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Wurkplace LIVE:
HR Advice for
Employees & Employers

Menopause and the Workplace

Host:	Karen Owen
Guest:	Sarah McCormack
Mod:	Ben Davies



- We use **LinkedIn**, but also stream to **YouTube**.
- Full Webinars will be archived on **YouTube**.
- **Slides** will be uploaded to our **Website**.
- **Links** to the references will be at the **end of the slides**.
- Leave a **comment** if you have any **questions**!



Menopause and the Workplace

With **Karen Owen** and **Sarah McCormack**

Breaking the stigma.

1 out of 10
women
quit their jobs
due to
MENOPAUSE

#DavinaMenopause



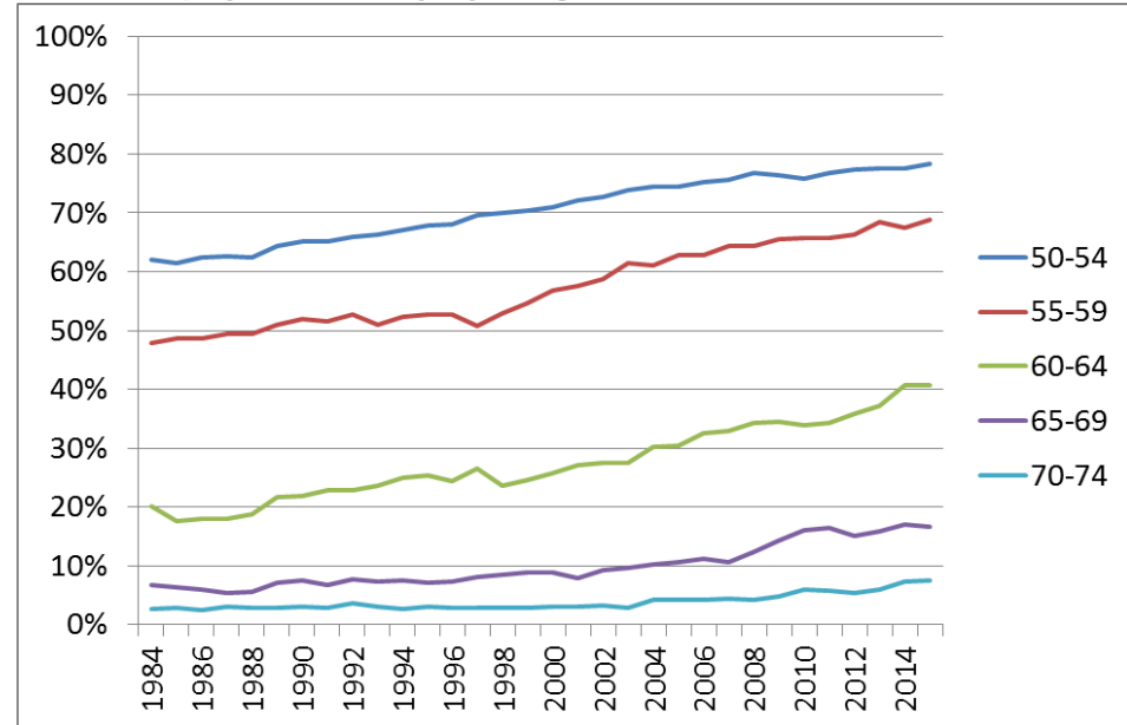
RECENT RESEARCH

Menopausal women are the fastest growing demographic in the workforce.

At least $\frac{1}{4}$ of menopausal women experience debilitating symptoms forcing them out of the workforce.

This is a great loss of talent as women suffer in silence.

Chart 2. Employment rates by 5-year age bands, Women



With 4.4 million women aged 50-64 in work (ONS 2019), this employee group represents the fastest growing demographic in the workforce.

