

Bern, April 24, 2017

**Information Leaflet on Maternity Protection**

Based on maternity protection information from SECO

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**UNIVERSITÄT**  
**BERN**

# Occupational Safety, Health Protection and Environmental Safety

Information Leaflet on Maternity Protection

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## **Maternity Protection – Pregnancy and Breastfeeding**

### **1. Basic Information**

During pregnancy, women are more sensitive to certain physical influences (e.g. X-rays), chemical substances or microorganisms (e.g. rubella viruses). If a pregnant woman is exposed to such harmful factors, this can have serious consequences for the development of her unborn child. Toward the end of pregnancy, onerous work (e.g. moving heavy loads) may have similar consequences.

Pregnant and breastfeeding women may only undertake hazardous or onerous work if a risk assessment has ensured there is no negative impact on the health of mother or child or if suitable measures can be taken to avert such an impact.

This information leaflet is primarily concerned with employees of the University of Bern, but could equally apply to students and interns.

### **2. Statutory Basis**

[Employment Act of March 13, 1964 \(art. 6, art. 35\)](#)

[Federal Personnel Act of March 24, 2000 \(art. 4 para. 2 letter g\)](#)

[Ordinance by the Federal Department of Economic Affairs \(FDEA\) of March 20, 2001, on Hazardous and Onerous Work during Pregnancy and Maternity \("Maternity Protection Ordinance"\)](#)

[Ordinance of August 25, 1999, on Protection of Employees from Dangerous Microorganisms \("PEMO"\)](#)

[Radiological Protection Ordinance of June 22, 1994 \(RPO\)](#)

[Biosafety concept of the University of Bern](#)

### **3. Hazardous and Onerous Work**

Any work which is known to have a negative impact on the health of mother and/or child is deemed to be hazardous or onerous work for pregnant or breastfeeding women.

#### **3.1. Moving Heavy Loads**

Regular moving of loads of more than 5 kg or occasional moving of loads of more than 10 kg – as well as exerting a maximum force in any direction, when using mechanical aids such as levers and cranks, equivalent to lifting or carrying a load of more than 5 or 10 kg – are deemed to be hazardous or onerous for pregnant women up to the end of the sixth month of pregnancy.

Pregnant women may no longer move any heavy loads as described above from the seventh month of pregnancy onwards.

#### **3.2. Working in Cold, Hot or Wet Conditions**

Work indoors at ambient temperatures below -5°C or above 28°C and any regular involvement in work associated with very wet conditions are deemed to be hazardous or onerous for pregnant women. Hot drinks must be available if temperatures fall below 15°C. Work at temperatures between 10°C to -5°C is permissible if the employer provides clothing suited to the temperature range in question and the activity involved. When assessing ambient temperature, it is also important to consider factors such as humidity and air velocity or the duration of any exposure.

### **3.3. Movements and Body Positions Causing Premature Fatigue**

Activities associated with frequent awkward movements or body positions, such as significant stretching or bending, crouching or stooping for long periods or activities involving set body positions with no possibility of moving, are deemed to be hazardous or onerous during pregnancy and up to the 16th week following childbirth.

### **3.4. Working with Microorganisms**

As regards exposure to microorganisms from groups 2–4 as per appendix 2.1 to the Ordinance on Protection of Employees from Dangerous Microorganisms (PEMO), the health risk for mother and child in terms of the activities involved, the employee's immune status and the protective measures taken must be evaluated as part of a risk assessment. It is a case of ensuring this kind of exposure does not harm either mother or child.

Pregnant or breastfeeding women are not allowed to work with microorganisms from group 2 which are known to be teratogenic (e.g. rubella virus or Toxoplasma); this does not apply in cases where there is evidence the employee is sufficiently protected as a result of immunization. Work involving other microorganisms from group 2 is only permissible for pregnant or breastfeeding women if a risk assessment proves any health risk to either mother or child can be ruled out.

Pregnant or breastfeeding women are not allowed to work with microorganisms from group 3 or 4; this does not apply in cases where there is evidence the employee is sufficiently protected as a result of immunization.

Working with animals – depending on the species – presents a special hazard to pregnant women through infection with zoonoses and common pathogens.

### **3.5. Impact of Noise**

Pregnant women may not work in places where the noise level is  $\geq 85$  dB(A) (LEX 8 hr). Any impact resulting from infra- or ultrasound needs to be assessed separately.

### **3.6. Working under the Influence of Ionizing Radiation**

For women exposed to radiation as part of their job, the equivalent dose at the surface of the abdomen must not exceed 2 mSv once they are known to be pregnant. The effective dose in the event of incorporation (where radiation is taken in by the body) must not exceed 1 mSv.

