in temporary increases in workload to cover for absent nurses).
5. Premium (1 ½ base rate) compensation for missed rest breaks as an employer disincentive for not assuring breaks.
6. The option of combining meal and rest periods for the purpose of taking short power naps (45 minutes or less), particularly for night shift nurses.
7. Provide an environment for sleep breaks to ensure that it fully protects sleep.

Extra Shifts and Overtime
8. Adherence to the mandatory overtime provisions of the Oregon Nurse Staffing Law.
9. Designate sufficient positions and schedules for an adequate number of registered nurses and ancillary assistance to provide quality care and assure that nurses are able to work an appropriate schedule including breaks and without the need to work overtime.
10. Premium pay employer disincentive for scheduling excessive consecutive shifts work assignment regardless of work week (e.g. >5 eight hour shifts; >4 ten hour shifts; >3 twelve hour shifts).
Shift Rotation

11. Prohibition to mandatory or routine position assignment to variable shift start times with a greater variation than two hours (unless paid as call-back). This includes mandatory rotation shift work.

12. A requirement for an employer disincentive premium pay for scheduling consecutive shifts worked with less than 11 hours off between the ending of one shift and the beginning of the next shift.

Background:

This Action Report articulates the Oregon Nurses Association position with regard to patient safety and encourages employers of registered nurses to establish policies and procedures, including contractually binding provisions in ONA bargaining units, that promote healthy nursing work hours and patterns that do not extend beyond the limits of safety for both nurses and patients. It is further intended to give clear direction to ONA’s members who bargain collectively to strive to incorporate these recommendations within their bargained contracts and strategies for collective action.

Given the well-documented relationship between nurse fatigue and an increased risk of errors with the potential for compromising patient care and safety, it is intended to clarify the position of the Oregon Nurses Association that all employers of registered nurses should ensure sufficient system resources to provide the individual registered nurse in all roles and settings with:

1. A work schedule that provides for adequate rest and recuperation between scheduled work; and
2. Sufficient compensation and appropriate staffing systems that foster a safe and healthful environment in which the registered nurse does not feel compelled to seek supplemental income through overtime, extra shifts, and other practices that contribute to worker fatigue.

This Action Report is limited in its scope and is not intended to be a comprehensive response to ONA’s fatigue initiatives. Accountability for the nurse’s own fatigue and the nurse’s responsibility to create a culture of safety within their practice setting related to fatigue awareness are acknowledged to be additional factors that are not the focus of this Report. This Report is, however, submitted in support of and consideration given to the American Nurses Association’s formal position statements related to both employer and registered nurses’ responsibilities assuring patient safety (American Nurses Association).

Implementation:

The Oregon Nurses Association will:

1. Publicize and promote recommendations to ONA staff and ONA leadership, including negotiating committee membership, with the intent that these concepts be utilized as a framework for collective bargaining negotiations;
2. Develop best practice/model contract language based upon recommendations, to be made available to negotiating committees;
3. Forward recommendations to the Cabinet on Health Policy for a framework to utilize when assessing legislative initiatives.

Financial Impact:

Implementation is covered under the regular department operational budgets.
References:


