



Sleep in shifts: supreme court ruling missed chance to address low pay of carers

19 Mar 2021

Not many people would be able to sleep knowing they could be called to action at any moment

GMB, the union for care workers, says today's supreme court ruling was a missed chance to address the low pay of carers.

Judges today determined employees undertaking 'sleep in' caring roles have no entitlement to be paid the National Minimum Wage for each hour that they are on the employer's premises, able to sleep but available to be disturbed by events that may occur requiring them to provide care during the sleep in shift.

Sue Harris, GMB Legal Director, said:

"GMB had already raised an eyebrow at the Court of Appeal decision - and we suspect many people will be surprised by today's ruling.

"It essentially means if you are at your employers' premises - not at your home - able to sleep, but know you may be disturbed at any time during that sleep, then those hours don't count for the purposes of working time.

"Not many people would be able to sleep knowing they could be called to action at any moment.

"We have seen throughout the pandemic the wonderful work that carers do, they are the group in our society most likely to be on the minimum wage and that they are

predominantly women and predominantly Black, Asian, Minority Ethnic employees.

“This was a chance to address one of the reasons for the low pay of carers, it's a shame it wasn't seized upon.”

