

	<h2 style="text-align: center;">Safety Advisory/ Guidance Note</h2>				
<b>Ref: SAGN 001:03</b>		<b>RE: Completing a Pregnant Employee Risk Assessment</b>			
<b>Issue date:</b>	July 2015	<b>Revised Date:</b>	December 2019	<b>Review date:</b>	December 2021
<b>Author(s):</b>	NHS&F – Information & Advisory Team.				
<b>Note:</b>	<i>The information provided is for general guidance only, should you require more specific advice please contact the Health &amp; Safety Help Desk. The management of any occupational safety and health issue(s) remains the responsibility of local management.</i>				

**Definitions:** A *pregnant employee* is a woman who has given her employer a medical certificate stating she is pregnant. An *employee who has recently given birth* means an employee during the 14 weeks immediately after giving birth. An *employee who is breast feeding* means an employee who is breast feeding during the 26 weeks immediately after giving birth.

**Legislation:** Specific legislation applies to pregnant employees when at work: the key regulation is the Safety, Health & Welfare at Work (General Application) Regulations, 2007, Chapter 2 of Part 6, Protection of Pregnant, Post Natal and Breast Feeding Employees (from now on referred to as Pregnancy Regulations).

The employer, on receiving notification that an employee is pregnant, must assess specific risks to the employee. The employer shall take action to ensure that the employee is not exposed to anything that could damage either her health or that of her developing child.

**Risk Assessment Process:** The risk assessment process required under section 19 of the Safety Health and Welfare at Work Act, 2005 should have already identified any hazards in the workplace therefore the risk assessment specifically required by the Pregnancy Regulations should be a reappraisal of these hazards.

If this reappraisal identifies any additional risks the employer must inform the employee of these risk(s) and what should be done to ensure that neither she nor the developing child suffers any adverse effects. The employer must then assess if there are any practical ways the risk can be avoided by following these steps:

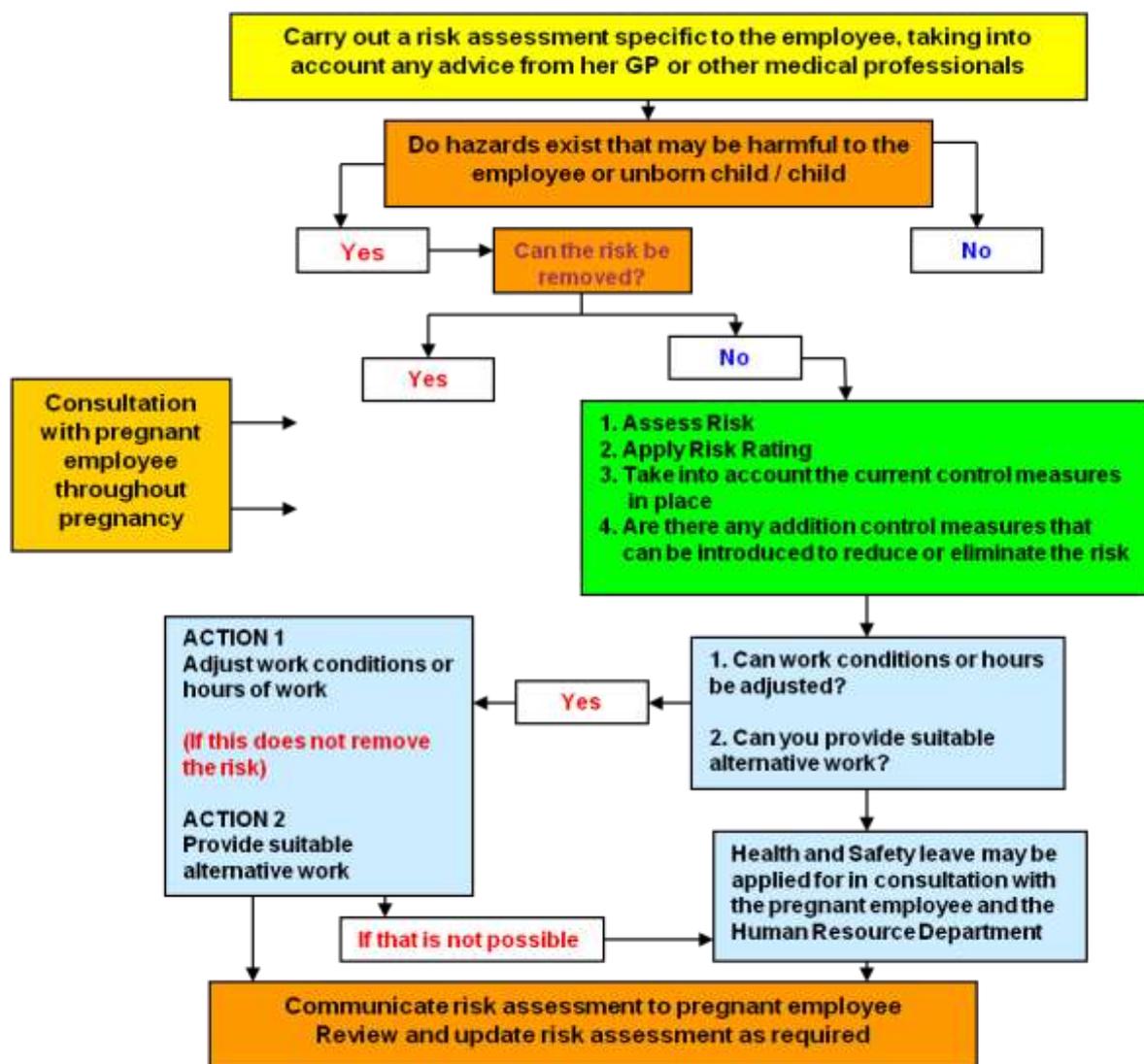
- Step 1,            adjusting the working conditions and/or hours of work - *if this does not remove the risk then*
- Step 2,            provide suitable alternative work - *if this is not possible then*
- Step 3,            provide the employee safety and health leave under Section 18 of the Maternity Protection Act, 1994.

