



More Regulation to Prevent Sleep Deprivation on the Job May Be Brewing

News

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Howard Mavity was quoted in *SHRM* on June 3, 2015. The article “More Regulation to Prevent Sleep Deprivation on the Job May Be Brewing” discussed how sleep is heavily regulated in the trucking industry, where drivers with a sleeper berth must account for at least eight hours spent in that berth, while allowing a driver to split the allotted sleeping time into two periods, provided that neither is less than two hours.

Howard thinks that employee fatigue may be the next big issue that unions and other groups challenge employers with, just as they’re currently doing with safety issues and demands for a living wage. There will likely also be efforts to regulate sleep in other industries in order to prevent the accidents and bad judgment that come with a lack of rest.

Howard pointed to a BuzzFeed article (“Doctors Are Sharing Pictures of Themselves Asleep to Defend a Resident Caught Sleeping”) about a movement in Latin America protesting sleep deprivation in the health care industry.

The protest began after someone snapped a picture of a medical resident sleeping on the job and posted it in a blog criticizing the resident.

Others in the health care industry stuck up for her, showing solidarity by posting pictures of themselves sleeping on the job.

“I think this could take off in the U.S.,” Howard said. While there are regulations about sleep in transportation, he said, “It’s the wild west for almost everything else.”

The state of California mandates meal and rest breaks, but not breaks for sleep, he noted. And if regulations for sleep take off, “Why limit it to health care?” he asked.

Ethical lapses and poor judgment that leads to accidents are more common when workers haven’t had enough sleep, Howard remarked.

The brain uses one fourth of the body’s energy, and disposes of waste by sleep, Howard said. Memory consolidation also happens when people sleep, he added.

While the switch to daylight saving time may be unavoidable, much sleeplessness on the job is avoidable, according to Howard, who described the “sleepless culture” in health care as a form of hazing. His wife, a nurse, once was so tired that she fell asleep in the bathroom at work, drifting off so soundly that she got lipstick on her leg where she fell forward, he recalled.

In health care settings, the message needs to be sent that employers are not going to risk getting sued for malpractice, and its employees are to get an adequate amount of sleep, Howard said. Accreditation groups have established “guidelines,” but those efforts seem to have little effect.

“Few managers take this seriously,” he remarked, saying that needs to change. “There needs to be a connection to preventing fatigue and reviews, mentorship and compensation of management,” he said. HR can “start harping on why employees need rest.”

It’s an easy thing to do, and could help a company avoid accidents, including fatal ones, workers’ compensation claims or even lawsuits for willful negligence, he concluded.

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