



Australian Human Rights Commission

Supporting Working Parents: Pregnancy and Returning to Work

National Review

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SDA Submission to the AHRC

Supporting Working Parents: Pregnancy and Returning to Work National Review

INTRODUCTION

1. The Shop, Distributive and Allied Employee's Association (SDA) is one of Australia's largest trade unions with over 213, 000 members. The majority of these members are women and young people. The bulk of the SDA's membership is in the Retail Industry and Fast Food sector, but it also has coverage of areas including warehouses, drug and cosmetic manufacturing and distribution, hairdressing, pharmacies and modelling.
2. The SDA has a long history of advocating for better financial support for families and for more family friendly work arrangements, to assist workers in combining caring responsibilities and paid work.
3. The SDA has been a key player in the broader union movement's Test Cases to achieve unpaid maternity leave (1979), which included the requirement for employers to provide safe work for pregnant employees if it was available; parental leave for adoptive mothers (1985) then fathers (1990) and casual employees (2001), all in the face of strong opposition from employers.
4. The SDA was also a key contributor to the ACTU Work and Family Test Case in 2005, which won employees the Right to Request an extension to their parental leave for up to 24 months, the right to request up to 8 weeks concurrent leave, and additional leave for caring purposes.
5. Over 2011 and 2012, we lobbied hard for, and were ultimately successful in achieving, amendments to the *Fair Work Act 2009* to extend safe work to all pregnant employees, to provide up to 8 weeks concurrent leave, to extend the right to request flexible working arrangements to more carers, and to include the requirement for employers to consult their employees in regard to roster changes, including considering their family responsibilities. Again, this was in the face of strong opposition from employers.
6. The SDA lobbied for the first National Inquiry into Pregnancy and Work, conducted by the Sex Discrimination Commissioner in 1999, and was a member of the associated Reference group. The Report from that Inquiry made 47 very worthwhile recommendations, but unfortunately, in the intervening years, less than half of them have been fully or partially implemented.
7. The SDA welcomes this National Review on the prevalence, nature and consequences of discrimination in relation to pregnancy at work and returning to work after parental leave, and welcomes the opportunity to make this submission.

SDA RECOMMENDATIONS

The SDA recommends:

RECOMMENDATION 1

A suite of integrated, supportive programs and provisions be created to assist working parents to combine work and having a family from pre-birth to caring for school age children, including:

- Access to paid prenatal and reproductive health leave;
- Safe workplaces and practices for pregnant employees and those returning to work;
- A fair and effective Paid Parental Leave scheme;
- A fair, affordable and efficient anti-discrimination framework;
- Accessible and enforceable family-friendly working arrangements and leave provisions;
- Quality, affordable and accessible childcare;
- Workplace audits and programs which identify and address systemic barriers;
- A cultural shift towards valuing women and men's work and caring responsibilities; and
- A strong enforcement and compliance focus.

RECOMMENDATION 2

Increased co-operation and sharing of information by the responsible agencies so that there is a clear framework of rights and responsibilities which is consistent between jurisdictions.

RECOMMENDATION 3

State and Federal Human Rights and Equal Opportunity Commissions, the Fair Work Ombudsman and Safe Work Australia produce **clear and comprehensive information for employers and employees** on their current legal rights and responsibilities regarding all aspects of pregnancy at work and returning to work after parental leave.

RECOMMENDATION 4

The **Australian Human Rights Commission** undertake an **education and awareness-raising** program which is specifically targeted at informing organisations of their legal responsibilities towards employees who are pregnant or returning to work.

RECOMMENDATION 5

That the **Fair Work Ombudsman** initiate a **public campaign** to ensure breaches of existing anti-discrimination protections are identified and remedied.

RECOMMENDATION 6

The **Australian Human Rights Commission** and the **Australian Stock Exchange** advocate that Chief Executive Officers and shareholders take an active role in ensuring organisational practices and procedures support appropriate management accountability of discrimination matters.

RECOMMENDATION 7

Research be commissioned to assess the costs of discrimination to individuals, employers and the community, and that such research is widely publicised.

RECOMMENDATION 8

Data (non-identifying, where necessary) **be collected of all discrimination** enquiries, complaints, conciliations, confidential settlements, and hearing outcomes, and such data be analysed, according to key demographic groups, industry sectors and types of complaints, and is also widely publicised.

RECOMMENDATION 9

Data collection and monitoring of pregnancy and return to work discrimination includes identification and analysis of areas of **systemic discrimination**.

RECOMMENDATION 10

Ensure that government policies relating to **early childhood education and care** and out-of-school-hours care provide quality, accessible and affordable care which is supportive of the needs of working parents including their need to balance paid work and caring responsibilities.

RECOMMENDATION 11

The *Sex Discrimination Act 1984 (Cth)* be amended to **provide for access to legal advocacy and advice, at low cost** to vulnerable discrimination complainants, to assist them through the process.

RECOMMENDATION 12

The *Sex Discrimination Act 1984 (Cth)* be amended consistent with the definition of **'family and caring responsibilities'** in the *Victorian Equal Opportunity Act 2010* and provides that an employer must not, in relation to the work arrangements of an employee or a person offered employment, unreasonably refuse to accommodate the responsibilities that the person has as a parent or carer.

RECOMMENDATION 13

The *Sex Discrimination Act 1984 (Cth)* be amended to **introduce a positive objective to achieve substantive equality** (that is, recognising that women and men may need to be treated differently, for equality of results to occur) with an obligation on employers to take all reasonable and appropriate measures to provide a workplace free of discrimination.

RECOMMENDATION 14

The *Sex Discrimination Act 1984 (Cth)*, the *Fair Work Act 2009*, and the *Model Work Health and Safety (WHS) Act* (and corresponding Acts where applicable) be amended to **introduce a positive and explicit stand-alone duty on duty holders to make 'reasonable adjustments'** to accommodate the needs of pregnant employees, women returning to work after birth and women and men with family or caring responsibilities. Assessments regarding 'reasonable adjustments' must be made on an individual case-by-case basis, which takes into consideration the circumstances and needs of that individual.

RECOMMENDATION 15

A positive duty to provide reasonable accommodations be a separate type of discrimination and have specific remedies attached to a breach of this duty.

RECOMMENDATION 16

The *Sex Discrimination Act 1984 (Cth)* be amended to ensure that the onus of proof must be on the party with the knowledge, once a prime facie case has been established.

RECOMMENDATION 17

The *Sex Discrimination Act 1984 (Cth)* be amended to **prohibit employers being able to ask questions** of employees, or seek information, where the information provided could potentially be used for a discriminatory purpose.

RECOMMENDATION 18

The *Sex Discrimination Act 1984 (Cth)* be amended to ensure **workplaces are monitored** following resolution of a discrimination complaint or a finding of discrimination relating to pregnancy and return to work to ensure adherence to agreed undertakings or orders.

RECOMMENDATION 19

The *Sex Discrimination Act 1984 (Cth)* be amended to **provide a no costs jurisdiction**, where each party pays their own legal costs regardless of which party succeeds.

RECOMMENDATION 20

The *Sex Discrimination Act 1984 (Cth)* be amended to provide **civil penalty provisions** similar to those in the *Fair Work Act 2009*.

RECOMMENDATION 21

The *Sex Discrimination Act 1984 (Cth)* be amended to ensure that the complaints process in anti-discrimination cases is **more accessible, less costly** and provides **greater remedies** and more **just outcomes** for claimants.

RECOMMENDATION 22

The *Sex Discrimination Act 1984 (Cth)* be amended improve the level of **punitive damages** in discrimination cases.

RECOMMENDATION 23

Legislation be amended to enable the Australian Human Rights Commission and other representative organisations to **initiate investigations and claims of systemic discrimination** on behalf of complainants.

RECOMMENDATION 24

The *Sex Discrimination Act 1984 (Cth)* be amended that the role and functions of the **AHRC** are greatly enhanced to provide the powers and requisite skills and expertise to investigate and determine complaints.

RECOMMENDATION 25

Include preventative mechanisms in the State and Federal anti-discrimination legal framework, including the capacity for the State and Federal Human Rights and Equal Opportunity Commissions to **issue improvement notices** and require **enforceable undertakings** from employers.

RECOMMENDATION 26

The **Workplace Gender Equality Agency** has the capacity to implement the **procurement guidelines** for employers who are non compliant with anti-discrimination legislation.

RECOMMENDATION 27

The **AHRC is sufficiently funded** to operate as an effective research, education and enforcement body.

RECOMMENDATION 28

The *Fair Work Act 2009* be amended to **remove the exclusion of s65 “Right to Request Flexible Working Arrangements”** from being a matter about which the Commission may arbitrate.

The *Fair Work Act 2009* be amended to **delete S65(2)** of the *Fair Work Act 2009*.

RECOMMENDATION 29

The *Fair Work Act 2009* be amended to include an **obligation on employers to reasonably accommodate an employee’s request for flexible work arrangements** (as in the Victorian Equal Opportunity Act), outlining the considerations that must be given in determining whether a request is reasonable to refuse and allow employees to appeal an unreasonable refusal.

RECOMMENDATION 30

S145A of the Fair Work Act 2009 be amended to require employers to genuinely consider employee views about the impact of proposed **roster changes**, and **make reasonable efforts to accommodate** the needs of the employee.

RECOMMENDATION 31

The *Fair Work Act 2009* be amended to **clarify** the term **“pre parental leave position”** in **S83(2)** to include the actual role and tasks in which the employee was engaged.

RECOMMENDATION 32

Insert a special redundancy provision in the *Fair Work Act 2009* which requires an employer to demonstrate that a redundancy is bona fide, and reasonable accommodations cannot be made, where the redundancy is for an employee returning to work after a period of parental leave.

RECOMMENDATION 33

The *Fair Work Act 2009* be amended to clarify the personal leave provisions to explicitly state that **employees may use personal leave to attend pre natal medical appointments** or other reproductive health appointments.

RECOMMENDATION 34

The *Fair Work Act 2009* be amended to provide for **paid breastfeeding breaks** and appropriate facilities for breastfeeding.

RECOMMENDATION 35

The *Fair Work Act 2009* be amended provide employees with a **right to return to work part time** from parental leave until their child reaches 2 years of age unless the employer has reasonable business grounds on which to refuse.

RECOMMENDATION 36

The *Fair Work Act 2009* be amended to provide that where an employee is entitled to government paid parental leave pay, that they are entitled to that same period of unpaid parental leave from their employer.

RECOMMENDATION 37

Consideration be given to the **creation of a 'one stop shop'** for clear and comprehensive information and more easily achievable and just remedies, in regard to pregnancy at work, parental leave, and returning to work after parental leave.

RECOMMENDATION 38

Safe Work Australia develop and implement a comprehensive **Compliance Strategy** which includes information and education components, monitoring and enforcing activities, sharing of information between regulators and the conduct of proceedings under relevant work health and safety laws.

RECOMMENDATION 39

A **new Regulation** be inserted into the *Model Work Health and Safety (WHS) Act* which requires Persons Conducting a Business or Undertaking (PCBU's) to identify, undertake risk assessments and control any risks to the reproductive health of workers, pregnant workers, workers who have recently given birth or who are breast feeding. This should be accompanied by a requirement that any risk assessment undertaken will be done in consultation with the worker affected.

RECOMMENDATION 40

A **Code of Practice** be developed which supports this new Regulation. The Code of Practice should address the specific workplace health and safety hazards and risks around reproductive health, pregnancy, breastfeeding mothers and mothers returning to the workplace. It should provide information on the reproductive hazards associated with manual tasks, night work, biological agents, and provision of appropriate facilities in the workplace, work equipment, personal protective equipment and health surveillance. The Code of Practice should also highlight and raise awareness of existing industrial and anti-discrimination legislation.

RECOMMENDATION 41

The following **Codes of Practice be amended** to include specific reference to the risks associated with reproductive health, pregnancy, breastfeeding and returning to work after birth;

- Hazardous Manual Tasks
- Work health and safety consultation, cooperation and coordination
- Managing risks of hazardous chemicals in the workplace
- How to manage workplace health and safety risks
- Managing work environment and facilities
- Guide for preventing and responding to workplace bullying.

RECOMMENDATION 42

Educational resource materials be developed in relation to **pregnancy and workplace bullying** and harassment. The Guide for Preventing and Responding to Workplace Bullying be amended to include specific information in relation pregnancy and returning to work after birth.

RECOMMENDATION 43

The **Guide for Preventing and Responding to Workplace Bullying** be upgraded to a **Code of Practice**.

RECOMMENDATION 44

Amend the *Sex Discrimination Act 1984 (Cth)* to explicitly state that **‘inherent requirements’** has no applicability in relation to pregnancy and returning to work after birth.

RECOMMENDATION 45

The *Model Work Health and Safety (WHS) Act* (including the Code of Practice), the *Sex Discrimination Act 1984 (Cth)* and the *Disability Discrimination Act 1992 (Cth)* and all education materials developed in relation to this area be amended to include the following;

- Detail the legal validity of medical certifications.
- Require an employer to adhere to medical certificates from duly qualified medical practitioners.
- Create a separate and distinct offence, with penalty provisions, where an employer has ignored a medical certificate.
- Require employers to respect that medical certificates for sick and personal leave issued by doctors only need to detail that a patient is unwell or unfit for work. [NB: there are different legal requirements for workers compensation purposes]
- Require employers to respect the right of patients to be treated by their own doctor;
- Require employers to respect the rights of patients to follow the treatment advice of their doctor;
- Require employers respect the rights of patients in all circumstances to private medical appointments without the presence of third parties;
- Require employers respect the rights of doctor/ patient confidentiality and not approach a patients doctor seeking clarification of advice or suggesting alternative treatment, without the patients full and informed consent;
- There must be respect for a doctor’s clinical independence;
- There must be respect for doctor’s professional independence and the need for doctor’s to operate in an environment free of conflicting interests.

BACKGROUND

8. The birth of a child is a momentous occasion in any family. It is expected that it will be a positive and happy time. At the very least, it is a period of significant change. For employed expectant mothers, the transitions between paid work, having a baby and returning to paid work can be challenging and difficult to navigate, and for some it can be an absolutely miserable time. The attitudes and practices of employees' employers have a significant influence on their experience and subsequent choices. Decisions about returning to work are also influenced by both financial and family issues, as well as the availability of flexible working arrangements and access to quality and affordable child care.
9. Legislation around pregnant women at work, the provision of parental leave to parents and the ability for them to return to work has been in place for over 34 years. Also over that time, there has been a steady increase in the number of women in the paid workforce. Women now make up 46% of the total workforce.¹

Employer Attitudes

10. Yet we still see, in both written submissions and on the transcript of oral submissions, that many employers still believe that even *trying* to find safe work for pregnant employees "threatens to be burdensome and discourage job creation", and "could have the effect of not only discouraging the future employment of women but of further reducing the proportion of women in the resource industry."² As a general comment to family friendly measures proposed in the *Fair Work Amendment Bill 2013*, the National Farmers Federation said "Some consideration should be given to the desirability of female workers of a reproductive age in the job market."³
11. These are truly archaic and discriminatory attitudes, and they are attitudes which are at the very heart of the abysmal treatment of pregnant women and parents outlined in many of the 194 SDA case studies contained in Attachment 2. Women have to deal with the practical effects of these out-dated attitudes every day. The leadership of many of our large companies cannot escape responsibility for problems in these matters, and the indications are that the problems are significant and widespread, because they are not taking the issues seriously.
12. Over more than 34 years, employers have consistently made alarmist claims about the impact of parental leave and family friendly measures, and voiced strong opposition to regulation. Despite the introduction of various protective provisions over that period, the sky has not fallen in. The SDA has attached over 190 cases in Attachment 2 which clearly demonstrate the **need for strong regulation and enforcement concerning the prevalence, nature and consequences of discrimination in relation to pregnancy at work and returning to work after parental leave.**

¹ ABS Labour Force Australia Jan 2013

² AMMA submission to the Senate Education, Employment and Workplace Relations Committee Inquiry on the *Fair Work Amendment Bill 2013*

³ NFF submission to the Senate Education, Employment and Workplace Relations Committee Inquiry on the *Fair Work Amendment Bill 2013*

Lost Opportunities

13. Research has found a great desire among women to maintain a working pattern throughout motherhood. 96.7% of the women surveyed were keen to return to work after a career break such as parenthood, if their employer offered flexible working hours.⁴
14. Only 54% of the surveyed business decision makers were willing to adapt to employee needs and offer them the flexibility they require. When asked what constraints would most likely prevent them from offering flexible work, half thought it would be too disruptive, just over a third thought it would be too complex and a third thought it would be too costly.⁵
15. A bias was found amongst Australian business towards the notion of an 'ideal worker'. The traits of an 'ideal worker', according to these business leaders, are willingness to work extra hours, an unbroken employment record, ambition, being between 18-50 years old, and without children. It follows that twice as many of those surveyed believe that men are more desirable employees than women.⁶
16. Contrary to the 'ideal worker' stereotype, other research has found that female employees in flexible roles tend to be more productive than their full-time colleagues simply by using their time more wisely.⁷
17. There is an obvious incongruity. Australia is in the midst of a major skills shortage.⁸ Companies that focus on staff well-being are making as big a contribution to their bottom line as those that are looking at ways to increase sales or cut costs.⁹
18. The results of the Kronos survey show that there is a clear opportunity for businesses to reassess their workforce management strategy to access a pool of talent that is ready, willing, and able to work.¹⁰
19. At the same time, employers argue that they are already accommodating the needs of employees who are pregnant and employees who have caring responsibilities, therefore they should not be legislatively required to do so.
20. While this is certainly true of some employers, the evidence suggests that this is not generally the case, and in fact discrimination in relation to pregnancy and returning to work from parental leave remains prevalent in Australia. It has been variously found that:
 - 22% of women perceived experiencing some level of discrimination in the workplace while pregnant. Nearly all (91%) felt that this was a direct result of their pregnancy.¹¹
 - 21% of complaints received under the Sex Discrimination Act related to pregnancy discrimination and family responsibilities¹²
 - 28% of the complaints investigated by the Fair Work Commission in 2012 – 2013 related to an allegation of pregnancy discrimination¹³

⁴ The Kronos Incorporated "Hidden Workforce" study was conducted in Australia in May 2013 among 500 business decision makers and 2,000 employees across a mix of labour intensive industries including healthcare, retail and manufacturing. Report released Sept 2013.

