

Employment businesses and clients must ensure that new and expectant mothers are safe in the workplace and that they are not exposed to harmful risks. Therefore, Grafters Recruit works closely with their clients to ensure that each of them complies with their own statutory responsibilities and that a new or expectant mother working on a client's site works safely.

Grafters Recruit ensures that an appropriate risk assessment is conducted by the hiring client to ensure that there are no workplace risks which could do harm to either an expectant mother or her unborn child, or new mothers (a new mother is a mother who is breast-feeding or within 6 months of giving birth). They should make the results of the risk assessment available to the workforce and not just those who are pregnant or have recently given birth. Once a client is aware that a temporary worker is pregnant, or is a new mother, it then has a duty to make a further assessment of the workplace risks to that worker. Risks will vary depending on industry sector and the client's site but could include:

- lifting or carrying heavy loads;
- standing or sitting for long periods;
- exposure to toxic substances; or
- working long hours.

Having done the risk assessment, the hiring client should then take steps to avoid any risks identified by altering working conditions or hours of work. Where such risks cannot be avoided (for example due to the nature of the role) then the assignment can be terminated. If the worker's assignment is terminated on health and safety grounds, Grafters Recruit will look for other more suitable work for the pregnant worker (i.e. work that does not have the same health and safety risks), although there is no obligation to do so unless the worker has completed the 12 week qualifying period under the Agency Workers Regulations 2010.

The Agency Workers Regulations 2010 give pregnant agency workers, who have completed the 12 week qualifying period, 2 pregnancy related rights. These are:

1. the right to take paid time off to attend ante-natal appointments; and
2. the right to be offered suitable alternative work when an assignment has been terminated on health and safety grounds related to pregnancy. An alternative suitable assignment will be one which is free of the health and safety risks which caused the original assignment to be terminated and which involves work which is appropriate for the agency worker to do in her circumstances. If alternative work cannot be found, then the pregnant woman will have the right to be paid by the employment business for the remaining expected duration (or likely duration) of the original assignment.

Subject to the pregnant agency worker qualifying, Grafters Recruit will process Statutory Maternity Pay as required by legislation.