

# The menopause: a workplace issue

## Wales TUC campaign 'asks'

There is a growing momentum to lift the taboo around the menopause and recent campaigns, which have included high profile women speaking out about the issue have done much to raise it further up the agenda. However, there is still much to be done to tackle the issue, particularly in workplaces, where often women do not feel able to talk about the menopause at all. Recognition of the issue is the first step but the Wales TUC believes that there are also key actions that should be taken as part of a campaign to improve the situation.

The recent Wales TUC survey and the suggestions from respondents contained in the report of the survey findings show that there are clear actions that can be taken to bring about change. The Wales TUC Equalities Committee recommends that the General Council support a campaign to achieve the following key actions:

### Actions sought from Welsh Government

- **Funding/support for a menopause in the workplace project to develop joint training and resources for managers, staff and union reps**

Respondents identified a clear need for training for managers and staff (as well as union reps). It appears that there is currently a lack of available training provision on the menopause in Wales, with most available training being targeted solely at health care professionals. There is an urgent case for suitable training provision to be developed to meet this need.

- **Provision for a helpline and online resources on the menopause for employers and workers in Wales via the Healthy Working Wales service (the Welsh Government's work and health programme)**

Many respondents identified the need for information on the menopause and the workplace to be available and indicated that a helpline and online resources aimed at raising awareness and understanding of managers, colleagues and people experiencing the menopause at work was desperately needed.

- **Make the menopause a 'specific health issue' within the Corporate Health Standard (the Welsh Government's national quality framework and award for employers to improve health and well-being in the workplace)**

The menopause affects all women and a large proportion of the working population. There is a strong case for it to be defined as a 'specific health issue' within the Corporate Health Standard in Wales. This would make the management of the menopause measurable as a key preventable ill-health issue in any organisation applying for the Standard.

- **Work through social partnership structures to improve guidance to devolved public sector employers asking them to work proactively with unions to develop awareness raising campaigns and agree appropriate workplace policies and practices to support women during the menopause**

There is a clear need for workplace awareness raising campaigns and policies that recognise the needs of menopausal women in the workplace. A large number of

women work in the devolved public sector in Wales and relevant policies, developed in consultation with unions, have the potential to benefit tens of thousands of women.

- **Improve training for GPs and healthcare information for women experiencing the menopause, including psychological symptoms**

Our research indicates that in Wales, women's experience of support from GPs on the menopause was variable. While some had received excellent support, others reported a lack of understanding and knowledge of the menopause. In some cases this had led to misdiagnosis and women not being able to access the right treatment or support. Many women felt that wider provision of training on the menopause was needed, alongside better healthcare information for women, including information on psychological symptoms associated with the menopause.

#### **Actions sought from UK Government**

- **Strengthening of health and safety protections and enforcement to ensure that bad employers cannot get away with ignoring the health, safety and welfare of women with menopausal symptoms**

The response to the survey shows that in some workplaces, women's health and safety is being ignored and even simple adjustments (such as temperature control and adequate ventilation) are not being implemented. The Wales TUC believes that all workplaces should be inspected regularly by the enforcing authority. There are a number of other measures that could help such as revised regulations on safety representatives and safety committees to increase coverage and effectiveness and giving occupational health the same priority as injury prevention. There should be a law governing a maximum temperature in the workplace. There should also be increased protection for vulnerable and atypical workers. The UK government should adopt, and comply with, all health and safety conventions from the International Labour Organization. These measures could help women experiencing the menopause, as well as other workers.

- **Extend the full range of statutory employment rights to all workers, regardless of employment status or type of contract.**

The TUC has called for the UK Government to lift the level of the employment rights 'floor', extending existing rights to all those in work, not only those who qualify for 'employee' status. This includes family-friendly rights, protection from unfair dismissal and the right to redundancy pay. This could help women, particularly those in insecure work who may be concerned about their job security, feel more able to raise issues about the menopause. Decent and secure work is also better for women's overall health and well-being.

- **Abolition of employment tribunal fees so that women who experience unlawful discrimination linked to menopausal symptoms are more able to access justice**

The Wales TUC believes that employers should take account of the menopause as an equality issue. If appropriate policies and practices are put in place, in consultation with unions, this should prevent many problems arising. However, as our research has uncovered, women are experiencing discrimination related to their menopausal symptoms and some are even losing their jobs as a result. These women need recourse to justice. Since 2013, anyone wishing to pursue a claim of

discrimination under the Equality Act has had to pay a fee of £1200. This has created a barrier and priced many out of justice. Women trade union members may be able to rely on their union to meet these fees, but many women are not members of trade unions and are unable to afford the fee and therefore cannot access justice. Whilst employment tribunals are a last resort, it is also true that some employers are less likely to tackle discrimination in the first place if they know it is unlikely that victims of discrimination will pursue a claim at tribunal.

