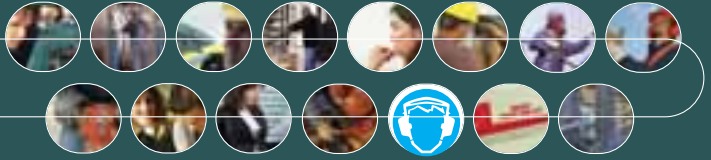


**Safety Toolkit and Short Guide to General Application Regulations 2007  
Pregnant, Post Natal and Breastfeeding Employees Section**



**Pregnant, Post Natal and  
Breastfeeding Employees**

# Introduction



## Safety Toolkit

The objective of the Toolkit is to provide guidance on the prevention of accidents or ill health at work and to provide a practical tool towards a safer workplace. It covers requirements of the Safety, Health and Welfare at Work (General Application) Regulations, 2007 as amended and is aimed specifically at small and micro businesses. It is not intended as a legal interpretation of the legislation. Legal advice should be sought where required.

Checklists provided are non-exhaustive and in no particular order

## How do I use the Toolkit?

The Toolkit is intended to assist you to monitor and improve standards of safety, health and welfare. It will assist you towards complying with the law.

1. Use the checklists to monitor how you're doing.
2. Make any required improvements.
3. If necessary, investigate further to find out what you need to do and set a timescale for achieving it.
4. Use the Action Date column to show when action taken.

Checklists provided are non-exhaustive and in no particular order.

At the end of each point in the check list reference is made to the corresponding part of the Regulations, for example (r51) indicates Regulation 51.

## Where can I get further advice?

The Health and Safety Authority's website [www.hsa.ie](http://www.hsa.ie) contains a large amount of additional information. Most of the information on the website can be accessed free-of-charge. The website has detailed guides on each section of these Regulations. Each guide contains advice on where to find further information.

The Health and Safety Authority's Workplace Contact Unit (WCU) is a helpdesk resource for employers, employees and the public. You can contact the WCU through

- ▲ Locall: 1890 289 389 (Monday to Friday, 9am to 5pm)
- ▲ Fax: 01 614 7125
- ▲ Email: [wcu@hsa.ie](mailto:wcu@hsa.ie)
- ▲ Write to: Workplace Contact Unit, Health and Safety Authority, Metropolitan Building, James Joyce Street, Dublin 1



## Pregnant, Post Natal and Breastfeeding Employees

As the earliest stages of pregnancy are the most critical for the developing child it is in the employee's interest to let her employer know she is pregnant as soon as possible.

### What does this section deal with?

This section deals with specific requirements which apply when an employee informs her employer that she is pregnant and provides an appropriate medical certificate. On receiving notification, an employer must assess the specific risks and take action to ensure that she is not exposed to anything harmful referred to in Part A of Schedule 8. The employer must identify type, quantity and duration of exposure to any agent, process or working condition.

Schedule 8 lists physical, biological, chemical agents, processes and working conditions known to endanger pregnant or breastfeeding employees and the developing child

- ▲ Part A for pregnant, post natal and breastfeeding employees
- ▲ Part B for pregnant employees only, and
- ▲ Part C for breastfeeding employees only

Where there is a risk, the employer must

- ▲ Adjust the working conditions and/or hours of work
- ▲ Provide suitable alternative work
- ▲ Assist the employee in receiving health and safety leave

### Does this section apply to all pregnant, post natal and breastfeeding employees?

This section applies when an employee informs her employer that she is pregnant and provides an appropriate medical certificate.

### Some Important Points

- ▲ Pregnant, post natal and breastfeeding employees must be able to lie down to rest in appropriate conditions



## Pregnant, Post Natal and Breastfeeding Employees Checklist

### Interpretation

See Reg 147 for definitions of agent, process or working condition, employee, employee who is breastfeeding, post natal employee and pregnant employee (*r147*)

### Requirement

Yes

No

N/A

Action Date

This Chapter applies to an employee subject to her notifying her employer as soon as is practicable and producing a medical or other appropriate certificate (*r148*)

Defence Forces not exempt (*r148*)

Pregnant, postnatal and breastfeeding employees are able to lie down to rest in appropriate conditions (*r24*)

Assess any risk to and possible effect on pregnancy or breastfeeding from exposure to any agent, process or condition as referred to in Part A of Schedule 8 (*r149*)