⁵ Ibid

⁶ Ibid

⁷ Ernst & Young (2013) 'Untapped opportunity: The role of women in unlocking Australia's productivity potential'

⁸ "Future Focus: 2013 National Workforce Development Strategy" Australian Workforce and Productivity Agency

⁹ The Kronos Incorporated 'Hidden Workforce' study conducted in Australia in May 2013

¹⁰ Ibid

¹¹ ABS: Australian Social Trends Nov 2013 "Pregnancy and Work Transitions"

¹² Australian Human Rights Commission Annual Report 2011 to 2012

21. It is the SDA's experience that very few formal complaints are made to external agencies, which makes these statistics in regard to the number of complaints even more concerning.
22. Australia does not rank highly compared to other OECD countries when it comes to offering family friendly workplaces for carers. The most common solution for carers is to find casual or part time work, resulting in Australia remaining in the lowest third of OECD countries in respect of workforce participation of mothers.¹⁴
23. The majority of families now have both parents in paid work and are dependent on two salaries to meet their costs of living¹⁵. Fathers generally play an important support role and some do take on the role of primary carer. Fathers also need their workplaces to be structured in a way which allows them to truly take an active role in the life of their child or children, including taking responsibility for their care. High levels of father involvement are associated with better outcomes for children and families,¹⁶ and having a partner with flexible working arrangements may help mothers to balance their own work commitments.
24. There is overwhelming evidence surrounding the pressures Australian employees experience in balancing work and family responsibilities. In 2011, the ACTU Working Australians' Census survey of more than 41, 000 employees found that balancing work and family responsibilities was the second highest priority for both men and women (second only to a wage rise)¹⁷.
25. Verbal reports to the SDA from large retail companies regarding the findings of climate surveys of their staff, confirm and support these results.
26. Other findings from the ACTU Census were that:
 - 44% of mothers say that they do not feel comfortable taking time out from work to care for their children because their workplace is not family friendly.
 - 50% of women with two year old children are forced to choose between family and work and remain unemployed.
27. Women's equal participation in the workforce is a critical part of achieving gender equality. It provides women with an equal opportunity to work and ensure lifetime economic security. Research has shown that women are an 'untapped productivity potential'¹⁸. Increasing women's participation in the workforce would lead to an estimated growth in Australia's GDP of \$25 billion per year.¹⁹
28. As a nation we simply cannot afford to continue on with policies which create disincentives for women to have children and fail to support their participation in the workforce.

¹³ Fair Work Ombudsman Nov 2013

¹⁴ OECD Family database, Maternal Employment, November 2009

¹⁵ ABS: Australian Social Trends Nov 2013 "Pregnancy and Work Transitions"

¹⁶ Katherine R Wilson and Margot R Prior, June 2010 'Father Involvement and child well-being'

¹⁷ ACTU, *Voices from Working Australia*, Findings from the ACTU Working Australia Census 2011

¹⁸ Ernst & Young (2013) 'Untapped opportunity: The role of women in unlocking Australia's productivity potential'

¹⁹ Grattan Institute (2012) 'Game-changers: Economic reform priorities for Australia'

29. The SDA supports the ACTU view that working parents need a suite of integrated, supportive programs and provisions to assist them to combine work and having a family, from pre-birth to caring for school age children, including:
- Access to paid prenatal and reproductive health leave;
 - Safe workplaces and practices for pregnant employees and those returning to work;
 - A fair and effective Paid Parental Leave scheme;
 - A fair, affordable and efficient anti-discrimination framework;
 - Accessible and enforceable family-friendly working arrangements and leave provisions;
 - Quality, affordable and accessible childcare;
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 - A cultural shift towards valuing women and men's work and caring responsibilities.
 - A strong enforcement and compliance focus.

RECOMMENDATION 1

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That the **Fair Work Ombudsman** initiate a **public campaign** to ensure breaches of existing anti-discrimination protections are identified and remedied.

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The **Australian Human Rights Commission** and the **Australian Stock Exchange** advocate that Chief Executive Officers and shareholders take an active role in ensuring organisational practices and procedures support appropriate management accountability of discrimination matters.

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Research be commissioned to assess the costs of discrimination to individuals, employers and the community, and that such research is widely publicised.

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RECOMMENDATION 9

Data collection and monitoring of pregnancy and return to work discrimination includes identification and analysis of areas of **systemic discrimination**.

The Prevalence of Discrimination and difficulties associated with being pregnant at work and returning to work after parental leave

30. The SDA has gathered 194 case studies and examples from our members in regard to their experiences of being pregnant at work, taking parental leave and returning to work, or trying to return to work, after their parental leave. These can be found in Attachment 2 to this submission.
31. It is difficult to quantify the exact prevalence in our industry sectors of pregnancy discrimination; discrimination on the basis of family responsibilities in relation to returning to work after parental leave; breaches in regard to the provision of safe work under Work Health and Safety legislation, and breaches of industrial legislation because we are not aware that any surveying of this type has been done. For the same reason, it is also difficult to quantify the exact extent of the difficulties faced by employees in these situations.
32. The SDA case studies provide a strong indication of the types and the broad range of difficulties experienced by parents and prospective parents around the time of having a baby, and then returning to work. As such, they are both very instructive and very distressing.
33. Although the number of these examples is substantial, given they were collected over a relatively short period of time, we believe they represent just the “tip of the iceberg”. They are certainly much more than an ‘aberration’ as some employers would have us believe. Previous, independently commissioned research of our membership has revealed that 61% of discrimination cases go unreported.
34. Many of the behaviours raised in the SDA case studies are outrageous and should not have happened at all. There is just no excuse for the deliberate and repeated breaches of the law, especially those which knowingly put employees into harmful situations. The employers involved should be ashamed. Hopefully one outcome of this National Review will be that they will feel compelled to eliminate these behaviours and experiences from their workplaces.

35. We look forward with interest to the findings of the AHRC Prevalence Survey being conducted as part of this National Review. We would be particularly interested in an industry breakdown of the findings, so that poorly performing industry sectors may receive more focussed attention, and possibly may themselves be prepared to be more pro-active when these matters are brought to their attention.

4. **The Nature of Discrimination and difficulties associated with being pregnant at work and returning to work after parental leave**

36. SDA experience, and the attached SDA case studies, show that there are systemic problems in the retail industry in regard to the treatment of women who are pregnant at work, and parents who take parental leave and then return to work, or try to return to work.

