



Pregnancy in the Workplace Procedure

Introduction

This procedure seeks to give practical advice to pregnant staff members, students and Heads of Function or School on complying with the Pregnancy at Work Regulations, which form part of the Safety, Health and Welfare at Work (General Application) Regulations 2007.

By complying with the regulations, the Institute ensures that the workplace does not pose a risk to the health of a pregnant staff member/student or her developing child. The risk assessment is the basis for deciding if there are articles or substances in the workplace that could impact on both and the measures to be taken to avoid any injury or ill health.

When do these regulations apply?

The Pregnancy at Work Regulations apply from the time a staff member or student informs their Head of Function or School that she is pregnant, has recently given birth or is breastfeeding. As the earliest stages of pregnancy are the most critical ones for the developing child, it is in staff members or student's best interest to let their Head of Function or School know as soon as possible that she is pregnant.

What other legislation provides protection during this period?

The Maternity Protection Acts 1994 and 2004 give details on:

- Entitlements to maternity leave.
- Entitlements to clinic visits.
- Maintenance of job security.
- Health and safety leave.
- Health and safety benefits
- Provisions to encourage breastfeeding

More information relating to these topics are available from Human Resources for staff members.

What should a Head of Function or School do when he/she become aware that a staff member or student is pregnant?

On becoming aware that a staff member or student is pregnant, the Head of Function or School must assess the specific risks from the workplace/work activities to that staff member or student and take action to ensure that she is not exposed to anything that would damage her health or that of her developing child.

What are the main hazards for a pregnant or breastfeeding staff member or student?

General hazards include:

- Physical shocks, including direct blows to the abdomen.
- Vibration of the whole body.
- Handling a load; see Institutes manual handling procedure.
- Noise; see below.
- Movement and postures that are abrupt or severe or give rise to excessive fatigue.
- Ionising radiation; see below.
- Non-ionising radiation; see below.
- Biological agents, including viruses, bacteria etc.; see below.
- Chemicals, including substances that cause cancer, mercury, anti-cancer drugs and carbon monoxide; see below.
- Stress and/or bullying; see Institutes Dignity at Work Procedure.

Unless the risk assessment indicates that there will be no damage to the staff member/student or the developing child, pregnant staff members or students must not work in or with:

- Pressurisation chambers.
- Rubella – unless adequately immunised.
- Toxoplasma.
- Chemical or Biological substances.

Please note this list of hazards above is non-exhaustive.

Can noise be a risk?

There are no specific risks from noise to new or expectant mothers or to the developing child but prolonged exposure to loud noise may lead to increased blood pressure and tiredness. There are no particular problems for women who have recently given birth or who are breastfeeding. Compliance with the Noise at Work Regulations should be sufficient to meet the needs of new or expectant mothers which are applicable to all staff or students in the Institute.

What are the risks from radioactive (ionising radiation) sources?

Significant exposure to ionising radiation is harmful to the developing child. If a pregnant or breastfeeding staff member or student works with ionising radiation sources, these can cause exposure to the developing child through ingestion or via contamination of the mother's skin and transfer across the placenta or by breastfeeding to the baby. Work procedures should be designed to keep exposure as low as reasonably practicable and certainly below the statutory dose limit for a pregnant woman. Pregnant or breastfeeding women should not be employed in work where the risk of such contamination is high. The Institute has also appointed and trained Radiological Protection Officers from the School of Science. For information on statutory dose limits, contact the Radiological

Protection Institute of Ireland, which enforces legislation on ionising radiation. (*RPII Tel: (01)-2697766*).

What are the risks from non-ionising sources?

Pregnant or breastfeeding women are at no greater risk than other staff members when working with optical radiation. Exposure when working with electromagnetic fields and waves within current recommendations is not known to cause harm to the mother or the developing child. However, extreme over-exposure to radio-frequency radiation can raise body temperature making the pregnant staff member or student uncomfortable.

Biological agents and the pregnant staff member or student.

Some biological agents are known to cause abortion of the foetus, or physical and neurological damage. These agents are included in hazard groups 2, 3 and 4 of the Biological Agents Regulations 1994 and 1998. Many biological agents within these three hazard groups can affect the developing child if the mother becomes infected during pregnancy. Examples of such agents are: rubella, hepatitis B, HIV, herpes, TB, syphilis, chickenpox and typhoid.

The institute holds a small number of group 2 biological agents. A 'group 2 biological agent' is one which can cause human disease, might be a hazard to staff member or student although it is unlikely to spread to the community and in respect of these there is usually effective treatment available.

The Head of School or Function must take account of these specific biological agents when conducting a risk assessment for a pregnant student or staff member. The risk assessment will take account of the nature of the agent, how likely contact is and what control measures are in place. Control measures may include physical containment, hygiene measures or the use of available vaccines if exposure justifies this. If there is a known risk of high exposure to a highly infectious agent, then the pregnant staff member or student should avoid exposure altogether.

Are Heads of Function/School responsible for carrying out a risk assessment of all biological agents?

Yes. The Head of Function or School must determine the nature, degree and duration of any staff members or students exposure to a biological agent and lay down the measures to be taken to ensure the safety and health of such staff members or students.