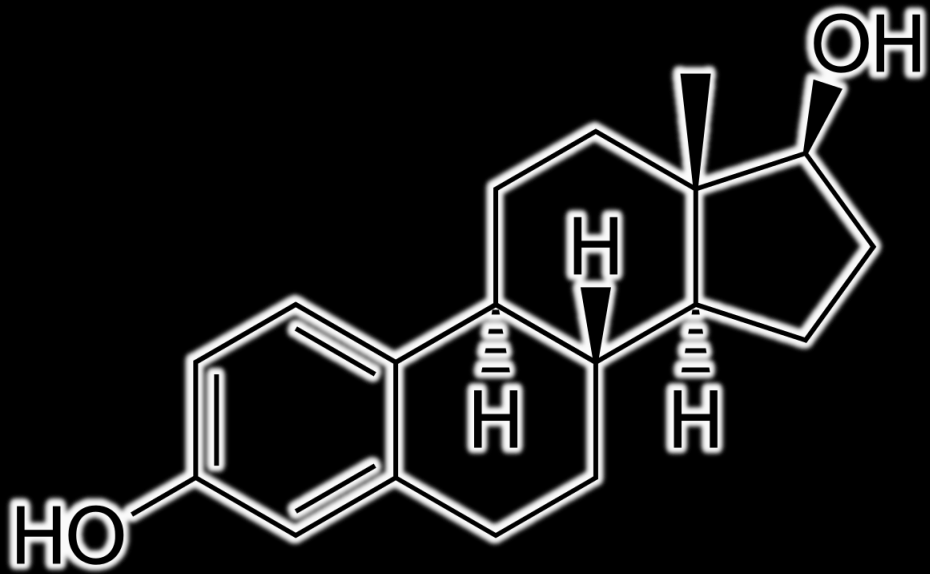
AREAS COVERED IN THIS WEBINAR

- 1. What** is the menopause?
- 2. Who** does it affect?
- 3. How** does it affect them?
- 4. The law** surrounding menopause
- 5. How to approach** it as an employer
- 6. Managing** long term
- 7. Case Law**



What is the menopause?

What is it?



- Natural process caused by lowering oestrogen levels.
- Happens most commonly around the **end of their reproductive life** when periods stop.
- You can reach menopause when you have not had a period for **12 months**.

“Perimenopause”



- This is the phase leading up to the menopause.
- You can have symptoms before the periods stop and when the hormone balance starts to change.
- Symptoms can occur throughout both perimenopause and menopause.
- Symptoms can last up to 12 Years!

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Who does it affect?

Who does it affect?



- Typically happens between the age of 45 to 55 but can happen any time.
- UK average age is 51.
- Can occur earlier due to reasons such as:
 - Hysterectomy
 - Chemotherapy Treatments
 - Unidentified issues

Who does it affect?



- Symptoms can last for many years and can be both Mental and Physical.
- Menopause is an ongoing transitional process.
- Transgender and non-binary individuals can be affected by menopause and should be represented in policy.

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How does it affect them?

How does it affect people?



- Hot flushes
- Night sweats
- Mood disturbance, anxiety, memory loss, loss of confidence, reduced concentration, panic attacks, depression
- Sleep disturbance
- Irregular and/or heavy periods
- Recurrent UTI / Cystitis
- Skin Changes
- Loss of libido
- Aches, pains, and muscle stiffness

6/10 women experiencing symptoms state it has a **negative impact** on their work:

- Difficulty concentrating
- Difficulty with patience
- They report that they make more mistakes
- Some women said they were unable to work due to symptoms, but only ¼ felt comfortable telling their line manager



The Law Surrounding Menopause

The 9 “Protected Characteristics”...

- Age
- Gender reassignment
- Being married or in a civil partnership
- Pregnancy or maternity leave
- Disability
- Race including colour, nationality, ethnic or national origin
- Religion or belief
- Sex
- Sexual orientation

The Equality Act 2010

Age:

Discrimination due to menopause could come under age, as it is usually an age related issue.

Disability:

If it is affecting your ability to work, then menopause may qualify as a disability, so reasonable adjustments must be made.

Sex:

Unfair treatment to an employee based on sex could lead to a discrimination claim.

Health and Safety at Work Act 1974



- Provides for safe working.
- Safe working conditions when experiencing menopausal symptoms.
- Employers must ensure the H&S of all employees.
- Employers must make a suitable and sufficient assessment of the H&S risks to employees.

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Case Law

Davis V Scottish Courts and Tribunals Service (2018)

Scottish Courts
and Tribunals Service



- Ms Davies works as a court officer.
- Perimenopausal with significant symptoms.
- Prescribed soluble medication which she put in a jug of water.
- When she left court briefly, she saw two men drinking water, and her jug had been emptied.
- She warned the two men of drinking her medication and one of them started ranting.

Davis V Scottish Courts and Tribunals Service (2018)

Scottish Courts
and Tribunals Service



- She later amended her story to say her water was pink but the men had been drinking clear water.
- She was dismissed for gross misconduct despite an Occupational Health report which confirmed she had perimenopausal symptoms. The report confirmed it affected her memory and concentration.
- They failed to take into account the impact of her symptoms on her behaviour.
- She was reinstated and awarded £19,000.

A v Bonmarche Ltd (2019)

The logo for Bonmarché, featuring the word "Bonmarché" in a dark blue serif font. The accent mark on the "e" is a small pink triangle.