37. These problems are very serious in nature and in some cases, very disturbing and distressing. They can have very serious consequences for the employee concerned, their baby and subsequently, their whole family.

38. Please note that the following is **not** an exhaustive list of issues and cases. Please read the following in conjunction with the summary in Attachment 1.

PREGNANCY

39. The following are examples of discriminatory behaviour and poor treatment of **pregnant employees** by their line managers, store managers, human resource managers and other senior company personnel:

40. ***Deliberately ignoring doctor's certificates***

It is often difficult in cases of miscarriage and premature labour for doctors to be definitive about the cause. Certainly, deliberately ignoring doctors' certificates is likely to be a contributing factor. The SDA case studies include several such examples, including injury to mothers and their babies. These are extremely alarming and distressing examples.

- Our member was a part-time employee in a large national supermarket. She worked in the Bakery making donuts. She had to lift 15 to 20kg bags of flour and tip it into the donut making machine. She had been trying for a long time to become pregnant and when she found out she was pregnant, she informed her line manager. She asked the manager to be moved to another department; he said they were working on it. When she asked the store manager when would she be moved to another department, the manager replied "you're not sick just pregnant, stop complaining and do your work," – which she did. When she was 6 and a half weeks pregnant, she started to have pains in her stomach and went to the doctor. He gave her a certificate to have 2 weeks off. She asked for unpaid leave even though she had sick leave accrued, because she thought this would be better for the company because then they could afford to replace her. She also did not want to cause any trouble. The store manager refused her leave. She told her she had to give two weeks notice to take sick leave because she wasn't really sick. After 6 days of working, our member was happy because the next two days were non working days. That night she started bleeding and her husband had to rush her in to the hospital. She spent two days in the hospital but they could not save the baby. [114]

- An employee experienced bleeding after “breaking the load” in a supermarket delivery. (“Breaking the load” involves unpacking cartons and boxes from pallets and cages and placing the goods onto the supermarket shelves.) The employee informed her manager and was told to “stop using your pregnancy as an excuse...” The employee succumbed to the pressure a few days later and again “broke the load”, resulting in hospitalisation and subsequently miscarriage. [169]
- In one case study, a pregnant employee provided three medical certificates advising of her need for light duties, over a period of 10 weeks. Three levels of management ignored them and in fact gave her heavy work to do. Her manager continually demanded she do over and beyond her normal duties, continually pushed her to work faster and do more. She was instructed to climb a ladder when she was heavily pregnant and with low blood pressure. Her manager insisted that she load goods onto a high shelf and specifically told her to use both hands, rather than using one hand to steady herself on the ladder. In this case, the doctor was prepared to say that he believed the heavy work over an extended period was responsible for the mother sustaining a 4 cm split in her abdominal muscles and her baby being born prematurely with suspected brain damage. [100]

41. *Causing difficulties associated with attending doctor’s pre-natal appointments*

- In one case a member was rostered off every second Monday and tried to make all appointments on that day. When a public holiday put this back to the next week, she was no longer able to do this. This resulted in her store manager reacting in the following way, ‘She [the store manager] told me that she had two children and several life threatening pregnancy complications, but had never needed excessive medical care or time off like me. She hinted to other staff members and my line manager that I was lying about how long the medical appointments were taking in order to avoid work. She told me I would have to make up any time I missed at work, which I knew wasn’t true. Our SDA agreement provides some paid leave for pregnancy related medical appointments, and my store manager told me that it would be coming out my sick leave instead because I was ‘supposedly out seeing doctors and that is what sick leave is for’. The first two medical certificates I submitted went ‘missing’ after I handed them in, and she told me on both occasions that I would not be paid for those Monday shifts unless I could provide her with another copy. She acted this way even though she knew I had a high risk pregnancy’ [131]

42. *Refusing to provide safe work and not accommodating physical needs, causing the employee pain and discomfort, risk to health, and in some instances, hospitalisation*

- After an obstetrician’s certificate advising she be moved from the deli to a safe job due to the bending and reaching involved, and raising the matter several times, an employee was told “It will be discussed in the next regional management meeting in 2 weeks’ time!” [123]
- “It took weeks for my employer to take my doctor’s letter seriously. I needed to resort to the union to change my hours to finishing earlier and my heavy lifting job never got changed which could have added to my miscarriage. I wonder if I was older than 23 my pregnancy may have been taken more seriously.’ [52]

43. ***Exposing employees to hazardous substances, including ignoring a doctor's certificate***
- Our member was four months pregnant at the time. She was concerned about the chemicals she used for cleaning down the Deli department. Our member provided the company with a medical certificate as the fumes were making her feel ill and her doctor had concerns over the effect of inhaling the fumes while she was pregnant. Shortly after this she also felt ill from the fumes while another staff member was using the chemicals. [101]
44. ***Not allowing pregnant women to go to the toilet in work hours or to take their allowed break***
- This resulted in one woman suffering embarrassment and humiliation when she soiled herself. [183]
 - Another woman felt something was wrong and she needed to check herself. She was told very harshly that she couldn't just run off to the toilet whenever she felt like it, and that it was most inconvenient. After half an hour she asked again and after much eye rolling and huffing, she was allowed to leave her station. When she went to the toilet she discovered she was bleeding. She was then taken to hospital where she spent a couple of days and fortunately everything was fine with the baby. [183]
 - "You will have to wait like everyone else. There's no-one to cover for you. You are not special and will not be treated differently." [119]
45. ***Instructing pregnant women to climb ladders, knowing blood pressure was an issue.*** [100]
46. ***Refusing seating for pregnant women, even under doctor's instructions,***
- "My doctor wrote a letter stating I was fit for work but would benefit from not standing for any length of time. On checking my employer's parental policies I didn't think this would be an issue as it was stated you could be transferred to a "safe job" and there are plenty of positions at my workplace where I could have the option to sit when I needed. When I showed my managers the letter from my doctor they said there were "no chairs" and it seems like my doctor is trying to wrap me up in cotton wool. I spent the rest of the time trying to take it as easy as possible as lifting/bending/squatting place a huge amount of pressure on the (cervical) stitch I had in place and I was concerned for my baby. I was forced to use most my annual leave during this time as some days I physically could not do my job. I feel like I had to go on maternity leave early as my workplace was not accommodating at all." [86]
47. ***Expecting pregnant employees to complete an unreasonable work load and/or perform at unreasonable work intensity***
- A salaried night fill manager was told at the beginning of her pregnancy by the store manager that if she could not perform her duties to the same standards, he would take away her salary and put her on Enterprise Agreement wages. So she worked over 50 hours every week until she was 37 weeks pregnant. [80]