What chemical agents are known to endanger the health of pregnant staff members or students?

There are about eight hundred substances labelled with hazard statements i.e. H340, H341, H350, H351, H360D, H360Df, H360F, H360FD, H360Fd, H361d, H361f, H361fd, & H362. (see question below for meaning of individual hazard statements). All Heads of Function or School should have a list of all chemicals present in their functional area or School. The safety data sheet should be available to permit the preparation of the risk assessment. If the exposure is below the level set down in the Chemical Agents

Regulations and Carcinogen Regulations, there may be no risk in practice to a pregnant staff member/student or her developing child. It is the responsibility of the Head of Function or School to assess the health risks to all staff members or students arising from working with hazardous substances.

What do the hazard statements mean?

The hazard statements mean:

H340	May cause genetic defects
H341	Suspected of causing genetic defects
H350	May cause cancer
H351	Suspected of causing cancer
H360D	May damage the unborn child
H360Df	May damage the unborn child. Suspected of damaging fertility
H360F	May damage fertility
H360FD	May damage fertility. May damage the unborn child
H360Fd	May damage fertility. Suspected of damaging the unborn child
H361d	Suspected of damaging the unborn child
H361f	Suspected of damaging fertility
H361fd	Suspected of damaging fertility. Suspected of damaging the unborn child
H362	May cause harm to breast fed children

Do pregnant staff members or students need to stop working at a display screen?

Pregnant women do not need to stop working with display screen equipment (DSE).

What happens if a risk cannot be removed?

- If the risk assessment reveals a risk to the pregnant staff member, the developing or breastfeeding child, and it is not practical to ensure the safety or health of the staff member through protective or preventive measures, the Head of Function or School must adjust the staff member's working conditions or hours of work or both.
- If this is not possible, Head of Function or School must provide suitable alternative work.
- If the Head of Function or School cannot provide suitable work, the Head of Function or School should facilitate granting the staff member health and safety leave under Section 18 of the Maternity Protection Act 1994. For further detail on this matter see Human Resources.
- Where the risk assessment shows that it would be unsafe for the student to continue her studies the Head of School may direct the student to attend an occupational health physician for assessment or have the physician visit the college to assess the work area or both.

- The Institute reserves the right to prohibit any pregnant student from enrolling or continuing to attend classes if there is reasonable evidence that such activities may put the health of the student or foetus at risk.

What are the requirements in relation to breastfeeding mothers in the workplace?

The Maternity Protection (Amendment) Act 2004 provides that breastfeeding mothers will be entitled to paid time off for the purposes of breastfeeding or expressing milk in the workplace, where the Institute has provided facilities, or a reduction in working hours (on full pay) to facilitate breastfeeding where the Institute have not provided facilities. The Institute will be required to provide facilities where this does not give rise to more than a nominal cost. These are measures to encourage breastfeeding and not health and safety provisions. For further detail on this matter please see Human Resources.

Does the Institute provide a rest room?

The Institute is required to ensure that pregnant, post-natal and breastfeeding staff members or students are able to lie down to rest in appropriate conditions. Estates have designated RM1109 which has a couch, washing facilities, baby changing table, toilet etc. for this purpose.

What is health and safety leave?

Health and safety leave arises where the risk to the pregnant staff member or developing child cannot be eliminated and the staff member cannot be provided with suitable alternative employment. In such circumstances the staff member must be granted health and safety leave in accordance with Section 18 of the Maternity Protection Act 1994. During health and safety leave, the Institute must pay the staff member her normal wages for the first three weeks, after which health and safety benefit will be paid by the Department of Social and Family Affairs. For further detail please refer to Human Resources.

Where can pregnant staff or students get further information and assistance?

Student Health Service: Pregnant students should make contact with the Institutes Health Service. It is important to seek out medical advice as soon as possible. It is wise to visit early so medical assistance can be of help to you from the outset. The health service offer free and confidential pregnancy testing and non-judgmental advice and support.

Student Counselling Service: The Counselling Service is also available to help the pregnant student cope with pregnancy related or other issues she may be facing.

Maternity leave information: can be obtained from the National Employment Rights Authority and the Equality Authority and the Institutes Human Resources Department.

Guidance & Information:

- ***Guide to the Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 2 of Part 6: Protection of Pregnant, Post Natal and Breastfeeding Employees.***
- ***Guidelines on Risk Assessments and Safety Statements www.hsa.ie***
- ***Risk Assessments of Chemical Hazards - HSA***
- ***HSA Workplace Health Toolkit- Section 6 Pregnancy at Work***
- ***National Employment Rights Authority. Lo-call: 1890 808090. Website: www.employmentrights.ie***
- ***Equality Authority, Clonmel Street, Dublin 2. Telephone: 01 417 3333 or Lo-call: 1890 245545. Website: www.equality.ie.***
- ***Maternity Benefit Section, Department of Social and Family Affairs. Lo-call: 1890 690690. Email: maternityben@welfare.ie.***
- ***Health and Safety Benefit is paid by the Department of Social and Family Affairs. Telephone: 01 704 3478.***
- ***The Radiological Protection Institute of Ireland, 3 Clonskeagh Square, Dublin 14. Telephone: 01 269 7766. Website: www.rpii.ie.***