

Inquiry into recruitment and employment in the meat and poultry processing sector

Treatment of pregnant workers: our findings

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Poor treatment of pregnant workers was raised in around one quarter of our 140 face-to-face interviews with meat processing workers in 15 different locations across England and Wales, of which 20 were British and 120 were migrant workers. These reports came from interviewees across England and Wales.

Although interviewees reported instances concerning both permanent and agency workers, the majority of pregnancy-related poor practice reported was directed towards agency workers.

This document sets out our findings regarding:

- The overall experience of pregnant workers.
- Coercion of pregnant workers.
- Lack of adjustments to working conditions for pregnant workers.
- Reports of miscarriages attributed to lack of adjustments to work.
- The legal rights of pregnant agency workers.
- Responsibility of meat processing firms.
- Legal requirement to undertake health and safety risk assessments.
- Specific health risks to pregnant workers in meat processing.
- Proportion of firms carrying out risk assessments on pregnant workers.

Our recommendations to address problems for pregnant workers are set out at the end.

Overall experience of pregnant workers

Interviewees reported:

- Summary dismissal of pregnant workers. Some agency staff were given no further work after managers realised that they were pregnant.

- Reports of pregnant workers being forced, under threat of losing their job, to continue work that posed a risk to their health and safety, including heavy lifting and extended periods of standing.
- Instances where pregnant women were prevented from leaving the production line to go to the toilet.
- Lack of health and safety risk assessments.
- Reports of miscarriages attributed to lack of adjustments to work.

Two interviewees also mentioned pregnant workers being sexually harassed in the workplace.

All these reports related to pregnant migrant workers. Although it appears that agency workers are more liable to instant dismissal, we also received a few reports of directly employed pregnant workers being poorly treated in terms of lack of adjustments.

‘A lot of girls from the agency... provided a certificate from the doctor that they are pregnant; they’ve been dismissed straight away.’

Polish female working in meat processing factory,
Yorkshire and the Humber

‘[Pregnant agency workers] they lose their job... First step, get out... bye, bye... If they are permanent they do not lose [their job].’
Portuguese female working in meat processing factory,
east of England

Interviewees were not aware that pregnant agency workers had any rights not to be discriminated against on the grounds of their pregnancy.

‘I don’t think they [pregnant agency workers] have any rights, do they?’

Polish male working in meat processing factory, east of England

Coercion of pregnant workers

We received reports of pregnant workers being made to do overtime when they did not want to due to tiredness.

Some interviewees highlighted the aggressive attitude of line managers to pregnant workers and reported that pregnant agency workers, including those who were heavily pregnant, were threatened with losing their jobs if they did not carry out heavy work.

‘This lady was pregnant... she fainted... and then he [the manager] said “this is not a hospital so don’t get sick here... you need to work”... She was six months pregnant already and she couldn’t do all kind of work and he was saying, “Oh you have to do it or else [you will lose your job]”.’
Portuguese male working in poultry processing factory,
east of England

Lack of adjustments to working conditions for pregnant workers

Those interviewees who raised concerns with us stated that they had not seen any adjustments being made for pregnant agency workers in the processing factories where they worked. In some firms, interviewees reported that this disregard extended to pregnant directly employed workers as well.

‘Unfortunately... in our workplace, they have no concept that there should be any facility for any pregnant woman. One supervisor was trying to stop a pregnant girl to go for break or to go to the toilet... flexible working hours, special breaks or any rest room, nothing.’

British male working in poultry processing factory, West Midlands

Reports of miscarriages attributed to lack of adjustments to work

A number of interviewees reported that friends and colleagues they had worked with on production lines had experienced miscarriages. The interviewees attributed these miscarriages directly to the working conditions that pregnant women experienced. A common theme of these reports of miscarriages was that the affected women were described as working long hours in a standing position with short breaks, often totalling 40 minutes in a 10-hour shift, sometimes lifting heavy boxes.

‘Working... at the line is really hard work and I know a few woman who miscarried and lost their babies. And at the moment there is one pregnant woman and she’s about six month pregnant and she’s told to work, you know, as hard as other people. There is lighter work, but they don’t give her this work... you can, you know, just glue the boxes or something like this, but it happens quite often that those women are told to work [standing on a production line, packing meat and lifting boxes of around 15kg].’

Polish female working in meat processing factory, east of England

One interviewee reported an instance of a pregnant worker having adjustments to her job, being allowed to sit, overturned by her line manager.

‘[There was a] lady started at the same time as [me] and... because of the hard job, she lost twice baby... And she was asking about easier job, because she was all the time standing position. She was really, really worried to lose [her baby] one more time... because she [was] already losing some blood... They didn’t let her go to easier job... And she asked [again]... Big boss said “Yeah, it’s not a problem”, but the manager told “No”. They [gave] her... a place to sit in the job when she is really tired and she was sitting and the managers were coming and saying to her you need to stand up ... And she twice lost a baby already.’

Portuguese female working in meat processing factory, east of England

The legal rights of pregnant agency workers

Agency workers and directly employed workers have different rights at work should they become pregnant. However, some rights are common to both types of workers.

Like directly employed staff, agency workers who are pregnant have:

- The right to be protected from risks associated with their work.
- The right not to be dismissed, or discriminated against, because of pregnancy.

Responsibility of meat processing firms

Employers are legally responsible for taking reasonable steps to ensure that discrimination on grounds of pregnancy does not occur. However we found that firms lacked awareness of the extent of the problem. Ninety-six per cent of firms said that they were unaware of any workers experiencing problems at work because of pregnancy, and did not suspect that they might have occurred in the past 12 months.

