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**Technological University of the Shannon:
Midlands Midwest**

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TUS Health & Safety Policy and Procedures for Pregnant, Post Natal and Breastfeeding Employees & Students

1.0 Introduction

The Safety, Health and Welfare at Work (General Application) Regulations 2007, Part 6, Chapter 2, Protection of Pregnant, Post Natal and Breastfeeding Employees (*within this policy will be referred to as The Pregnancy Regulations*) places a duty on employers to assess the risks to determine any possible effects on new/expectant mothers (employees) resulting from any activity at the place of work.

In complying with the regulations, TUS and its managers will ensure that the workplace does not pose a risk to the health of a pregnant employee or their developing child.

In this regard a risk assessment process will be used as the basis for determining the level of risk presented by articles or substances or activities in the workplace and which have an impact on **the** pregnant employee or the developing child. In relation to the identified risks, University measures will be implemented, so far as is reasonably practicable, to ensure and maintain a safe workplace.

The Pregnancy at Work Regulations apply from the time an employee informs their employer (e.g. their TUS relevant Line manager or campus HR department) that she is pregnant, has recently given birth or is breastfeeding and provides an appropriate medical certificate. As the earliest stages of pregnancy are the most critical ones for the developing child, it is in the employee's best interest to let their manager know as soon as possible that she is pregnant so that the University may implement the appropriate health and safety control measures.

The University also recognises it has a duty of care to students and researchers undertaking academic work on any TUS campus and as such this policy is extended to cover such academic study, research and work.

2.0 Scope

This policy and its procedures apply to all TUS staff, students and researchers across all campuses. In particular, implementation is required when any employee, student or researcher first informs the university that they are pregnant, or have recently given birth or are breastfeeding.

3.0 Policy Definitions

Pregnant Employee

For the purposes of this policy, means a TUS pregnant employee, an employee who is breastfeeding or a post-natal employee;

Employee who is breastfeeding

Means an employee who, having given birth not more than 26 weeks previously, is breastfeeding.

Post Natal Employee

Means an employee who gave birth not more than 14 weeks preceding a material date.

TUS Manager

For the purpose of this policy means a TUS staff member assigned with responsibilities for managing TUS staff or students and or who has management control over assigned University activities and or management control of a Faculty, Department or Research Institute/facility/Lab or any other infrastructural element of the university.

4.0 Responsibilities & Duties

This section sets out the responsibilities and duties of TUS Managers, Employees/Staff, Students and Visitors in relation the implementation of TUS Policy and Procedures for Pregnant, Post Natal and Breastfeeding Employees & Students.

4.1 TUS Management Responsibilities

The Pregnancy at Work Regulations apply from the time an employee informs TUS (e.g. Line Manager or HR Department) that the employee is pregnant, or has recently given birth or is breastfeeding and provides an appropriate medical certificate. This TUS policy is also intended to provide protection to TUS University students and researchers undertaking academic work or research work on any TUS campus. Below is a summary of the University approved method for notifying the university that a person is pregnant and to permit the university to assess and implement any needed health and safety protection: -

- **Manager of a reporting TUS Employees**
Where a TUS employee informs their direct line manager that they are a new/expectant mother, then that manager must, i) Notify the HR Department, ii) undertake a Pregnancy at Work Risk Assessment with the employee and iii) The line manager must establish and implement risk assessment control measures with a view to reducing the identified risk(s) to as low as is reasonably practicable.
- **Manager or Academic Supervisor to an assigned Student or Researcher**
Where the student or researcher informs their Head of Department, or Academic Supervisor or Research Director, they are a new/expectant mother, then their reporting department's manager must, i) undertake a Pregnancy at work risk assessment with that student/researcher and ii) implement the risk assessment control measures with a view to reducing the risks to as low as is reasonably practicable.

4.2 Staff/Students/Visitors Duties

As the earliest stages of pregnancy are the most critical ones for the developing child, it is in the pregnant employee's or pregnant student's best interest to let the University know as soon as possible that they are pregnant.

Staff

The Pregnancy at Work Regulations apply from the time an employee informs the University (e.g. their direct Line Manager or their Head of Department or the HR Department) that she is pregnant or has recently given birth or is breastfeeding and where the employee provides the appropriate medical certificate.

Students/Researchers (Non- TUS Employees)

The University 'Pregnancy at Work Risk Assessment' process will apply from the time a student or researcher informs the University (i.e. their academic supervisor, or Research Director or Academic Head of Department) that they are a new or expectant mother.

5.0 Procedure

From the date an employee, student or researcher informs TUS that they are a new or expectant mother (see above definitions), the University will take steps to assess the specific work-related risks to that person and implement the appropriate Health and Safety control measures to ensure that the employee or student or researcher is not exposed to anything that would damage her health or that of her developing child.

To ensure compliance with this TUS Policy, all TUS Management should follow the procedural steps set out below which cover the notification, risk assessment, and review process.

