



2005–2006 Legislative Summary Sheet

Survey of Shift Work Bills Introduced into State Legislatures

This legislative summary sheet was developed to give an overview of the policy and legislation on shift work. Statutes and bills can be reviewed individually, but often it is useful to view them in “themes” or “clusters” to:

- Highlight legislative activity in one particular state
- Make it easier to compare legislation between states
- Illustrate varying legislation language and content

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Setting limits on health care shifts:

New York

- NY SB 2965
Mandates that a healthcare employee may not work or be on duty for more than 12 hours in a 24 hour period, 80 hours in a consecutive 14 day period and seven consecutive days without at least one consecutive 24 hour period off duty within that time.

Indiana

- IN SB 627
Establishes that a healthcare employee may not work or be on duty for more than 12 hours in a 24 hour period, 80 hours in a consecutive 14 day period and seven consecutive days without at least one consecutive 24 hour period off duty within that time.

New Jersey

- NJ AB 439
Requires that hospital residents only receive “on-call” duty for a night shift every third night and that a resident not be scheduled for more than 12 consecutive hours in an emergency department.

Pennsylvania

- PA SB 331
Requires that hospital residents only receive “on-call” duty for a night shift every third night and that a resident not be scheduled for more than 12 consecutive hours in an emergency department.



Payment procedures for specific work shifts:

West Virginia

- WV HB 2464
- WV HB 409D
- WV HB 3133
- WV HB 2021

Requires that if any school service employee's shift is performed between the hours of 6 pm and 5 am the following day, the employee will be paid no less than an additional ten dollars per month and half of the pay will be paid with local funds.

- WV HB 3133

Mandates that an employee that works more than three and a half hours on a Saturday or Sunday, whose regular work week is Monday through Friday, be paid for at least a full day of work for each day.

California

- CA AB 904

Requires that any employee who works more than 12 hours in one day will be paid at least twice the regular rate of pay.

Montana

- MT HB 570

Mandates that any full-time state employee that works more than 8 hours a day receive pay for holidays on a prorated basis depending on the number of hours the employee regularly works.



Child care availability for shift workers:

California

- CA AB 1556

Provides for child care services during non standard hours including weekend, night and shift care.

The Network has additional resources related to this topic:

1. The Network has a topic page on shift work. To view:

- a) go back to our home page www.bc.edu/wfnetwork/
- b) click on the appropriate user group (Research/Teaching, Workplace Practice, or State Policy)
- c) and choose "Shift Work" from the Topics List

2. Our database of academic literature contains the citations and annotations of literature related to the issue of shift work. You can connect to this database at:

http://library.bc.edu/F?func=find-b-0&local_base=BCL_WF

3. For a list of bills and statutes related to other topics, please visit:

<http://wfnetwork.bc.edu/bills.php?area=policy>