	<b>Pregnancy and the University Workplace</b>	Effective:	10 March 2006
		Originator:	M. Chapman
		Last Updated:	10 March 2006
		Updated By	M. Chapman

## Pregnancy and the University Workplace

### 1. Policy

1.1 This policy is to assist supervisors in their discussions with employees about reproductive hazards and provide guidance to supervisors in compliance with the Federation's (St. Kitts & Nevis) nondiscrimination law relevant to such issues.

### 2. Scope

2.1 This policy applies to all supervisors at the Ross University School of Veterinary Medicine where hazardous materials are being used.

### 3 Procedure

3.1 A supervisor should ensure that any potential workplace reproductive hazards are explained to the employee and that the employee's concerns about the effects of his or her work on reproductive ability are explained. Information relating to potential reproductive hazards that might be found in the workplace can be requested from Human Resources Department.

### 4. Legal Issues


4.1 Often problems arise when supervisors decide to transfer, terminate, or otherwise alter the employment conditions of a pregnant woman or women with childbearing potential. In the majority of cases, courts have found that decisions of this type constituted unlawful discrimination. In a few instances, courts have determined that the risk of harm to a fetus was significant enough to justify barring women of childbearing age from jobs. The Human Resources Department and the Department of Labor can supply you with more recent or detailed legal information. In general, the following rules apply:

4.1.1 It may be a violation of the federation's antidiscrimination statutes to terminate, lay off, or reassign a pregnant employee or woman of childbearing age, or to place such a person on unpaid leave of absence on the grounds that the workplace or job is too dangerous for a developing fetus. Such action may be appropriate, however, when the employee herself requests reassignment or unpaid leave. If such a request is made, the supervisor should discuss the matter with his or her department head and Human Resources Department to determine if this action can be accomplished as a reasonable accommodation to the employee's request.

4.1.2 If a decision is made to accommodate the employee's request, the action should be documented in writing. A statement that the employee has requested reassignment or leave and that the supervisor has agreed to the request should be included in the documentation.

4.1.3 Employees who work with radioactive materials or radiation-producing machines should consider the hazards associated with radiation risk to the embryo/fetus. It is a woman's right to implement lower dose limits for the embryo/fetus by declaring her pregnancy, in writing, with the estimated date of conception. She also has the right to undeclared her pregnancy.

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- 4.1.4 You may not, with very narrow exceptions, include statements in a job description or vacancy listing requiring that an employee or applicant cannot be pregnant, of childbearing age, or of a particular sex. You may not refuse to hire someone because she is pregnant, and you may not terminate an employee for this reason.
- 4.1.5 University policy requires that if an employee is disabled by her pregnancy and later returns to work, you must return her to the same or a similar job.

**5. All Supervisors Should**

- 5.1 Recognize that materials used in the workplace may affect both male and female employees and that such materials may create potential reproductive hazards by affecting the male reproductive system, the female reproductive system, or the fetus. Required health and safety programs (Injury Illness Prevention Program, Laboratory Safety Standard, Bloodborne Pathogen Standard, etc.) should be in place and updated annually to assure priority for a safe and healthful work environment for all employees.
- 5.2 Ensure that employees are informed of the hazardous properties of materials they must use in SafetyWeb, "Hazardous Material Information and Training" and SafetyWeb, "Safety Training Tips."
- 5.3 Review Material Safety Data Sheets on substances used in the workplace to determine if substances used in the supervisor's area of responsibility create a known risk of reproductive hazard. Supervisors should discuss the properties of these materials with all employees and establish standards for handling such substances and protective measures appropriate for the type of work being performed.
- 5.4 Review Material Safety Data Sheets to determine if substances used in the supervisor's area of responsibility have a potential (or unknown) risk of reproductive hazard. Supervisors should discuss the properties of these materials with all employees and establish standards for handling such substances and protective measures appropriate for the type of work being performed.
- 5.5 Encourage employees to tell supervisors as soon as possible when they become pregnant. However, supervisors should be aware that employees cannot be required to inform their employer about their reproductive status. Supervisors should ensure that employees do not feel they are being coerced to reveal personal information.

**6. When A Supervisor Learns That An Employee Is Pregnant, He or She Should**

- 6.1 Contact Human Resources to discuss any concerns the supervisor has about the employee's work and its potential effect on the health of the mother or fetus. Specific regulatory limits for radiation exposure apply to declared pregnant women. Call the Security Department Director at Telephone (869) 465-4161 Ext. 191 for more information about radiation regulations.

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- 6.2 Meet with the employee to discuss any concerns about the employee's health or the health of the fetus. Contact Human Resources before making a commitment to any accommodation that changes a working condition
- 6.3 Encourage pregnant employees to discuss their work environment and duties with their personal physicians. The supervisor should obtain copies of documentation from an employee's physician to support any accommodations or changes in duties requested by the employee.
- 6.4 Establish reasonable work practices, including procurement of protective equipment that will reduce any risks perceived by the employee or the supervisor. (For example, if the employee must use small quantities of solvents outside a fume hood, provision of an air purifying respirator would help.)
- 6.5 Consult the collective bargaining agreement, if any, that governs the working conditions for the affected employee. Contact the appropriate labor relations representative for advice as needed. Note that the Federation's regulations may require the University to adopt different, and in some situations, stricter health and safety standards than those set forth in the contracts.
- 6.6 Document discussions between the employee and the supervisor. This documentation should include a summary of concerns expressed by the employee, concerns expressed by the supervisor, steps taken by the supervisor to address the employee's concerns, and an explanation of the supervisor's rationale for not accommodating requests made by the employee, if applicable. This documentation should also indicate any modifications in work practices, as well as the provision of protective equipment, if any, that will be employed. Consult Human Resources Department before making adjustments to working conditions (other than straightforward alterations in hours of work) or recommending protective equipment. Changes in working conditions, including hours or work, must be approved by the Human Resources Department. The documentation should be signed by the supervisor, the employee, and by any other University representatives who have participated in its preparation. Each of the signatories should keep a copy.
- 6.7 Recommend that the employee provide a copy of the documentation discussed above to her physician. Reasonably attempt to accommodate the physician's suggestions or request for changes.

For additional information, contact your Safety & Security Director , @ 465-4161 ext. 191.