Yet agencies admitted to us that they felt under pressure not to supply pregnant agency workers. This is an issue that requires further attention within the industry so that pregnant workers are accommodated in accordance with legal requirements.

‘Well they get rid of them [pregnant agency workers] when they find out... There’s nothing we can do about it... At the end of the day, without being disrespectful, if they ring up for 20 people they are looking for 20 arms and legs to do the job. They don’t want 19 and a pregnant one who can’t do this and can’t do that.’

Manager of work agency

Legal requirement to undertake health and safety risk assessments

The Management of Health and Safety at Work Regulations 1999 requires employers to assess risks to those working for them, including new and expectant mothers, and to do what is reasonably practicable to control those risks.¹

When a female worker informs her workplace that she is pregnant, the workplace should review their risk assessment for the specific work and take the steps that are necessary to protect the woman and her unborn baby’s health.

If a risk is identified, the workplace must then either remove the risk, or temporarily adjust the woman’s working conditions and/or hours of work. If that is not possible, they must offer her suitable alternative work (at the

¹ Maternity entitlements and responsibilities: A guide. Babies due on or after 1 April 2007, Part 3, Department for Innovation, Universities and Skills (DIUS)

same rate of pay), if available. If that cannot be identified, they must suspend her from work on paid leave, for as long as necessary, to protect her health and safety and that of her unborn child.²

The workplace should continue to review the assessment as the pregnancy progresses to see if any adjustments are necessary.

Specific health risks to pregnant workers in meat processing

The Health and Safety Executive advises that several risks arise for pregnant workers in meat processing:

- Work that involves awkward movements, or long periods of standing or sitting in one position, can cause manual handling injuries (especially in large animal meat processing where carcasses can be heavy and difficult to manoeuvre), musculoskeletal disorders (MSDs), repetitive strain injuries (RSIs) and upper limb disorders (ULDs) arising from tasks such as portioning and packaging.
- Long working hours (possibly shift-working) and work-related stress pose greater risks during pregnancy, due to the potential to increase levels of fatigue and blood pressure, which can be dangerous for the mother and unborn child.
- Working in extreme temperatures – hot and cold – can pose risks. Working in extreme cold may pose a hazard to the mother and unborn child.
- All workers in the meat and poultry processing industry may contract zoonoses (illnesses that can be contracted from animals). The danger from exposure is greater in pregnant women because some zoonoses can have a lethal impact on the foetus and can lead to severe birth defects and abortion.

Proportion of firms carrying out risk assessments on pregnant workers

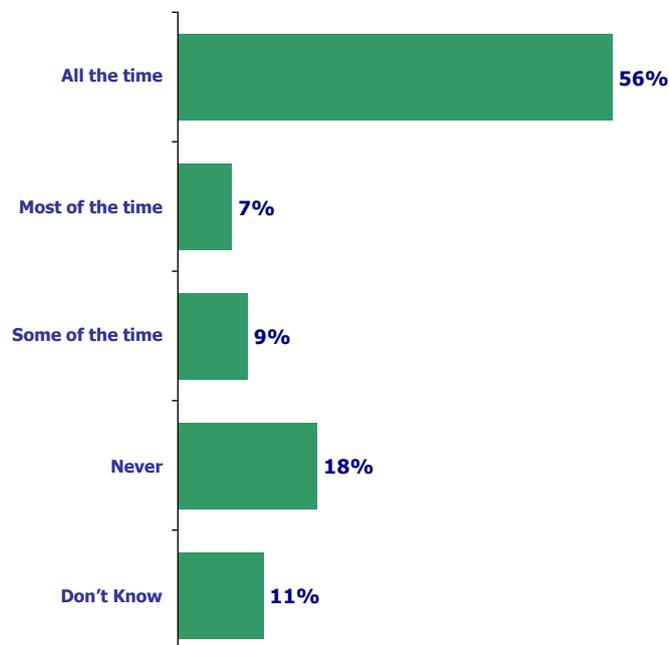
Despite these risks, only half (56%) of processing firms said they carry out risk assessments on all pregnant workers, with one in five (18%) stating that they never do. This correlates with information from work

² Health and Safety Executive: New and Expectant Mothers Guidance
www.hse.gov.uk/mothers/faqs.htm#a2

agencies. Only around half of agencies (48%) thought that their clients carry out risk assessments all the time. It was of some concern to us that around one-third of agencies (30%) were unable to say whether their clients carried them out at all.

Figure 1: Frequency of businesses carrying out health and safety risk assessments for pregnant workers

Q46. How often does your business carry out health and safety risk assessments for pregnant workers?



Larger firms, and those that are members of the British Meat Processing Association (BMPA) and the British Poultry Council (BPC), are more likely to carry out health and safety risk assessments for all their pregnant workers (all the time: 78% for BMPA, 72% for BPC and 32% for firms that are not members of a representative body).

Our recommendations to address problems for pregnant workers

We recommend that:

1. Processing firms take steps to safeguard the health and safety of pregnant workers, including carrying out individual risk assessments

for pregnant staff, including agency staff, and providing suitable conditions for pregnant women to continue work, where possible.

2. Processing firms take steps to ensure that the culture in their workplace is one that actively tackles harassment and discrimination and promotes an ethos where discrimination is viewed by all as being unacceptable, including the following actions:
 - implementing an equal opportunities policy
 - providing diversity and equality awareness training to staff
 - providing specific training and guidance for line managers, including how to manage pregnant workers, and
 - ensuring that all staff have access to a confidential complaints and grievance procedure.