During breastfeeding, women must not perform any work with radioactive substances which presents a risk of incorporation or radioactive contamination.

### **3.7. Working under the Influence of Non-ionizing Radiation**

For women exposed to radiation as part of their job, it is essential to ensure no harm is suffered by mother or child as a result of exposure to non-ionizing radiation from when they are known to be pregnant until the end of their pregnancy. The limits set out in appendix 1 to the Maternity Protection Ordinance must be complied with in any case.

### 3.8. Working when Exposed to Excess Pressure

Pregnant women must not be given work involving exposure to excess pressure such as work performed in pressure chambers or diving work.

### 3.9. Piecework and Paced Work

Piecework or paced work are not permissible if the work rate is predefined by a machine or technical device and cannot be influenced by the employee.

### 3.10. Working in Spaces with Reduced Oxygen in the Atmosphere

Pregnant women must **not enter** premises with reduced oxygen in the atmosphere.

### 3.11. Impact of Hazardous Chemicals

It is essential to ensure exposure to hazardous substances does not cause any harm to mother or child. The exposure limits applicable in Switzerland, as per the list of limits compiled by the Swiss National Accident Insurance Fund (SUVA), must be complied with.

The substances below and those in table 1 are deemed to be particularly hazardous to mother and child. (the list is not exhaustive):

- Mercury and mercury compounds
- Mitotic inhibitors/Cytostatic agents
- Carbon monoxide
- Ethidium bromide
- Diaminobenzidine
- Acrylamide
- Halothane
- Ethylene oxide

Tab. 1: Substances classified as carcinogenic, mutagenic or toxic to reproduction with the following risk phrases or combinations thereof:

R-phrase	H-statement
R40 Limited evidence of a carcinogenic effect	H351 Suspected of causing cancer
R45 May cause cancer	H350 May cause cancer
R46 May cause inheritable genetic damage	H340 May cause genetic defects
	H341 Suspected of causing genetic defects
R49 May cause cancer by inhalation	H350i May cause cancer by inhalation
	H360 May damage fertility or the unborn child
R60 May impair fertility	H360f May damage fertility
R61 May cause harm to the unborn child	H360d May damage the unborn child
	H361 Suspected of damaging fertility or the unborn child
R62 Possible risk of impaired fertility	H361f Suspected of damaging fertility
R63 Possible risk of harm to the unborn child	H361d Suspected of damaging the unborn child
R64 May cause harm to breastfed babies	H362 May cause harm to breastfed children

Exposure or potential exposure to these substances is forbidden during pregnancy or breastfeeding.

### 3.12. Vibrations/Tremors, Impacts

Activities where the body is exposed to external influences such as impacts, vibrations and tremors are deemed to be hazardous or onerous during pregnancy and up to the 16th week after childbirth.

### **3.13. Particularly Stressful Working Time Systems**

Women must not work nights or shifts for the entire duration of their pregnancy or during breastfeeding afterwards if this is associated with hazardous or onerous work according to the criteria above or if the shift system involved is particularly challenging from a health perspective. Shift systems involving regular backward rotation (night shift, late shift, early shift) or those based on more than three night shifts in a row are deemed to be particularly challenging from a health perspective.

## **4. Risk Assessment**

In order to assess whether and what hazards exist in the workplace, it is necessary to conduct a risk analysis. This risk assessment will also define which work needs to be ruled out and/or, where applicable, how the risks can be minimized.

Since the risk of a child being harmed is highest in the first trimester of pregnancy, it is in the best interests of the employee to get in touch with the relevant Safety Officer (HPSO) as soon as possible so the risk assessment can be drawn up at the earliest possible opportunity.

The employee should also inform her line manager; if the employee wishes, the risk assessment can, of course, also be performed on a confidential basis.

## **5. Duties and Responsibilities**

### **5.1 Pregnant or Breastfeeding Employee:**

- Informs the HPSO/CPOS she is pregnant at an early stage in her own best interests
- Helps draw up the risk assessment
- Complies with protective measures
- Informs the HPSO/CPOS and works doctor about changes to work processes

### **5.2 Employee's Doctor:**

- Performs their own examination on the pregnant or breastfeeding employee based on the risk assessment drawn up
- Draws up the medical certificate stating whether the employee can be deployed at the workplace concerned without any reservations, subject to certain conditions only or not at all any more
- Informs the employee and employer of the results of the examination they have performed

**5.3 Health Protection and Safety Officer (HPSO) at the Institute:**

- The Health Protection and Safety Officer clarifies what is needed by way of advice with the help of the [workplace assessment](#)
- Helps the works doctor/occupational hygienist draw up the risk assessment
- Is the point of contact for pregnant/breastfeeding employees
- Maintains contact with the Risk Management Office

