



EMPLOYMENT LAW

INTERNATIONAL WOMEN'S DAY 2025

Women's Health and Wellbeing at Work: the current position and steps employers can take to #AccelerateAction

MENSTRUAL HEALTH AT WORK

Do UK workers have a right to “menstrual leave”?

1 in 4 working woman
say they regularly
experience period pain
which affects their
ability to work

No ring-fenced
“menstrual leave”
available for UK
workers (as in Spain)

Absence must be taken
as ordinary sick leave
but, in practice, this is
rarely taken

Are there any legal protections connected to menstrual problems?

Unfair dismissal

Indirect sex discrimination

Disability discrimination

Case examples

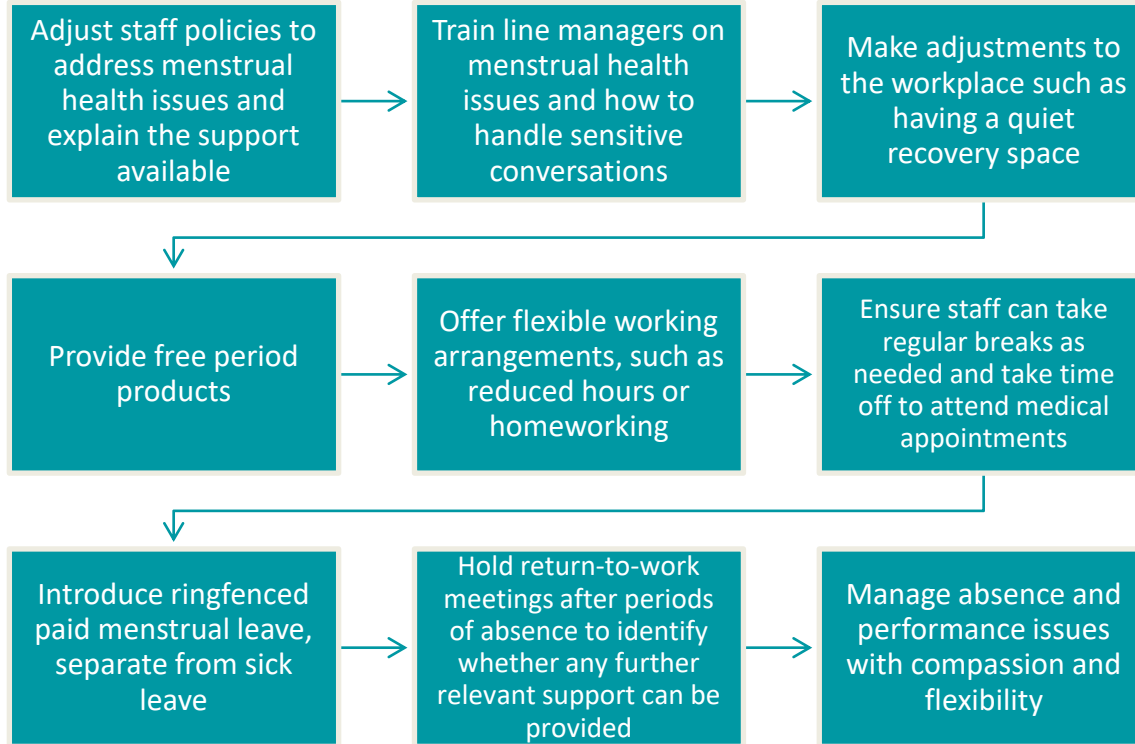
What does the future hold?



Equality Action Plans
for employers with
250+ employees

Best practice
guidance from the
BSI and CIPD

What can employers do to support workers experiencing menstrual health difficulties?



REPRODUCTIVE HEALTH AND PREGNANCY LOSS

Reproductive health: what does UK law provide?

Right to leave

- No right to fertility leave
- Time off for treatment:
 - ✓ Annual leave
 - ✓ Sick leave

Other protections

- Unfair dismissal
- Sex discrimination
- Disability discrimination
- Pregnancy discrimination

What can employers do to support workers experiencing fertility problems?

Raise awareness across the organisation about fertility challenges, investigations or treatment.

