

WOMEN IRONWORKERS WORKING THROUGHOUT PREGNANCY

As more and more women come into the trades, we need to update our knowledge and acceptance regarding ironworkers working in the field. Local 97 currently has small number of pregnant ironworkers working in the field. This may cause contractors and co-workers some nervousness and fear, and crews and supervision might be confused about how to proceed.

Most ironworkers want and need to continue working during their pregnancy and we all have an obligation to work together to ensure this happens. This means a co-operative approach between the contractor, the worker and her Union to ensure the worker can continue working for as long as she chooses. Modifications to the work are necessary to achieve this. Working together we can ensure the worker's safety and health.

The *British Columbia Human Rights Code* (the Code) prohibits discrimination based on certain personal characteristics. These personal characteristics include pregnancy, as a component of the person's sex. Discriminatory practices related to pregnancy, such as negative treatment, refusal to hire or promote, termination of employment, or harassment, are against the law under the Code.

Pregnancy in the workplace is a fundamental human rights issue of equality of opportunity between women and men. Women should not suffer negative consequences in the workplace simply because they are pregnant. Job functions and workplace rules may affect a pregnant employee differently than other employees. As a result, adjustments to working conditions may be required to reduce or eliminate discriminatory effects.

Employers have a legal obligation to accommodate pregnancy-related needs unless the accommodation will cause undue hardship. Undue hardship considers factors such as health, safety and cost. The pregnant employee, the employer, and other parties such as union representatives, must cooperate and compromise to find reasonable and practical solutions.

The purpose for this article is to give a set of guidelines to help both supervision and employee navigate through new and uncharted territory. Of course, the worker's physician's orders will supersede these guidelines.

All guidelines were taken from The National Institute for Occupational Safety and Health (NIOSH).

GUIDELINES FOR SUPERVISION AND EMPLOYEES

We need to understand there may be impacts on a worker's productivity and the work a worker can perform as a result of her pregnancy. The worker may not be able to pack or carry as much, may need extra micro breaks, and have more sick days than normal, but will still be an asset to the crew.

Communicate with Supervision

Communication between employee and supervision is paramount. Workers should let supervision know about pregnancy as soon as pregnancy is confirmed, so that work duties can be adjusted as necessary. The worker should convey all physician recommended changes or limits to her supervision. These may change over time. The worker should continue to communicate with supervision on a regular basis to ensure any changes to duties or capabilities are clearly outlined as pregnancy progresses, work with each other to reduce risk, and fulfill work obligations.

Consult a Physician

It is up to the pregnant worker to consult with a physician about work life and job duties. Please complete the **Job Demand Analysis** (attached) with supervision to show the physician the particulars of your work. The physician will assess the worker's duties and may alter job specifications to the new limits of her body. This way the worker can stay safe during her pregnancy.

Physical Demands

Ironworking is very physically demanding work. Our bodies get accustomed to this work, but pregnancy changes this. Hormones affect ligaments and joints even early on in a pregnancy, potentially making her more susceptible to injury from heavy lifting. This is especially true for lifting from the ground or below the knees, and above the shoulders. As pregnancy progresses, the worker is at greater risk of injury while lifting due to her changing size and an inability to hold objects close to her body.

Please see diagram **Provisional Recommended Weight Limits for Lifting at Work During Pregnancy** (attached).

Fall Arrest

A pregnant worker should never be put in a fall arrest situation. User Instructions for 3MTM Full Body Harnesses, as well as the MSA Workman Full Body Harness states that “Minors, pregnant women and anyone with a history of either back or neck problems should not use this equipment”. The worker’s duties will need to be adjusted to avoid any need to wear fall arrest equipment.

Environmental Factors

Welding fumes, grinding dust, lead paint, and radiation exposure are just a few environmental factors we encounter on a daily basis. Other areas of concern are noise, vibration, and temperature extremes. All of these could adversely affect the development of a baby. Of course, all possible PPE must be worn while completing these duties (Ex. half mask respirator). A pregnant worker’s Physician/ Health Care Professional must be consulted to acknowledge that the PPE being used is adequate to mitigate the risk.

Safety Officer/First Aid

The First Aid/ Safety Officer on site should be informed. This knowledge is necessary if an incident occurs.

As we move forward, we will need to readjust as more information come to light. Please keep us aware of any new issues that occur.

RESOURCES FOR THE PREGNANT WORKER

Employment Sickness Benefits

[https://www.canada.ca/en/services/benefits/ei/ei-sickness.html#:~:text=Employment%20Insurance%20\(EI\)%20sickness%20benefits,to%20work%20for%20medical%20reasons.](https://www.canada.ca/en/services/benefits/ei/ei-sickness.html#:~:text=Employment%20Insurance%20(EI)%20sickness%20benefits,to%20work%20for%20medical%20reasons.)

EI can provide up to 15 weeks of Sickness Benefits if you cannot work because of illness. For example, if you have severe morning sickness or are on bedrest ordered by your Physician you are eligible. You must get a medical certificate stating that you cannot work due to medical reasons. You must have 600 insured hours of work in 52 weeks or since your last claim, whichever is shorter.

Weekly Indemnity Through Local 97

If not eligible for Sickness Benefits, because you do not have enough insured hours to start a new claim or all 15 weeks of benefits have been used, Weekly Indemnity is available for those who are too sick or are high risk. A Wage Loss form/ Weekly Indemnity form will need to be filled out. D.A. Townley needs to be notified when you give birth and start your Maternity/ Parental Benefit.

D.A. Townley : (604)299-7482

Employment Maternity and Parental Benefits

<https://www.canada.ca/en/services/benefits/ei/ei-maternity-parental.html>

Maternity Benefits are only for the person who cannot work because they are pregnant or have recently given birth. This benefit is for a maximum of 15 weeks and can be taken as early as 12 weeks before your due date or the date you give birth.

Parental Benefits can be used by either parent and can be used at the same time or one after another. Standard Parental Benefit is a maximum of 35 weeks, or you can choose Extended Parental Benefit for a maximum of 61 weeks. The total amount of benefit received will be the same for both time frames.

Pregnancy Leave

An employee can request Pregnancy Leave which can start up to 13 weeks before the expected due date and no later than the actual birth date. This is an **unpaid** 17 week leave. Employees are asked to give written notice to employers in advance. Unpaid, job-protected leave continues for at least six weeks after birth and, if necessary, can be extended for a further six weeks.

The combination of unpaid maternity leave and parental leave can be used up to a total of 78 weeks.