

Health and safety for pregnant and breastfeeding women

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Employers have a general duty to protect the health and safety of their workers. They have specific duties where there are women of childbearing age at work.

Carry out a risk assessment

Where there is work of a kind which could involve risk, by reason of her condition, to a new or expectant mother, or to her baby, the employer should carry out a risk assessment and record the findings. In carrying out the risk assessment, the employer must consider any current knowledge about hazards and the extent of the risk. Common risks include heavy lifting; extreme temperatures; movement and postures; mental and physical fatigue; and excessive travelling. The risk assessment must be reviewed if there is reason to suspect that it is no longer valid or there is significant change in the matters to which it relates.

Take any necessary steps to prevent or avoid risks

The employer has a duty to make appropriate arrangements for the effective planning, organisation, control, monitoring and review of the preventive and protective measures required by law – for example, by giving appropriate instructions to employees to help them avoid any risk. Suitable rest facilities should be provided for pregnant women and nursing mothers.

Inform employees of risks and what measures are being taken to deal with them

The employer must provide its employees with comprehensible and relevant information on the risks to their health and safety identified by the risk assessment (including any preventive and protective measures taken).

If the employee has notified her employer in writing that she is pregnant, has given birth within the previous 6 months, or is breastfeeding the employer must:

- once an assessment has revealed a risk, which cannot be prevented or avoided, if it is reasonable to do so and would avoid such risks, alter the employee's working conditions or hours of work (without altering pay or benefits);
- if risks cannot be avoided by altering working conditions or hours of work, offer suitable alternative work;
- if it is not possible to alter the employee's working conditions or hours of work, offer the employee suitable alternative work where this is available;
- if there is no suitable alternative work, suspend the employee from work (on full pay and benefits) for so long as is necessary to avoid the risk.

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