Create an open, inclusive and supportive culture

Develop an organisational framework to support employees, including policy provision, line manager guidance and education and access to sources of help

Manage absence and leave requests with compassion and flexibility and put in place procedures

Equip line managers to support people with empathy and understanding

Pregnancy loss

Loss occurring <u>before</u> 24 weeks of pregnancy	Loss occurring <u>after</u> 24 weeks of pregnancy
<ul style="list-style-type: none">• No rights to parental bereavement or maternity leave or pay• Any leave must be taken as ordinary sick leave	<ul style="list-style-type: none">• Two weeks' statutory parental bereavement leave and pay to be taken within 56 weeks of date of death• Right to 52 weeks' statutory maternity leave and access to shared parental leave• Right to 39 weeks' statutory maternity pay• Protection from detrimental treatment in connection with maternity leave• Protection from automatic unfair dismissal in connection with maternity leave• Protection from discrimination in connection with maternity leave• Special rights to return to the same or a suitable alternative job upon her return to work• Priority status for suitable alternative vacancies in a redundancy situation during the maternity leave period and for a period of time following her return to work

What can employers do to support workers experiencing early pregnancy loss?

1

Encourage a supportive environment where people feel able to disclose pregnancy and loss

2

Show empathy towards women and their partners experiencing pregnancy loss

3

Introduce a Pregnancy Loss Policy, or ensure it is covered in sickness, bereavement or other workplace policies

4

Encourage line managers to access guidance on how to support someone experiencing pregnancy loss

5

Support people back to work by being responsive to their needs and showing flexibility

PREGNANCY

Rights during pregnancy

Enhanced health and safety rights

Paid time off to attend antenatal appointments

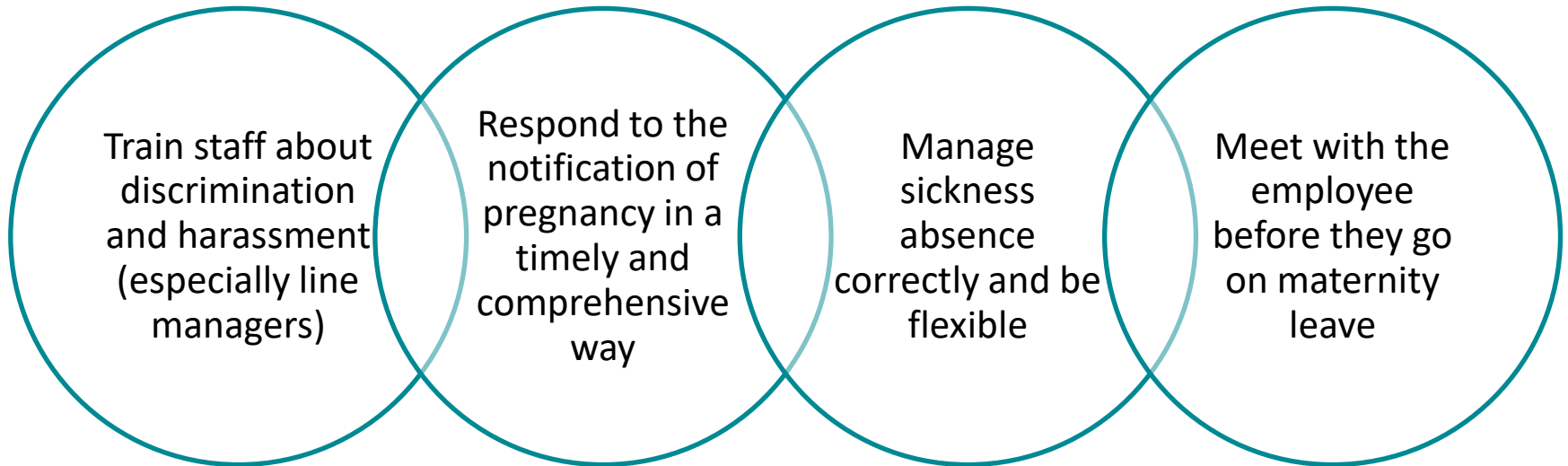
Protection from detrimental treatment in connection with the pregnancy or a pregnancy-related illness

Protection from automatic unfair dismissal where the reason or principal reason for dismissal was the pregnancy

Protection from discrimination in connection with the pregnancy or a pregnancy-related illness

Priority status for suitable alternative vacancies in a redundancy situation

What can employers do to support pregnant workers?