**5.4 Employer (Line Manager) Once Informed about the Pregnancy:**

- Helps draw up the risk assessment
- Is responsible for compliance with protective measures
- Informs the pregnant/breastfeeding employee

**5.5 Risk Management Office:**

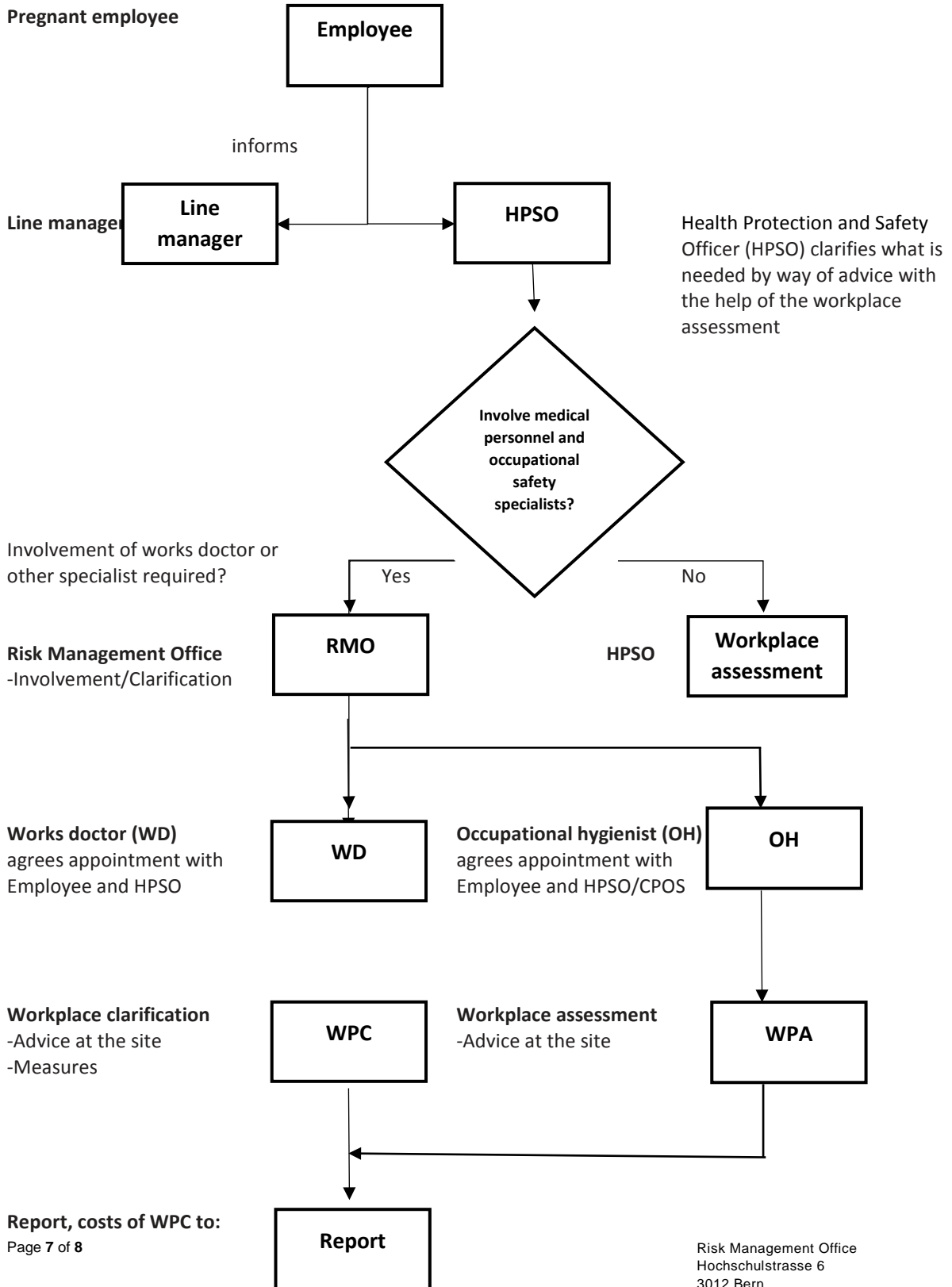
- Maintains contact with the works doctor or occupational hygienist
- Helps the works doctor draw up the risk assessment

**5.6 Works Doctor/Occupational Hygienist:**

- Draws up the risk assessment of the workplace in collaboration with the HPSO/CPOS
- Is the point of contact for the employee's doctor and the employer
- Performs a new assessment if work processes change

**6. Process Flow**

**Pregnant employee**



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- Pregnant employee
- Line manager (institute)
- HPSO