



# **A HR Guide to Developing a** Menopause in the Workplace Policy

A menopause policy demonstrates an employer's commitment to supporting employees going through menopause and is a positive initiative to raise awareness of the topic. However, employers don't need to reinvent the wheel to put such a policy in place, it could be as simple as bringing together all the existing supports that are available to employees in one place so it's easily accessible to employees and easy to understand. The recruitment challenge to attract and retain talent is becoming increasingly challenging for employers. Strong diversity, inclusion and wellbeing initiatives continue to be a significant advantage in the challenge for talent and now form an important part of the Employee Value Proposition. Employers need to send a positive message that it understands the challenges employees will go through in life. It is therefore, important that employers recognise menopause as an area in which employees need and value support, and that they highlight to employees and potential employees the supports that are available.

## Aims

**Employers, managers, and employees all have responsibilities when it comes to supporting women who are going through the menopause and include:**

- Understanding menopause and its related issues and how these can affect colleagues.
- Raising awareness within the business and creating a culture of understanding and support.
- Ensuring a consistent approach to managing employees who are coping with menopausal symptoms.
- Promoting the retention of those suffering from menopause symptoms through the provision of appropriate initiatives and by making reasonable accommodation.
- Encouraging a workplace environment where staff can openly and comfortably discuss menopause.

## Objectives

**Once your policy is in place and your aims outlined, consider the following objectives:**

- That your policy provides a clear definition of what menopause is, its stages, when it occurs, what happens, the potential impact on performance, and the responsibilities of management and HR.
- How your business intends to support employees going through menopause.



## Why menopause is a workplace issue

We all recognise that employers have increasing demands on their time. But negotiating for better support for employees struggling with menopausal symptoms will have a wide-ranging benefit for your organisation.

Menopause affects approximately 30% of female employees in Ireland today. The average age of menopause is 51, and perimenopause is 45. This age cohort is the fastest growing workforce demographic and with the recent change in pension age, it is likely that more women will be working into later life.

The implications of this changing demographic is that employers should ensure that they have the appropriate policies and procedures in place. Employers have a duty of care to their employees, a legal responsibility and a need to create greater openness in discussing the difficulties faced by those experiencing menopausal symptoms. Some women may cope well with the physical and emotional changes, but for others they may cause particular difficulties both in work and out of work.

In work women's performance may be affected by their symptoms. These problems can be made even worse by the fact that there remains considerable ignorance and misunderstanding about the menopause, with it often being treated as an embarrassing or taboo subject.

In reality, a certain cohort of women are being driven from the workplace because they find that adapting problematic menopause symptoms around inflexible work expectations is just too difficult. No two women are the same, and neither is their experience of menopause. Therefore, responding positively to the specific needs of individual employees is a key component of building an inclusive and welcoming working environment. An employer who seeks to understand and accommodate the needs, experiences and priorities of their employees is one that is likely to gain greater staff loyalty, lower rates of absenteeism and higher rates of productivity. It therefore makes good business sense.

Employers also have a duty of care to their employees under health and safety law which includes assessing and considering the specific requirements of employees affected by menopausal symptoms. A failure to support women affected by menopausal symptoms may contravene certain equality laws, such as age, gender, and disability discrimination.



# What is the Menopause?

The menopause is a natural phase of life when women stop having periods and experience hormonal changes such as a decrease in oestrogen levels.

The average age of menopause is 51, and perimenopause is 45. This age cohort are the fastest growing workforce demographic and with the recent change in pension age, it is likely that more women will be working into later life so it is vitally important that employee managers are aware of and are educating themselves around the menopause.



Every experience will be different and menopausal symptoms can sometimes even begin before the age of 40 years. Menopause is often used as a catch-all for all phases of menopause. However, technically there are several distinct stages which can be broken down as follows:

## Pre-Menopause Stage

During the pre-menopause stage of life, a woman is having her regular menstrual cycle, is in her prime childbearing years, and has no noticeable symptoms of menopause.

## Perimenopause Stage

Perimenopause is a transitional stage between pre-menopause and menopause. Most women will notice perimenopause symptoms in their 40's. During this time oestrogen and progesterone levels start to fluctuate and this can result in many troublesome symptoms, which can be physical, psychological / emotional and genitourinary (affect pelvic organs & bladder)

## Post-Menopause Stage

Once a woman has surpassed a full year without a menstrual cycle, she is considered to be postmenopausal. She will remain in this stage for the rest of her life. Fortunately, during this time, the symptoms that marked the perimenopause years may begin to subside, leaving most women more physically comfortable. However, longer term post-menopausal women are at increased risk of osteoporosis, heart disease and Alzheimer's.

The above stages are referred to as 'natural menopause'. However, women may also experience premature or early menopause or surgical menopause.

## Premature Menopause

Premature menopause is menopause that occurs before the age of 40 years. Women who experience early or premature menopause may need hormone therapy to reduce the risk of diseases such as osteoporosis and cardiovascular disease. Early menopause can be induced by some medical treatments such as surgery or chemotherapy.