- **Reinstatement of employment tribunal powers to make wider recommendations**

The Deregulation Act 2015 removed the powers that employment tribunals had to make wider recommendations for the benefit of the wider workforce (rather than just the individual claimant) in relation to discrimination claims. Where workplace cultures of bullying and harassment are allowed to flourish or where there are systematic failures on the part of an organisation to respond adequately to complaints about discrimination, the power to make wider recommendations would be of great benefit, including to women who experience discrimination related to their menopausal symptoms.

- **Bring forward as a matter of urgency the promised legislation to abolish VAT on all sanitary products**

It is unacceptable that essential sanitary products are still subject to tax as 'luxury' items. Considered in the context of recent reports of women experiencing difficulties in affording sanitary products, action is needed as a matter of urgency. This is a particular issue for peri-menopausal women, who may experience heavy bleeding.

### **Actions sought from employers**

- **Training for managers and staff**

Employers should provide training for all levels of management and HR to ensure understanding and awareness of the menopause. Employers should ensure all managers recognise the menopause as both a health and safety and equality issue that cannot be ignored. Training for all staff to raise general levels of awareness and understanding would also be helpful.

- **Clear policies developed in consultation with unions**

Employers should work with unions to ensure that workplace practices and policies are fit for purpose and support values of equality and diversity including the needs of menopausal women. Employers should ensure that policies and practices protect women from discrimination and detrimental treatment because of menopausal symptoms. Once agreed policies should be fully implemented, monitored and enforced to ensure they are effective.

- **Awareness raising campaigns**

Employers should highlight the menopause as part of wider occupational health awareness campaigns, so that staff know that the employer has a positive attitude to the issue and that it is not something that women should feel embarrassed about. Leaflets or online resources should be provided.

- **Ensure risk assessments take the needs of menopausal women into account and that measures to effectively remove or control risks (including the risk of stress) are implemented**

Employers should recognise their responsibilities under the Health and Safety at Work Act in relation to menopausal women and ensure that risk assessments take the specific needs of menopausal women into account.

- **Establish recognised points of contact within the workplace for women experiencing difficulties**

Many women are uncomfortable speaking to their managers about this issue, particularly if the manager is male or much younger. Employers should make other options available such as through human resources, a welfare officer or employee assistance programmes.

- **Improve access to support within the workplace, including workplace peer support groups and mentoring/buddying schemes**

Many women felt that the opportunity to form support groups or access mentoring/buddying schemes in the workplace would be very helpful. Employers could help to organise workplace schemes and provide resources such as meeting rooms and promotional materials.

- **Decent jobs**

In view of the vulnerability of women on casualised contracts and the detrimental effect that such contracts can have on women's health and well-being, employers should aim to employ all staff on permanent, secure contracts which offer decent hours and decent pay. The TUC believes that temporary contracts, zero-hours contracts, casual contracts and agency workers should only be used by employers "to respond to genuine peaks and troughs in demand or to match short-term skill needs."

## **Actions for the Wales TUC and unions**

- **Training for union reps and officers**

The Wales TUC is currently developing a 2-day course on the menopause in the workplace aimed at union reps and officers in Wales. This accredited course will be piloted in January 2018 and rolled out across Wales. Unions should encourage reps to attend the training. It would also be helpful to encourage more women to become union reps, as women members may feel more comfortable speaking to another woman about this issue. However unions should encourage male reps to attend any training opportunities as it is important to increase all reps' understanding of the issues and improve the confidence of male reps in raising this issue on behalf of women members. The Wales TUC also plans to develop a short interactive online learning module or 'e-note' on the menopause in the workplace.

- **Development of a 'toolkit' for union reps**

A toolkit is currently in development and will include: what is the menopause; who is affected; how the menopause affects people with different protected characteristics; why it is a workplace and trade union issue; what is the role of unions; the menopause as a health and safety issue; the menopause as an equality issue; a guide to the law; addressing workplace issues and barriers; model policies; example risk assessments; what employers can do; what unions can do; case studies; awareness raising activities; tools (thermal mapping, surveys); signposting and support. The toolkit will act as a stand-alone resource and will also be used as part of the above course. Unions are encouraged to share any existing policies or good practice that could be shared with other unions in the toolkit by contacting the Wales TUC.

- **Workplace campaigns**

Unions can use their reach to kick-start awareness campaigns in the workplace. Actions could include raising the issue at branch meetings, at health and safety committee meetings or meetings with employers. Unions may wish to consult with members on this issue, using workplace surveys or mapping. Other useful activities could include lunchtime awareness sessions or providing leaflets and signposting. Raising the issue will help let members know that the union takes these issues seriously and that they can feel confident to approach the union if they need support to tackle issues around the menopause in the workplace.

- **Negotiating workplace policies**

In consultation with members, unions can negotiate with employers to introduce workplace policies covering the menopause (example policies will be available with the toolkit mentioned above). Existing policies covering issues such as flexible working, sickness and performance management should be reviewed and amended where necessary to ensure they take the needs of menopausal women into account.