48. *Bullying, harassment, and intimidation of pregnant employees and treating them harshly and unreasonably*

There are many examples of Managers and staff being insulting and offensive in what they have said to pregnant workers, for example:

- “Just because you are pregnant doesn’t mean you can do a Harry half-arsed job.”[100]
- “(You’re) being pathetic”, in response to the employee experiencing severe morning sickness. [178]

49. *Having an unsupportive, unsympathetic, uncaring, rude, nasty and aggressive attitude.*

- Employees want to be treated fairly and with kindness. [89]
- “They didn’t have any courtesy for a pregnant lady.” [113]

50. *Causing employees stress*

- Discrimination by one individual had me in tears everyday. Had me working 40+ hours (Bank of hours system). When the manager was confronted, he denied it all although I'd kept a diary. I went into premature labour 6.5 weeks early because of the stress they caused me. I contacted a lawyer who said I had 3 cases against them, but I didn't have the money to outlay for the legal proceedings.[71]

51. *Not being aware of industrial requirements to transfer pregnant employees to safe work and “no safe job leave” provisions*

- The member and her SDA Organiser approached HR in her store because her doctor had given her a medical certificate saying she was fit for work but with very limited restrictions. The HR Manager in the store was very hostile to the member and her organiser and did not want to adhere to the restrictions contained in the certificate. The HR Manager wanted our member to say that she was not fit for work and to treat the matter as a worker’s compensation claim. They also had no knowledge of the requirement to provide transfer to safe work or no safe job leave. They said they were not aware of this provision because it is not included in the information in the company’s Parental Leave Pack, which they were using as their reference regarding pregnant employees’ entitlements. After making some enquiries and discovering that they would have to provide safe work for their employee or else pay her not to be at work, she was suddenly able to retain her employment on the same rate and hours as before. The Parental Leave pack has not been updated since 2008. This has been out of date since 2010 when the NES Parental Leave provisions became law. [158]

52. *Dismissing pregnant employees on the basis of their pregnancy,*

- “I was fired at 8 months. I took him to the work place tribunal and he got a slap on the hand”. [14]

53. ***Creating pressure for employees to resign from the workplace, or to take parental leave early***
- “I felt harassed and mentally tortured. This disturbed me immensely and might have contributed in deteriorating my health during pregnancy. I always remained in stress which altered my behavior towards my loved ones. Even after SDA approached the store manager I was given the same treatment as before and this had reached to a boiling point and I was willing to complain but my husband stopped me doing so. This is because engaging in this process will further stress me out as I was at the very end of pregnancy. Instead of complaining I took the maternity leave much earlier than I thought I would begin. As a consequence I was made ineligible for my employer’s maternity pay which I missed just by a month. If this trouble didn’t have (happen) and if the store cooperated with me I would have worked for another month and benefited from the maternity pay.” [\[59\]](#)
54. ***Reducing pregnant employees’ hours rather than accommodate pregnancy related health issues***
- A full time employee at a large national supermarket was 24 weeks pregnant and worked most of her hours at the registers. Her baby was sitting on a nerve which was causing some discomfort. Her manager said that the only solution was for her to request to reduce her hours and put the request in writing in a letter. At no time was she told of her options, for example, transfer to safe job, which is provided for in the Enterprise Agreement. The issue was not the number of hours she worked but the problem of not being able to move around on the larger registers. [\[165\]](#)
55. ***Reducing the wages of female managers due to their pregnancy, demoting them, threatening them with being “performance managed out” if they don’t agree to a transfer and demotion, making them casual employees with no guaranteed hours,***
- “I was working for a large national supermarket and I was the Customer Service Department Manager. I had been in this role for the previous 2 years and took pride in my position and was always given positive feedback. Early in my pregnancy I suffered a lot of morning sickness and took quite a lengthy amount of time off work. I did all the right things as in utilising my personal leave and providing the appropriate medical certificates. I had a meeting with my boss and asked if it was at all possible to temporarily step down in my position just until I regained my health. The outcome was not positive. If I decided the need to step down, that would result in permanent demotion. After a few stressful days I decided it was better for me to demote myself. Which I was fine with until the employee who took my managerial position, a few months later had a family situation arise and also asked to temporarily step down - to which the boss agreed! I believe this was totally unfair but I didn't take any action. I was merely disappointed. I had also requested to reduce my full time hours temporarily as I endured a lot of pain and swelling of my feet/legs standing for 8hr shifts, but my boss said that was not possible. I had to either do my 40hr weeks or reduce my hours permanently.” [\[118\]](#)

56. ***Denying employees access to promotion on the basis of pregnancy***
- Our member works in the Bakery of an independent supermarket. She was told that because she was pregnant that she was not suitable for promotion to Bakery Manager. She was told that all managers have a set roster which includes nights and weekends and early mornings, and if you can't do the roster then you can't get the promotion. The member contacted the SDA because HR were moving her from the store because they think that there will be a personality clash between her and the new Bakery Manager, but they haven't given her a chance. The member just wants to stay in the store. [189]
57. ***Enacting performance management processes against employees for not meeting sales commission targets due to the impacts of the pregnancy***
- "Prior to pregnancy (I had been back from previous maternity leave 2 months before falling pregnant with baby #2) I was making budget, then started feeling tired and sore and wasn't meeting budget. I was pulled into the office by a new sales manager and told there would be no exceptions being pregnant, and I still needed to perform like the others or there would be consequences. I also got told I looked mopey and needed to smile more. Just yesterday I was given a formal written warning for not making budget still. Which I think was absolutely disgraceful. I feel ashamed and singled out." [42]
58. ***Are perceived to push employees out of the workplace by making them feel unwanted, insignificant, unimportant, guilty, useless and as if they are being difficult, as well as telling them they are lazy and using the pregnancy as an excuse to get out of doing things (when this has not been their track record in the past),***
- "I was challenged about why I wasn't doing gas bottle exchanges. I said because its too heavy for me. I was then told not to be lazy. I then had to get a certificate from my doctor explaining I cannot lift more than 4kg while at the end of my pregnancy as it was too much for my hips and back. I was made to feel like I shouldn't be there and like I was useless. I would cry my way home from work wishing we could afford for me to not have an income but I knew I still had to go back so I could provide the best start for our first born. I ended up going on maternity leave 7 weeks early because I could no longer handle having the feeling they gave me at work. I took 3 weeks unpaid, the rest maternity leave. I was lucky I had some." [55]

