

## **PREGNANT WORKERS**

An amendment to the Management of Health and Safety at Work Regulations 1999 introduced specific measures for new or expectant mothers. The Regulations apply to three groups of workers:

- (i) Those who are pregnant
- (ii) Those who have recently given birth
- (iii) Those who are breastfeeding

The employer is not required to take any action in respect of these regulations until such time as the employee submits a written notification of her condition.

Once informed, the employer is required to carry out an assessment of working conditions and work activities and where necessary introduce measures which will protect the worker from risks to their health and safety. The type of work which could involve risk to new or expectant mothers include (1) Physical Agents which can cause foetal lesions and/or disrupt placental attachment (2) Biological Agents (3) Chemical Agents both of which could endanger the health of pregnant women and their unborn child.

**PHYSICAL AGENTS** These include work activities involving shocks, vibration, handling of loads, noise, ionizing and non-ionizing radiation, extremes of heat or cold, movement and posture, travelling, mental and physical fatigue and other physical burdens connected with an activity.

**BIOLOGICAL AGENTS** These include infectious or contagious diseases and persons exposed to toxoplasma and rubella virus unless the pregnant workers are proved to be adequately protected by immunisation. It should be noted that this refers to levels at risk at work and not what the persons might be exposed to outside of the workplace.

**CHEMICAL AGENTS** These include substances labelled R40, R45, R46 and R47, mercury and mercury derivatives, lead and derivatives of lead.

If a risk remains after taking whatever preventive action is reasonable, then it may be necessary to change the workers hours or conditions of work to avoid the risk or offer her alternative work. If neither is possible then the worker will have to be given paid leave for as long as is necessary to protect her health and safety. This will also be necessary if a medical certificate shows that an individual should not be at work or in the case of night workers where there is no suitable daytime work and a certificate has identified unsocial hours as being a health and safety risk to be avoided.