- Claimant was bullied by her manager for experiencing menopause, encouraging other staff members to join in.
- During a restructure, her post was unaffected, yet others were encouraged to apply for her role.
- She took significant sickness absence but returned on a phased basis working shorter hours; Her manager placed her on a full shift the following week.

A v Bonmarche Ltd (2019)

The logo for Bonmarché, featuring the word "Bonmarché" in a dark blue serif font. The accent mark on the "e" is a small pink triangle.

- She resigned and suffered a breakdown due to harassment and bullying she endured.
- She was successful in claim of age and sex discrimination.
- Awarded £28,000.

=

£10,000 for loss of earnings
£18,000 for injury of feelings

Merchant V BT (2012)



- Claimant was suffering from menopausal symptoms affecting her performance at work and was subject to performance management.
- Manager disregarded the procedure which recommended a Occupational Health investigation.
- Manager used his knowledge of his wife's symptoms to dismiss the claimant for poor performance without further investigation.
- Manager had referred male employees in the past.

Merchant V BT (2012)



- Tribunal found dismissal to be unfair due to the manager's failure to make further enquiries.
- Also found that the manager's failure to involve Occupational Health and making assumptions about the claimant amounted to sex discrimination.



How to Approach It As An Employer
And Manage it Long-Term

10 Tips on Creating A Positive and Open Culture Built on Solid Communication

1

Open up the culture! Talk about menopause.

Normalize the conversation.

- Create a specific menopause information hub
- Develop a support network
- Signpost Employees to the relevant support - External
- Educate yourself – The more you know, the more supportive you can be
- Set up a support group – Onsite, Share experiences
- Visual prompts, posts to reinforce the supporting message

Train Line Managers

Ensure that they understand:

- What it is
- How it affects people
- How to have sensitive and comfortable conversations

Pro-actively consider ways to support employees.

- Ask them for feedback
- Hold focus groups – Ask them what support they would like
- Anonymous survey
- HR professionals to attend networking groups to share best practice

4

Carry out risk assessments!

Create Menopause specific risk assessments to support in adjustments and to fulfil duty of care to protect the health, safety, and wellbeing of your employees.

5

Create a Menopause Policy.

This policy will capture the company's position when supporting individuals through the menopause.

It will demonstrate culturally that the organization fully supports those affected.

Promotes understanding with the rest of the business.

Have Menopause and Wellbeing Champions.

- Visual
- Informal opportunities to have a conversation

Identify reasonable adjustments.

Examples:

- Air con, fans, windows open
- Flexible working arrangements
- Workload.

Update Policies and Reference in Sickness Policies, Flexible Working.

Ensure that the menopause is openly referred to in these policies and across the organization.

Educate and Invest in Services and signpost them.

- If able, invest in mental health and wellbeing champions
- Employee Assistance Programmes
- Counselling

Utilize an Occupational Health provider for support.

- Invest in 3rd party support
- Objective in their medical support and advice
- Considered reasonable adjustments

Why people might not talk about their symptoms:



- Feel it's private or personal.
- Embarrassed.
- Do not feel close with manager.
- Unsure if manager will sympathise.
- Feel they will not be taken seriously.
- Worried about confidentiality.
- Think they will be seen as less able.
- Worried about job security or promotion.
- Worried about outing themselves as a trans person, non-binary person, or a person with variations of sex development (VSD).

**By supporting
and creating a
positive
environment,
you can
prevent:**

- Employees losing confidence.
- Employees taking time off and hiding the reasons for it.
- Employees having increased stress, anxiety, depression etc.
- Employees leaving their jobs.

Having an open and honest conversation with employees can build trust.

To do this, a manager should:

- Allow the staff member to decide how much information to disclose.
- Ask non-judgemental questions.
- Encourage the employee to talk.
- Don't ask if they want to talk about it, or suggest their symptoms.
- Don't make assumptions about symptoms.
- Show empathy and understanding.
- Respect the person's privacy!

**What if an
employee wishes
information
about their
symptoms to be
shared?**

- Let them decide what they want colleagues to know.
- Let them decide who will be told and who will tell them.

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Summary

People experiencing menopausal symptoms require the **same support and understanding** from employers as anyone experiencing a health condition.

Employers need to **break the taboo** surrounding menopause at work and create an inclusive working environment.

Workplaces should **act now to** support
and **retain employees**. Education is key.

Train your managers in having sensitive and open conversations and **have a clear plan**, create an **open culture** that will support employees impacted by the menopause.



Thank you for watching!

Q&A

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Live Webinar every 2 months.

**Please follow the Wurkplace page
for updates!**

References

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/568240/employment-stats-workers-aged-50-and-over-1984-2015.pdf

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