Step 1 - Notification

For Employees

The Pregnancy at Work Regulations apply from the time an employee informs you that she is pregnant, has recently given birth or is breastfeeding and provides an appropriate medical certificate. Their TUS Line Manager must:

- i) On being informed, ask the employee to submit the relevant medical certificate to the HR department.
- ii) Begin the Pregnancy risk assessment process

For Academic Students/Researchers

While the Pregnancy at Work Regulations do not apply to non -employees, the University has a duty of care to ensure good standards of health and safety are in place for students and researchers performing their academic work and study on any TUS campus.

In this regard where a student/researcher informs their Academic Head of Department, or Director of Research, or Academic Supervisor, then the student's TUS manager must perform a Pregnancy Risk Assessment.

Step 2 - Pregnancy Risk Assessment

The Risk assessment involves identifying foreseeable hazards in the related workplace which can pose a health or safety risk to the new and expectant mother, then taking the appropriate action (control Measures) to remove or reduce the risk to acceptable limits. The expectant or new mother's reporting manager (i.e. see responsibilities for relevant manager) must carry out the risk assessment, in consultation with the pregnant person. Where needed, managers can seek additional support and/or advice from the, HR Department (for employees), Student Nurse (for Students) and Campus Health & Safety Offices. Please note that it is essential that the expectant or new mother is fully aware of the potential risks to themselves and their unborn baby within their working environment. Managers need to use the risk assessment form in the appendix.

Step 3 -Implement the Risk assessment Finding (control measures)

Once the risk assessment is complete, the relevant manager needs to implement the control measures and agree dates for review of the assessment with the pregnant person. The Manager needs also to provide the expectant mother with a copy of the completed risk assessment. (Note HR departments should also be given a copy to keep on personal files).

Step 4 - Review

The risk assessment work should be reviewed where necessary (e.g. every trimester), or at reasonable intervals as the pregnancy progresses, and upon return to work. Once complete, agree dates for ongoing review. Again, any revisions or updates to the risk assessment should be documented and provided to the expectant mother. (Note HR departments will also need to keep a copy on personal files).

5.0 Data Protection & Confidentiality

For the purposes of complying with the General Data Protection Regulations (GDPR), the outcome of all pregnancy risk assessments will be treated as being private & confidential and the content are not to be divulged to a third party without the express (written) permission of the new or expectant mother. Assessment records will be kept for a period of 3 years and then be disposed of, (eg deleted from databases/shredded), unless there is good reason for retaining them (eg ongoing court case or insurance claim). In the event that a pregnancy risk assessment is retained beyond 3 years, it must be reviewed periodically, (eg annually) by the assessing Department/HR in consultation with the university Data Protection Officer, until it is disposed of. The assessing Department will be responsible for ensuring the requirements of GDPR are complied with.

Sources of Information:

1. *Pregnancy at Work : Workplace Health Toolkit to Assist Small Businesses: Published by the Health and Safety Authority : Web location*
https://www.hsa.ie/eng/publications_and_forms/publications/safety_and_health_management/section_6_pregnancy_at_work.pdf:
2. *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. These guidelines were amended in 2016 to take account of the Safety, Health and Welfare at Work (General Applications)(Amendment)(No.2) Regulations 2016. This Guide is aimed at safety and health practitioners, employers, managers, employees and safety representatives. Web address*
https://www.hsa.ie/eng/Publications_and_Forms/Publications/General_Application_Regulations/Protection_of_Pregnant,_Post_Natal_and_Breastfeeding_Employees.html

APPENDIX

TUS MIDWEST RISK ASSESSMENT FORM



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PREGNANCY RISK ASSESSMENT

Private & Confidential

(The content of this report is subject to the requirements of GDPR)

Personal Details

Name:

Email Address:

Employee/

Student Number:

Department/

Course:

Role/duties:

Line Manager:

Employee is: Pregnant (Due date.....)

Definitions:

- **“Pregnant employee”** means an employee who is pregnant.
- **“Post-natal employee”** means an employee who gave birth not more than 14 weeks preceding a material date.
- **“Employee who is breastfeeding”** means an employee who, having given birth not more than 26 weeks previously, is breastfeeding.

Physical Agents

Where these are regarded as agents causing foetal lesions or likely to disrupt placental attachment (or both) and in particular:

Agent	Yes	No	Risk	Control
Shock, Vibration or Movement				
Shock				
Movement				
Vibration				
Manual Handling -particularly affecting the back in the region of the lumbar vertebrae.				
Increased risk after 28 weeks due to hormonal relaxation of ligaments and postural problems.				
Noise				
Prolonged exposure to loud noise may lead to increased blood pressure and tiredness > 80dB(A)				

Agent	Yes	No	Risk	Control
Physical Agents				
Ionising radiation – Work with radioactive liquids or dusts?				
Non-ionising electromagnetic radiation Optical Radiation Electromagnetic fields and waves				
Extremes of heat or cold				
Abnormal movements and postures. Mental and physical fatigue Working at heights Workspace				

Work in hyperbaric atmosphere, e.g. pressurised enclosures and underwater diving.				
Is the employee exposed to potentially aggressive or violent persons?				