It should be noted that step 3 applies where the employer, having undertaken the risk assessment, identifies occupational risks which arise for pregnant employees and which cannot be reasonably controlled using steps 1 or 2.

The employee must ensure that any advice they receive from their doctor or midwife that could impact on the assessment is passed to their Manager. Where necessary the Manager will seek assistance from the Occupational Health professionals in relation to any such medical information received so that it can be taken account of and the appropriate action taken to ensure the health of the employee and her unborn child. Please note table 1 for a list of potential aspects of pregnancy that may affect work.

The employee must be made aware of the provisions of Pregnant Employee Regulations at Local Induction which is facilitated by the Manager, please refer to Figure 1 below which outlines the risk assessment.

**Figure 1: The flow chart below supplies a quick guide to the risk assessment process.**



**Table 1:**

**Aspects of pregnancy that may affect work:**

Where an employee is affected the impact of these factors may vary during the course of the pregnancy e.g. the posture of an expectant mother changes to cope with her increasing size. A Manager will have to review the risk assessment at regular intervals throughout the employees' pregnancy.

<b>Aspects of Pregnancy</b>	<b>Factors in Work</b>
Morning sickness	Early shift patterns  Exposure to nauseating smells
Backache	Standing/manual handling/ posture
Varicose veins	Standing/ sitting
Frequent visits to the bathroom	Difficulty in leaving job/site of work
Increasing size	Use of protective clothing  Work in confined spaces  Manual Handling
Tiredness	Overtime  Evening and night shift, shift work
Balance	Problems of working on slippery, wet surfaces
Comfort	Problems of working in tightly fitting workspaces
Dexterity, agility, co-ordination, speed of movement and reach may be impaired because of increasing size.	Problems of working in tightly fitting workspaces

Table 1: Information from the Health & Safety Authority Website "A Guide to the Safety, Health & welfare At Work (General Applications) Regulations 2007"; Chapter 2 of Part 6 Protection of Pregnant postnatal and Breastfeeding Employees.

**Legislation:**

Safety, Health and Welfare at Work Act, 2005.

Safety, Health and Welfare at Work (General Application) Regulations, 2007 Chapter 2 of Part 6 Protection of Pregnant Post Natal and Breast Feeding Employees.

The Maternity Protection Act, 1994 and the Maternity Protection (Amendment) Act, 2004.

**References/Additional Guidance**

HSA, Guide to Safety, Health and Welfare at Work (General Application) Regulations 2007 Chapter 2 of Part 6 Protection of Pregnant Post Natal and Breast Feeding Employees.