### SCHEDULE 8 Part A — Pregnant, Post Natal and Breast Feeding Employees

#### Physical agents

Physical agents regarded as causing foetal lesions or likely to disturb placental attachment, in particular (*s8pA*)

▲ shocks, vibration or movement (*s8pA*)

▲ handling of loads entailing risks (*s8pA*)

▲ noise (*s8pA*)

▲ ionising radiation (*s8pA*)

▲ non-ionising radiation (*s8pA*)

▲ extremes of cold or heat (*s8pA*)

Requirement	Yes	No	N/A	Action Date
▲ movements and postures, travelling, mental or physical fatigue and other physical burdens ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>Biological Agents</b>				
▲ biological agents of risk groups 2, 3 and 4, in so far as it is known that these agents endanger pregnant employees and the unborn child but excluding toxoplasma and rubella virus ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>Chemical Agents</b>				
the following insofar as they endanger pregnant employees and the unborn child but excluding lead and derivatives capable of being absorbed ( <i>s8pA</i> )				
▲ substances and preparations under Classification, Packaging, Labelling and Notification of Dangerous Substances Regulations with the following risk phrases ( <i>s8pA</i> )				
▲ limited evidence of a carcinogenic effect ( <i>R40</i> ) ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ may cause cancer ( <i>R45</i> ) ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ may cause heritable genetic damage ( <i>R46</i> ) ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ may cause cancer by inhalation ( <i>R49</i> ) ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ may cause harm to the unborn child ( <i>R61</i> ) ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ possible risk of harm to the unborn child ( <i>R63</i> ) ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ may cause harm to breastfed babies ( <i>R64</i> ) ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ possible risk of irreversible effects ( <i>R68</i> ) ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ substances and preparations in Schedule 1 to Carcinogens Regulations 2001 or released by a process in Schedule 1 ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ mercury and mercury derivatives ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

Requirement	Yes	No	N/A	Action Date
▲ antimitotic (cytotoxic) drugs ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ carbon monoxide ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ chemical agents of dangerous percutaneous absorption ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>Processes</b>				
▲ industrial processes in Schedule to Carcinogens Regulations 2001 ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>Working Conditions</b>				
▲ underground mining work (R149) ( <i>s8pA</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Determine nature, degree and duration of exposure of all employees under these regulations to any agent, process or working condition ( <i>r149</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Take the preventive and protective measures necessary ( <i>r149</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Assess risk to a pregnant employee from exposure to an agent or working condition in Part B of Schedule 8	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>SCHEDULE 8 Part B — Pregnant employees</b>				
<b>Physical Agents</b>				
▲ hyperbaric atmosphere ( <i>s8pB</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
<b>Biological Agents</b>				
▲ Toxoplasma ( <i>s8pB</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ Rubella virus ( <i>s8pB</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ unless pregnant employees adequately protected by immunisation ( <i>s8pB</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

Requirement	Yes	No	N/A	Action Date
<b>Chemical Agents</b>				
▲ lead and derivatives capable of being absorbed ( <i>s8pB</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ working conditions ( <i>s8pB</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
▲ underground mining ( <i>r149</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Assess risk to a breastfeeding employee from lead and lead derivatives capable of being absorbed and underground mining work ( <i>r149</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Such employee not required to perform duties for which the assessment reveals such risk ( <i>r149</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Where the risk assessment reveals a risk and it is not practicable to use protective or preventive measures adjust temporarily working conditions or hours so that exposure to such risk is avoided, and ( <i>r150</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Where adjustment of work or hours is not feasible provide other work which does not present a risk ( <i>r150</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
In this Regulation “night work” means at least 3 hours normal work between 11 p.m. and 6 a.m. on the next day or at least 25 per cent of monthly working time in that period ( <i>r151</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
If a registered medical practitioner so certifies, employee not required to do night work during pregnancy or for 14 weeks following childbirth or transferred to day work or leave granted ( <i>r151</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
Employees and/or representative are provided with assessment and measures to be taken ( <i>r152</i> )	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	

*This is a guidance document and using the checklist should help you comply with the Regulations. The checklists are non-exhaustive and in no particular order. Further guidance can be found at [www.hsa.ie](http://www.hsa.ie)*