RETURNING TO WORK AFTER PARENTAL LEAVE

59. The following are examples of discriminatory behaviour and poor treatment by line managers, store managers, human resource managers and other senior company personnel, towards employees returning to work after parental leave:
60. ***Poor or total lack of communication in response to employees advising of their return to work date***
- Our member was scheduled to return from maternity leave in February 2013. She went and spoke to the store manager in December 2012 and informed him that she would like to return on fewer hours due to her family responsibilities. Our member didn't hear back from the store manager after that meeting. She had to call the store multiple times leading up to her scheduled return date and the store manager wouldn't return her calls. She got in contact with the assistant manager and he said that they couldn't offer her any of the rosters that she had provided to the company. [176]

61. ***Blatantly refusing to employ parents eligible to return to work***
- “I have already heard from my manager that they don't want me back in the store that I left when I went to go on maternity leave. I have heard they want to send me further away from home so I will leave!!! Once you have kids you are a nobody when you want to come back!!!” [7]
62. ***Reducing wages, demoting, and making female managers returning to work casual employees***
- “The only way I got my role back was to put my daughter in day care 5 days...I found it very un-family friendly. If I wanted to keep my role I had to put (the Company) first and the family 2nd.” [108]
63. ***Refusing to allow employees to return to their previous position, or to return to all their previously rostered hours, even if they had not requested any change in their hours or days of work***
- Job role I left when going on maternity leave was no longer available, when I was told I would have my job back when I returned. HR manager did not know anything about my previous work history and was going to place me in a relief team moving store to store, not suitable to my childcare needs at all. I returned to a part time position with a minimum 20 hours and was given some weeks as low as 8 hours in a part time capacity. [28]
64. ***For employees requesting to return on less hours than they had previously been rostered, refusing to allow employees to return to their previous job.***
65. Employees have an expectation they will be able to return to their previous position. They often struggle with not going back to their previous job, in which they had taken a great deal of pride and ownership, especially if they had been working in that position for a long period before parental leave, and had developed expertise in the area. They can find it difficult and embarrassing to explain to customers, especially when communication from their manager has been poor as to what they will be doing and why.
- “I returned to work doing casual hours in my previous position in the photo lab when my baby was 6 months old. I then requested to go part-time on 9 hours per week. The store manager advised that I may not go back into photo lab on a part-time contract. Weeks passed and still I hadn't gone part time. I was finally given a roster but it was on checkouts even though the hours I could have done in photos were being done by a casual. Changing my position also resulted in a drop in my hourly rate because I was on a higher grade as a trained photo lab assistant....
- I felt like I'd taken a step backwards or I was being punished for going on leave and that what others saw was like I was demoted. I struggled a lot with this as I felt embarrassed. After weeks of being on checkouts I was still being asked quite often why I was there (being in photos for 9 years in the same store the whole town gets to know you)....
- I was very, very stressed and did see a doctor and told him I wasn't coping and he gave me some antidepressants. I am still waiting for my pay to be fixed up. I was told 3 times they can drop it because I'm not in photos now, but I kept asking as I felt that wasn't right. Finally after weeks and weeks they said it shouldn't have dropped and we will back pay you. I'm still waiting and it has been weeks.” [132]

66. ***For employees requesting to return on less hours or different days than they had previously been rostered***

Refusing to provide any shifts for previously part time and casual employees,

- “I’m still currently on parental leave. As I am only casual there are no shifts for me to go back to. I was due to return at the end of this month, however there is no work, therefore I have extended my leave.” [154]
 - *Forcing a reduction in total rostered hours,*
- The store I worked for didn't have a place for me and the store I transferred to couldn't give me enough hours. Only now 3 months later am I getting the hours I need, despite being over qualified for the position. I was given 15 hour contract after asking for 20 hours minimum after working 40 hours a week for 5 years. [46]
 - *Forcing the employee to become casual,*
 - Our member was a permanent part- time employee at a large national department store, working 15 hours per week. “When I asked to come back to work, I asked if I could change to 10 hours per week permanent part time. I was told no, you can not. So, I had to go to casual and getmaybe one (shift) a fortnight.” [136]

67. ***Offering rosters to employees returning to work which were outside their availability or they knew the employee would not be able to do,***

- “Sorry all we have is night hours. Don’t suppose that is going to suit you is it!” [117]

68. ***Offering rosters which are inconsiderate of family responsibilities and unreasonably refusing flexible working arrangements***

- “I had to limit my availabilities because my husband and I work so I have to be home sometimes to look after my daughter. I got told that it was not fair on the other employees that I am only available a small amount of days and times and that I should work whenever they need me. Nearly all the other employee’s either have school aged children or are just leaving school and now are in between courses. Lots of them are only available when I am not.” [83]

69. ***Providing rosters with no set hours to employees knowing their children were in child care, which meant they were paying for child care when it was not needed***

- “I was then given unpredictable shifts that changed all the time (different days/starting times) that made it extremely difficult with a small child in day care. I then had to write a letter to my boss saying that I had worked hard for the company for a few years and really wanted to continue working there but I was finding it difficult with a child in day care as you had to book in for set days. After this I was given set days I would work which was a lot better.” [86]