## Surgical menopause

Surgical menopause may follow the removal of one or both ovaries, or radiation of the pelvis, including the ovaries, in premenopausal women. This results in an abrupt menopause. These women often have more severe menopausal symptoms than if they were to have menopause naturally.



# What are the possible menopausal symptoms and how could they impact on work?

The menopause can cause over forty physical and psychological symptoms that can last for on average 7.4 years. 85% of menopausal women experience symptoms, but just as every woman is different, so too is their menopause. Symptoms can fluctuate and be felt to varying degrees. Experiencing any of the typical symptoms can pose a challenge for women as they go about their daily lives, including at work.

## Some of the most typical symptoms of the menopause include:

- psychological issues such as mood disturbances, anxiety and/or depression, memory loss, panic attacks, loss of confidence and reduced concentration
- hot flushes (brief and sudden surges of heat usually felt in the face, neck and chest)
- sleep disturbance that can make people feel tired and irritable
- night sweats (hot flushes that happen during the night)
- irregular periods and/or periods can become light or heavy
- muscle and joint stiffness, aches and pains
- recurrent urinary tract infections (UTIs) including cystitis
- headaches
- weight gain
- palpitations (heartbeats that become more noticeable)
- skin changes (dryness, acne, general itchiness)
- reduced sex drive.



## Changing workplace policies and practices

Key to changing workplace policies and practices is providing a genuine opportunity for employees to be heard on the issue. Simply asking the question, 'what type of support might be helpful for those experiencing the menopause?' will be a positive start towards changing culture and practice.

### 1) Educating for a changing workplace culture

Employers should ensure that all line managers and HR staff have been trained to be aware of how the menopause can affect women, their work, the implications for both equality and health and safety, and what adjustments may be necessary to support employees who are experiencing menopause. In addition, all staff would benefit from training to raise awareness and understanding, and to share experiences.

### 2) Gender specific risk assessments

Being aware of issues relating to gender in occupational health and safety ensures that workplaces are safer and healthier for everyone. Where the differences between men and women (such as with the menopause) are acknowledged, there is a greater chance of ensuring that the health, safety and welfare of all employees are protected.

### 3) Sickness Absence

Employers should ensure that absence due to menopause symptoms are accommodated within the provisions of their sick leave scheme /absence policy.



#### 4) Equality-proofing all policies and procedures

It is important for all workplace practices to be reviewed in case they create potential disadvantages for employees experiencing menopause. For example, inflexible performance management may even lead to the unfair implementation of capability and disciplinary procedures and even to dismissal. The employer should take into account the impact menopausal symptoms may temporarily have on an employee's workplace performance with possible memory loss, poor concentration, fatigue, lack of confidence and other symptoms.

Capability, disciplinary, redundancy, and recruitment and training are some of the key policies and procedures alongside sickness absence, performance management and health and safety, that should be reviewed in case they could disadvantage those employees experiencing the menopause.



#### 5) Flexible working

Working time arrangements should be flexible enough to ensure that they meet the needs of employees experiencing menopause, who may require staggered or reduced hours or comfort breaks during the day.

#### 6) Line management support

Employees who are experiencing menopause need support from line management. Employees should be made to feel comfortable approaching their line manager and the company. Many organisations make other supports available such as HR/designated contact person, welfare office or EAP.

#### 7) Workplace environment

In the workplace, some factors may not normally be seen as an issue, but become more problematic for someone experiencing menopause, such as

- poor ventilation and air quality
- inadequate access to drinking water
- inadequate or non-existent toilet and washing facilities
- lack of control over the temperature or light
- lack of appropriate uniforms or personal protective equipment

Risk assessments should consider the specific needs of women experiencing menopause and ensure that the working environment will not make their symptoms worse. Issues that should be looked at include: temperature and ventilation and the materials used in any uniform or corporate clothing provided to female employees. The assessments should also address welfare issues such as toilet facilities and access to cold water, as well as allowing for more frequent breaks, additional time to carry out a task, and even temporary changes to an employee's job description or duties.

#### 8) Occupational health awareness

Employers can ensure that, as part of a wider occupational health awareness campaign, menopause is highlighted so all staff know that the employer has a positive attitude to the issue and it is not something that employees should feel embarrassed about.

Guidance on how to deal with the menopause should be freely available in the workplace. All employees should be given information on how they can get support for any difficulties that arise as a result of menopause.



## What are the legal issues?

Issues connected to menopause can lead to claims of sex, age and/or disability discrimination.



### Sex discrimination

Women who are treated less favourably than men can bring a claim of direct sex discrimination. The Workplace Relations Commission (WRC) may find direct discrimination has taken place if menopause symptoms are treated differently from other medical conditions. For example, an Employment Tribunal in the UK found there was direct sex discrimination in a case where the employer did not take into account that menopausal symptoms were the reason for an employee's poor performance, when a condition that affected both sexes (or a man suffering similar symptoms) would have been viewed differently.