MATERNITY LEAVE

Rights during maternity leave

52 weeks' statutory maternity leave and access to shared parental leave

39 weeks' statutory maternity pay

Protection from detrimental treatment in connection with maternity leave

Protection from automatic unfair dismissal in connection with maternity leave

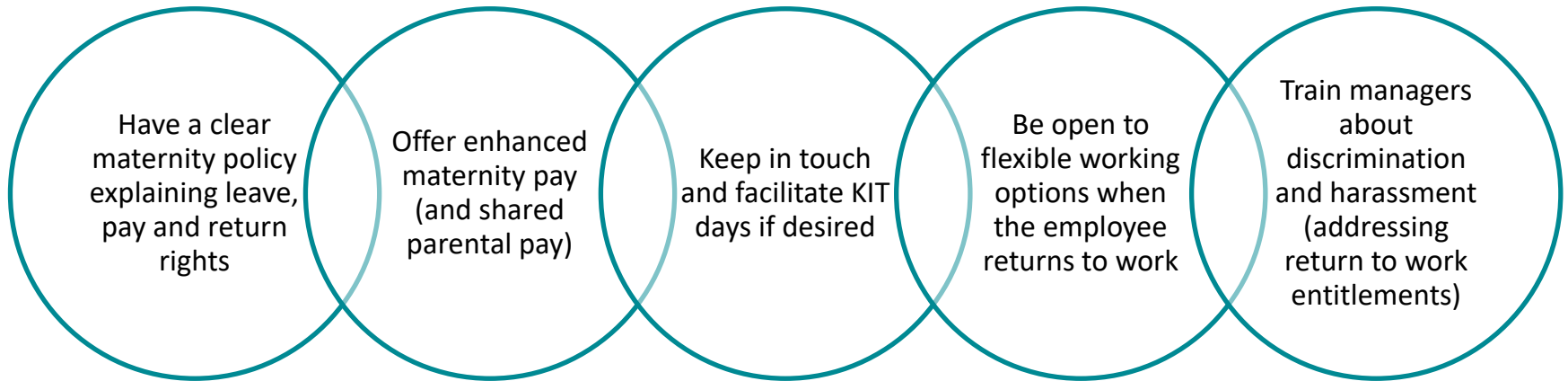
Protection from discrimination in connection with maternity leave

Special rights to return to the same or a suitable alternative job upon her return to work

Priority status for suitable alternative vacancies in a redundancy situation during maternity leave and for following return to work

Neonatal leave from April 2025

What can employers do to support workers on maternity leave?



MENOPAUSE AT WORK

Are there any legal protections connected to the menopause?

No specific leave entitlements

Unfair dismissal

Discrimination – age / sex /disability

Health and safety

What does the future hold?



Equality Action Plans
for employers with
250+ employees

Stronger flexible
working laws

Introduction of dual
discrimination
protection

What can employers do to support menopausal workers?

- Ensure health and safety risk assessments consider the risks to menopausal workers
- Train line managers and the wider workforce
- Awareness raising (e.g. webinars)
- Set up a menopause network
- Appoint menopause champions
- Senior leadership buy in
- Proactively make adjustments to help affected workers
- Manage sickness / performance / conduct issues carefully (including considering whether disabled)
- Include in private medical insurance / employee assistance programmes
- Introduce a menopause policy

What to include in a Menopause Policy

- ✓ Define the three menopause phases and explain who is affected
- ✓ Explain the range of physical and non-physical symptoms
- ✓ Explain how affected workers are protected in law
- ✓ Encourage open conversations
- ✓ Specify training to be provided to line managers and the wider workforce
- ✓ Explain approach to risk assessments and adjustments
- ✓ Explain interaction with other relevant policies (e.g. sickness)
- ✓ Signpost networks and other sources of support

Contact details



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