

*Draft letter for pregnant employees to send to their manager to ensure they could keep themselves safe. This was published on 30th March 2020*

Dear

As you know I am currently XX week(s) pregnant and expecting my baby on XX/XX/2020.

As I am sure that you are aware, under section 16 of the Management of Health and Safety Regulations 1996, as my employer, you have a legal responsibility to conduct a workplace risk assessment for new or expectant mothers. In assessing the potential risks to my health and safety and that of my baby, the legislation clearly states that you must consider the impact of infectious diseases, and take steps to minimise these risks where possible, including altering my working conditions and hours if necessary.

Pregnant women are considered especially vulnerable to the effects of COVID-19, and the Government, under the advice of its Chief Medical Officer, has instructed all pregnant women to take stringent measures in socially distancing themselves to minimise their potential exposure to the virus. I am concerned that under my current working conditions, I am unable to do that and consequently, I am at increased risk of contracting COVID-19.

I am therefore requesting that, in compliance with the aforementioned legislation, you look at measures that can be imposed to alter my working conditions with immediate effect, and offer me an alternative solution whereby I am able to adhere to the government's medical advice to socially distance myself during my pregnancy, and limit my exposure to COVID-19.

If you are unable to alter my working conditions or offer me an alternative role during this period, then under section 16 (3) of the aforementioned legislation you are obliged to suspend me for reasons relating to my maternity on full pay until the risks to me can be avoided.

Whilst I of course want to continue to support the my team and the organisation throughout this challenging period, I am sure you understand my concerns given the potential harm that a lack of social distancing cause to both myself and my unborn child, I have no choice but to bring this matter to your attention.

**[FOR HEALTHCARE PROFESSIONALS]**

I know that previous guidance from the Royal College of Obstetricians and Gynaecologists (RCOG) had distinguished between women who are pre-28 weeks pregnant and post-28 weeks pregnant however, they have now acknowledged the significant legal protection that applies to all pregnant workers, and stated that this must be followed in relation to COVID-19.

I would be grateful if you could please acknowledge receipt of this correspondence, and I look forward to the opportunity to discuss matters with you further.

Yours sincerely,

**Drafting Notes**

- If you are absent from work wholly or partly because of pregnant after the beginning of the fourth week before your expected week of childbirth, but before the date you had intended to start your maternity leave, then your maternity leave will begin automatically on the first day of your absence. Therefore, your employer can amend your pay to statutory maternity pay accordingly should this happen.
- If you are not a healthcare professional, then please delete the paragraph headed in yellow accordingly.