Biological Agents

Agent	Yes	No	Risk	Control
<p>Biological agents of risk group 2,3 and 4 in so far as it is known that these agents or the therapeutic measures necessitated by such agents endanger the health of the pregnant employee and the unborn child.</p> <p>(See HSA Biological Agents COP)</p> <p>Toxoplasma and Rubella virus unless the pregnant employee is proved to be adequately protected by immunisation.</p>				
<p>Covid-19</p> <p>Covid-19 may be transmitted via airborne route or via touching surfaces contaminated with the virus.</p> <p>There is an increased risk of preterm labour after 28 weeks. Up to date information on Covid-19 and pregnancy is available from the Royal College of Obstetricians and Gynaecologists https://www.rcog.org.uk/en/guidelines-research-services/coronavirus-covid-19-pregnancy-and-womens-health/</p>				

Chemical Agents

The following chemical agents in so far as it is known that they endanger the health of pregnant women and the unborn child:

Agent	Yes	No	Risk	Control
<p>Hazard Statements:</p> <p>H340 May cause genetic defects.</p>				

<p>H341 Suspected of causing genetic defects.</p> <p>H350 May cause cancer.</p> <p>H350i May cause cancer by inhalation.</p> <p>H351 Suspected of causing cancer.</p> <p>H360 May damage fertility or the unborn child.</p> <p>H360F May damage fertility.</p> <p>H360D May damage the unborn child.</p> <p>H360FD May damage fertility. May damage the unborn child.</p> <p>H360Fd May damage fertility. Suspected of damaging the unborn child.</p> <p>H360Df May damage the unborn child. Suspected of damaging fertility.</p> <p>H361 Suspected of damaging fertility or the unborn child.</p> <p>H361f Suspected of damaging fertility.</p> <p>H361d Suspected of damaging the unborn child.</p> <p>H361fd Suspected of damaging fertility. Suspected of damaging the unborn child.</p> <p>H362 May cause harm to breast-fed children.</p>				
<p>Substances and preparations referred to in Schedule 1 to the Safety, Health and Welfare (Carcinogens) Regulations 2001</p>				
<p>Mercury and mercury derivatives.</p>				

Antimitotic (cytotoxic) drugs.				
Chemical agents of known and dangerous percutaneous absorption (i.e. that may be absorbed through the skin); this includes some pesticides & antifreeze (ethylene glycol). These substances are marked “Sk” in the 2016 Chemical Agents Code of Practice.				
Carbon Monoxide Engines or appliances operated in enclosed spaces.				
Chemical Agents				
Agent	Yes	No	Risk	Control
Lead and lead derivatives in so far as these agents are capable of being absorbed by humans.				

Working Conditions

Agent	Yes	No	Risk	Control
Underground mining work.				
Work with Display Screen Equipment (VDUs)				
Are there suitable places to lie down or have privacy?				
Are suitable & accessible toilet facilities available?				
Is there any difficulty in the employee evacuating the building in the event of an emergency?				
If lone working can contact be made?				
Is nightwork, (between 11pm and 6am), carried out?				

Additional Information

Any additional information (medical conditions, recommendations from GP etc.):

Regular reviews of this assessment are to take place between the line manager/Head of Department and the pregnant individual during the course of the pregnancy and for any period of breast feeding afterwards, to ensure it remains relevant.

Signatures:

Staff Member _____ Date: _____

Health & Safety Officer _____ Date: _____

Manager/Supervisor _____ Date: _____

GUIDELINES FOR WORKSTATION SET UP

- ❑ Set the chair height so that the elbows are at approximately 90 degrees.
- ❑ Use a footrest if the feet do not reach the floor when the chair is at the right height or lower the desk if the desk is adjustable.
- ❑ The thighs should be approximately parallel to the ground.
- ❑ The shoulders should be relaxed with the elbows at approximately a 90-degree angle.
- ❑ The wrists should be straight when keying.
- ❑ There should be space on the desk in front of the keyboard to rest the wrists when the user is not keying (10-15cms). A wrist rest could be inserted here if the user finds it more comfortable.
- ❑ Position the screen at approximately fingertip distance in front of the user (50-70cms approx. from eye to screen).
- ❑ Adjust the height of the screen using blocks until the top of the screen is at eye level. The screen may need to be left at a lower height for a user with poor typing skills.
- ❑ The monitor and keyboard should be in front of the user on the desk.
- ❑ The mouse should be beside the keyboard.
- ❑ Support the forearm on the armrest of the chair or on the desk for prolonged mouse use.
- ❑ Move or tilt the monitor to avoid reflections on the screen or use window blinds.
- ❑ Use a document holder if data is entered from hard copy documents.
- ❑ Arrange the work equipment so that frequently used items are within easy reach.
- ❑ Do not store files or other equipment under the desk.
- ❑ Ensure the lower back is supported by the backrest of the chair when working.
- ❑ Use telephone headsets if the user spends a lot of time on the phone while simultaneously using the keyboard or referring to files.
- ❑ Ensure that equipment cables are long enough to accommodate recommended workstation set up.
- ❑ Ensure that equipment cables are managed and do not pose a slip and trip hazard.

Note that there must be some flexibility around these guidelines to allow for individual needs.