Social determinants of health:

Pregnancy discrimination, rights relating to paid leave and return to work

Rosalind Bragg, Maternity Action

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Maternity Action

- National charity
- Focus on equalities
- Web-based information, training, research, policy and campaigning

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Why look at rights at work?

- Impact on the health and wellbeing of the woman
- Well-paid maternity leave has benefits for maternal and child health
- Preventing poverty
- Fundamental issue of gender equality

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What are women's rights?

- Paid time off for antenatal care
- Health and safety risk assessment
- 52 weeks of maternity leave irrespective of length of service
- 39 weeks of Statutory Maternity Pay (if eligible) or Maternity Allowance (if eligible)
- Right to return to the same job or similar job
- Right to request flexible working
- Pregnancy discrimination is against the law

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Pregnancy discrimination

“it is sex discrimination to treat a woman less favourably on the grounds of her pregnancy or because she wants to take or has taken maternity leave”

See Maternity Action information sheet, *Pregnancy discrimination*

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Examples of discrimination

- selection for redundancy on the grounds of pregnancy,
- dismissal because of pregnancy,
- refusal of training or promotion opportunities,
- reduction of pay or hours,
- pressure to resign
- failure to carry out a risk assessment where there are health and safety risks.

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How common is it?

- 200 000 women experience it each year
- 30 000 women each year lose their jobs as a result of pregnancy discrimination
- Discrimination in selection for redundancies increased during the recession
- Significant issue in the meat and poultry processing industry
- Poor data collection

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Examples of health impacts

- 20% of premature births are caused by occupational factors, leading to occupational fatigue (EOC 2005).
- Women reported repeated miscarriages due to lack of adjustments at work in the meat and processing sector (EHRC 2010)

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What can women do?

- Follow their employer's grievance procedure
- Make a tribunal claim

See Maternity Action information sheet: *Dealing with pregnancy and maternity related problems at work,* for guidance

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Low awareness and action

Of those who experience discrimination:

- 45% are not aware of their rights
- One-third raise it with their manager
- 5% seek advice from their union, Citizens Advice Bureau, advice agency or solicitor

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EU Pregnant Workers Directive

- Fundamental source of maternity rights at work in the UK.
- Amendments under discussion at EU
- 20 weeks of maternity pay@100% income; Paid breastfeeding breaks; Right to refuse overtime and nightwork during pregnancy and breastfeeding; Additional leave for mothers of premature babies; Improved protection against pregnancy discrimination

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Well-paid parental leave

- Well paid parental leave is associated with lower rates of maternal depression, lower rates of infant mortality, fewer lower birth-weight babies, more breastfeeding and more use of preventative health care. (Marmot Review 2010)

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Other changes to rights

- Government commitment to promote shared parenting from the earliest stages of pregnancy, including the promotion of a system of flexible parental leave
- Government commitment to extend the right to request flexible working to all employees

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Maternity Action info sheets

- For mothers: rights during pregnancy, maternity leave and return to work, including redundancy, breastfeeding rights, flexible working and many others
- For fathers and partners, including guide to Additional Paternity Leave
- Polish language information

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Podcasts (in development)

- Three podcasts: rights during pregnancy; rights on return to work; and rights for fathers and partners.
- Can listen online or can be downloaded for later use
- Piloting to commence in early 2011 for release by mid-year

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