Employers should also ensure that any policies or practices do not indirectly discriminate against women who may be suffering from menopause symptoms, particularly in cases of performance management. For example, an employee who is finding it difficult to concentrate, as a symptom of menopause, may not be able to meet certain performance targets as easily as her colleagues. Workplace "banter" and jokes regarding menopause should be treated just as seriously as if they were about any other protected characteristic, as this is targeted at women and so can lead to claims for sexual harassment.

### Age discrimination

Given that perimenopause and menopause are typically age-related, employers also need to be aware of age discrimination risks affecting this group. Age discrimination or harassment may take place if employees are treated or targeted unfairly because they are of menopausal age. Similarly, it may be considered indirect age discrimination to have a policy or practice which disadvantages people who are going through menopause. It is also possible to bring an age discrimination claim based on a perception, whether that is correct or not. For example, someone could claim that they were treated unfairly because of a perception that they belong to the age group most affected by menopause (this is known as discrimination by imputation).

### Disability discrimination

Whether or not menopause symptoms amount to a disability will depend upon the individual's particular circumstances. Some may only experience minor symptoms, while others can be more severely affected. The legal definition of a disability in Ireland is extremely broad, so disabilities that are temporary in nature may come within the protection of the legislation. Employers should treat all absences due to illness carefully and, if there is any doubt, treat them as a disability.





*Duty to make reasonable accommodation.* The Employment Equality Acts oblige employers to make reasonable accommodation for people with disabilities. An employer must take “appropriate measures” to meet the needs of disabled people in the workforce. For example, the obligation to make reasonable accommodation could be triggered by an employee requiring menopause-related sickness absence, or by a review of an employee’s performance through a performance-management process. The employer’s usual policies on sickness absence or performance may need adjusting to take account of the effects of the menopause. The physical features of the workplace may also require some adjustment for those who are suffering with severe menopause symptoms, explored further below.

*Discrimination arising from disability.* There are two types of disability discrimination that could arise – direct and indirect. Direct discrimination occurs where an employee is treated less favourably than another person (or would be treated less favourably in a comparable situation) on the basis of their disability. Indirect discrimination arises where particular practices or policies which appear neutral in fact result in a discriminatory impact on people with disabilities. The potential for discrimination is especially relevant for employees with menopausal symptoms severe enough to meet the definition of a disability under the legislation. Perimenopause and menopause may cause many symptoms which could affect performance or conduct in the workplace. An employer who dismisses or sanctions an employee for poor performance or conduct without exploring whether there is any underlying cause could easily fall foul of this provision.





### **A specific menopause policy**

Development of a workplace policy on menopause could go a long way to help ensure that menopausal employees are not disadvantaged and that experienced talent is not lost from the workforce. But policies are only useful if they are communicated, implemented and regularly reviewed.

“A standalone policy provides clarity for managers and employees, for example by setting out key responsibilities and signposting sources of support. Developing a policy provides an opportunity to engage with employees on the issue and shows the workforce it regards menopause as a serious work-related health issue.”

Source: CIPD guidance ‘The Menopause at Work: a guide for people professionals’  
[www.cipd.co.uk/menopause](http://www.cipd.co.uk/menopause)

### **Recognition that there is no ‘one size fits all’**

It is recommended that employers have a range of adjustments and practices on offer for employees experiencing menopause. Every person experiencing menopause will have different symptoms for different lengths of time and different levels of severity.

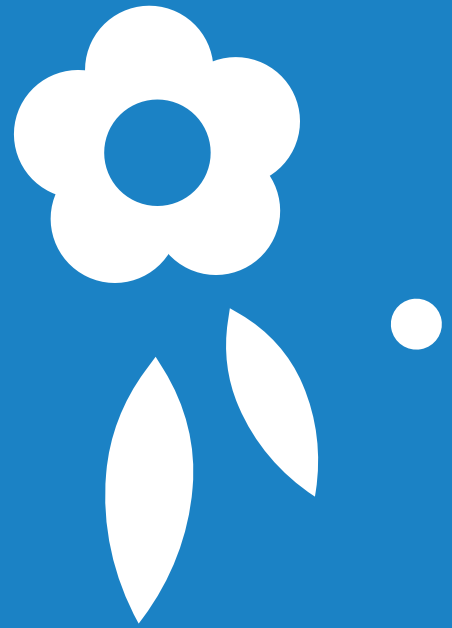
The CIPD advocate the ‘cafeteria approach’ where workers can choose from a range of adjustments and options, appropriate to their situation.

“Developing and communicating [such] a strategy based on employee need and preference helps to empower the woman experiencing the menopause transition to manage her symptoms with the right organisational support in place at the right time.... Women who believe they have high levels of workplace control and autonomy report fewer menopause symptoms.”

Source: CIPD guidance ‘The Menopause at Work: a guide for people professionals’ [www.cipd.co.uk/menopause](http://www.cipd.co.uk/menopause)

Sources: Aoife Stokes Associates, The Menopause Hub, UNISON – guidance and model policy, CIPD, Lewis Silkin Legal Practice





## More Information

Please talk to or refer your team member to their GP, Employee Assistance Programme if you need any more information or advice. There is also additional material available from the Menopause Hub.