

Wake up to the signs of tiredness – recent road safety case sends warning to employers...



Businesses that have employees who drive for work are being warned to ensure they do not have a long hours culture after a firm was found liable for a road accident in which one of its workers was paralysed.

Michael Eyres was left paralysed by an accident that occurred when he momentarily fell asleep at the wheel.

His employers have been found liable for the incident after judges at the Court of Appeal ruled the company had a long hours culture.

Eyres broke his back in the accident and will not be able to walk for the rest of his life. The ruling means he can now sue his employers and could be in line to receive over £1m damages.

At the time of the accident Eyres had worked a 19-hour day and driven hundreds of miles; he was, said one judge, “in that predicament because his employers had put him there.”

Lord Justice Ward said that on the balance of probabilities the cause of the accident was falling asleep. He commented that the managing director's sayings, “Eating's cheating” and “You can sleep when you're dead” summed up the company's philosophy.

Employers need to ask themselves:

- Are our schedules realistic?
- Do we put drivers under pressure and encourage them to take unnecessary risk?
- Can a driver make an overnight stay?

Enclosed are copies of a *Wake up to the signs of tiredness* leaflet for distribution to employees.

For more information contact City of York Council's road safety team by emailing road.safety@york.gov.uk or telephoning 01904 551331.

...don't get blood on your hands.