

Procedure Title: Pregnant, Postnatal and Breastfeeding Employees

Written By:

Approved By:

Yvonne Roache
Health and Safety Officer

Gordon Ryan
**Head of Development &
Business Operations**

Tom Reilly
HR Manager

1. Purpose

The purpose of this procedure is to ensure that the Institute has in place procedures to ensure the safety of employees who are pregnant, who have recently given birth or are breastfeeding.

Pregnancy is a part of normal everyday life, it is not an illness. Many women work during pregnancy and many return to work while they are breastfeeding. Because there are some hazards in the workplace which may affect either the health of the woman or her developing child, this procedure provides for specific protection during this period.

While an employee does not have to inform their employer that they are pregnant, it is important (for you and your child's health and safety protection) that you provide them with notification as early as possible. Until such time your employer are not obliged to take any action other than those resulting from risk assessments for all employees.

Early notification, in confidence, to the employees manager will ensure that the hazards which may present a risk can be identified and subsequently removed or reduced thus safeguarding the safety of the expecting mother and her developing child.

2. Definitions/References

- **A pregnant employee:** This means a woman who has given her employer a medical certificate (or similar) stating she is pregnant
- **An employee who has recently given birth:** This means an employee during the 14 weeks immediately after giving birth (even if this was a miscarriage or stillbirth)
- **An employee who is breastfeeding:** This means an employee who is breastfeeding during the 26 weeks immediately after giving birth.
- Any reference to a pregnant woman in this procedure will include women during pregnancy, immediately after pregnancy and while breastfeeding.
- Pregnant Employee Risk Assessment Form
- IT Sligo Framework Safety Statement
- Mothers Room Procedure

3. Roles and Responsibilities

3.1 IT, Sligo legal responsibility

Because there are some hazards in the workplace which may affect either the health of the woman or her developing child, an employer has specific responsibilities as set out in Chapter 2 of Part 5 of the Safety, Health and Welfare at Work (General Application Regulations) 2007. The Regulation applies when an employee informs her employer that she is pregnant and provides an appropriate medical certificate. When notified an employer must

- Identify any condition or activity known to affect a pregnant woman, a breast feeding woman or a developing child and assess the level of risk associated with any of these conditions or activities and determine the nature, degree and duration a pregnant employee is exposed to such conditions or activities.
- If a risk has been identified then the employer must take preventative and protective measures necessary to ensure the health of the pregnant employee or their developing child. The employer should follow three steps set out below to remove the risk
 1. Adjust the working conditions and/or hours of work or
 2. Provide suitable alternative work
 3. If steps 1 or 2 cannot be implemented then the employer should assist the employee in receiving health and safety leave under section 18 of the Maternity protection Act 1994,

Employers will need to identify if any of the following hazards are present in their work places.

Chemical Agents:

- Substances labeled R40, R45, R61, R63, and R64 (Classifications, Packaging, Labeling and Notification of Dangerous substances) Regulations, 1994.
- Chemical agents and industrial processes listed in the First Schedule to the Safety, Health and Welfare at Work (Carcinogens) Regulations, 2001
- Mercury and mercury derivatives
- Antimitotic (cytotoxic) drugs
- Chemical agents of known and dangerous percutaneous absorption (i.e. that may be absorbed through the skin); this includes pesticides and organic solvents.
- Carbon Monoxide
- Lead and lead derivatives

Physical Hazards:

- Ionizing Radiation, can consist of high energy particles such as electrons, protons or alpha particles or short wavelength radiation such as ultraviolet, X-rays and gamma rays)
- Extremes of Hot or Cold
- Strenuous physical labor, moving heavy loads, vibration or noise.
- Air travel

- Work in hyperbaric atmosphere, such as in pressurized enclosures and underwater diving.

Biological Hazards:

- Examples include rubella, Toxoplasma, hepatitis B, HIV, Herpes and Typhoid.

Psychosocial Hazards:

- Occupational stress and shift work.

Hazards Specific to Breast Feeding mothers:

- Lead and lead substances
- Underground mine work

In addition to the above, Regulation 24 (Chapter 1 of Part 2 relating to the workplace) of the Regulations requires an employer to ensure that pregnant, post natal and breastfeeding employees are able to lie down to rest in appropriate conditions.

3.2 Head of Department or Manager Responsibility

On receiving notification that an employee is pregnant, the manager (the person the employee reports to daily) must ensure that they assess the risk specific to that persons job which may cause harm to her or her developing child and they must ensure that appropriate actions are taken to ensure the risk is removed or reduced. This should be undertaken under the strictest of confidences between the manager and his/or her employee. It should be in a written format and signed off by the manager, the employee and the Health and Safety officer.

3.4 Employee Responsibility

This procedure is particularly applicable to employees who in their day to day work environment may be exposed to chemical, physical or biological hazards such as those in which may be found in Laboratories, cleaning activities, lifting activities etc

To be protected by legislation i.e. The Safety, Health and Welfare at Work (General Application) Regulations, 2007 and the maternity Protection Act, 1994 and in order to protect the developing child **it is in the employee's best interest**

- To inform their manager as soon as practicable of her condition
- Complete a Pregnant Employee Risk Assessment Form in conjunction with her manager and/or the Health and Safety Officer to ensure the risks are identified and that the appropriate controls are in place.

3.5 Health and Safety Officer

- Ensure that management and staff are informed of their responsibilities under this procedure
- When required provide assistance to managers on the selection of appropriate control measures when a hazard have been identified on a "Pregnant Employee Risk Assessment Form"
- When required provide assistance to employees to address health and safety concerns which may effect their pregnancy

3.6 Student Responsibility

- Pregnant students are encouraged to inform the student services nurse that they are pregnant.
- An appropriate Risk Assessment will then be conducted by the Head of Department

4. Procedure

- The employee informs, in confidence her manager that she is pregnant
- The employee fills Section 1 of the “Pregnant Employee Risk Assessment Form”
- The employees manager completes Section 2 of the “Pregnant Employee Risk Assessment Form”
- If hazards are identified then the employee’s manager must take preventative measures to either eliminate the risk or reduce it significantly. This can be done by
 - Adjusting the working conditions and/or hours of work e.g. ensuring the employee is not exposed to the identified chemical agents or biological agents during their pregnancy.
 - Provide suitable alternative work if the risk cannot be removed
 - If either 1 or 2 above is not possible then the employer should give the employee safety and health leave under section 18 of the Maternity Protection Act 1994. It should be noted that this step applies where the employer, having undertaken the risk assessment, identifies occupational risks which arise for normal pregnancies and which he cannot reasonably control using steps 1 and 2.
 - As needs change during pregnancy, it may be necessary to modify the duties of an employee several time e.g. moving from a standing to a sitting job, adjusting a work space to accommodate the changes in posture of the expectant mother, provide Personal Protective Equipment of different sizes.
- The Risk Assessment should be reviewed as the pregnancy progresses as there may be a change in job circumstances which may affect the employee.

5. Records Generated by this Procedure and their location

- Pregnant Employee Risk Assessment Forms will be available in each Departmental Functional Area Safety Statement and on the IT Sligo Safety web page
- All completed Risk Assessments should be maintained on file by the School Secretary for 5 years

6. Revision History

Revision No	Description of Change	Issue Date:
000	New Procedure	16/09/10