70. ***Not informing temporary replacement employees of the nature of their employment and the rights of the employee on parental leave***
- The store has permanently replaced her position and currently has another employee who is doing her role. The store manager when speaking to our member told her that he had no idea she was even employed at the store and her position has been permanently replaced not just temporarily. [174]
71. ***Not informing or discussing with the employee on parental leave, changes to the workplace or their position during their parental leave***
- “I’m still on leave but have heard my position may not be available when I return. Whilst on leave I have found out (through staff not management) that my job has been made redundant. I’m still waiting to hear from the manager who told my SDA rep he would call me. That was over 6 weeks ago! The company has a mat leave booklet that we fill out and it lets us know what we need to do etc. There is a section that asks us if we want to be kept up to date while off. I ticked the yes box as we are going through a major refurbishment and wanted to be in the know. I have been off for 9 months and not once has anyone bothered to contact me. Once I walked out the door it was like I didn’t exist. It is very upsetting and disappointing.” [9]
72. ***Not accommodating breast feeding/expressing milk at the workplace***
- “Main challenge is expressing milk. I am still breast feeding. I tried couple of weeks during my lunch break but it is hard eating and expressing breast milk. Also, I didn’t have a proper place to do it. I used one of the old offices but when I asked my store manager he said I can use it for temporary so I gave up. And also it was really hard for me to get my roster the way I wanted.” [36]
73. ***Requiring a mother who had recently experienced the death of her infant to return to work during a major baby goods sale***
- “Coming back to work after first pregnancy was terrible as I lost my baby after birth and work started me back during massive baby sale. I found that very inconsiderate.” [45]
74. ***Making employees feel guilty when they couldn’t work because their baby was very sick, even hospitalised***
- “My mother looked after my baby until she was 9 months, then she got a job and went to work. So my daughter went into day care. As she wasn’t in before she got all the bugs and got sick. I was on and off work and worked as much as I could, being made to feel guilty every time because I wasn’t at work. She ended up in hospital with bronchiolitis, pneumonia and was on oxygen for 4 nights. All my manager could say to me was “its stock take”. [108]

75. **Creating a stressful working environment**

- Our member had difficulties getting a permanent roster, the process taking several weeks. This was also made worse by the fact that her hours in photos had been given to someone else and she was now on checkout which attracted a lower hourly rate. She felt she had been demoted. She was very, very stressed and did see a doctor and told him she wasn't coping and was given some antidepressants. "I didn't really want to start them so was just really trying to be happy. My family felt this mostly and also my marriage and then one day at work I was asked again and I just burst out crying. It had all got too much, I was shaking and just felt horrible, managers did take me away till I settled down and then I went home. Now it all started from being told I'd not be going to photos. I wish I had another person in the store to talk to as I didn't feel comfortable with the managers." [132]

76. **Bullying returning to work employees**

- "Shortly after the store manager returned to work from his leave he began to make me feel uncomfortable and intimidated during work, by staring at me intensely using aggressive expressions. He questioned me as to why I was not rostered to work on public holidays and said words to the following effect, *"Well, that's changed now and I'm telling you that this is the last public holiday you will have off while I'm the Store Manager here and good luck if you get another Manager that allows it. What, you think just because you returned from maternity leave and had a child, do you think you can have some special treatment?"* I replied, *"That's not nice the way you just spoke with me."* He also told my Department Manager "You're a softy and who the hell does she think she is....." I feel that my Store Manager has failed in his duty of care to promote a safe workplace in which an employee can work in an environment without feeling intimidated, harassed, threatened or bullied and discriminated. I have never, in my twenty two years of working as part of the company been made to feel an outcast as I have during my return from maternity leave. I also feel that the Store Manager and the Human Resources personnel, as representatives of the company, have failed to fulfil the requirements set by the company by not allowing *"Flexible work options tailored to individual needs"* and *"flexible work options upon return from maternity leave"* and by not allowing my continued work roster to be in accordance with an agreement reached with them in 2003 that I work only set hours during weekdays to the exclusion of Public Holidays." [170]

77. **Requiring an employee returning to work soon after a caesarean to lift heavy weights beyond her restrictions,**

- "When I returned only 4 weeks after having a caesarean section I was asked to pull a pallet of potting mix. But, to avoid confrontation I just did it. I had no other problems, my roster and my job remained the same." [137]

78. Many return-to-work challenges arise from changes to the employee's availability due to being the primary carer of a child and the lack of access to suitable **child care**.

79. Many employees seek different working arrangements than they worked previously and that may not align with the hours available at the workplace.

80. Another challenge is many rosters in the Retail industry are part time and do not involve full days. Having a child in formal child care in this situation can be unaffordable because formal child care charges a daily, rather than an hourly, rate.
81. Access to child care significantly impacts on women's employment. In 2011, cost was the reason that child care required for one in four children was not used.²⁰

RECOMMENDATION 10

Ensure that government policies relating to **early childhood education and care** and out-of-school-hours care provide quality, accessible and affordable care which is supportive of the needs of working parents including their need to balance paid work and caring responsibilities.

82. Flexible work options usually refer to the ability to work part time or make changes to hours, location of work, and/or patterns of work, as per S65 of the *Fair Work Act 2009*. They are an important factor when it comes to labour force participation after the birth of child, as parents need to work within:
- the constraints of available and affordable child care,
 - the particular needs of their child, and
 - their own preferences in regard to the time they wish to spend away from their child.
83. Most mothers use flexible work arrangements when they return to work for the first time, with over four out of five mothers opting to work part time.²¹
84. The underlying attitude of managers greatly impacts upon an employee's return to work after parental leave. SDA organisers have reported that many managers have the attitude of only giving employees hours that are readily available at that time, rather than removing or adjusting the hours of replacement employees. Employees returning to work are told that unless they comply with their managers' choice of hours, then they will not have a job. This approach is so common that there is a sense that there has been some sort of directive to this effect. [109]
- "If she can't fit in with our business, we can't afford to give her all her hours back." [112]
 - A Company denied an employee's entitlement to her pre parental leave position, and despite 90% of employees being employed on a casual basis, said, "Hang in there and wait until hours become available." [121]
85. In one large company, several SDA organisers have seen an email to store managers from the Human Resources department, but have not been able to obtain a copy. This email urged store managers not to just accept the information given to them by employees, when employees request flexible working arrangements to accommodate family responsibilities. They were advised that they should obtain proof; for example if the employee says that they can't get child care on certain days, the store manager should call or visit the child care centre and check if this is the case, or ask the employee to obtain a letter from the child care centre. The SDA is aware that supposedly "time poor" managers have in fact visited child care centres and sought to make child care arrangements without consideration or consultation with the employee. It is the parent's right to determine their own child care arrangements and what is best for their child.

²⁰ COAG Reform Council 2013 "Tracking Equity: Comparing Outcomes for Women and Girls across Australia"

²¹ ABS Australian Social Trends Nov 2013 (cat. No. 4102.0)

86. The email also talked about challenging contracts that suit individuals and being bold enough to confront them, as well as seeking out individuals who want to work outside a 9am to 5pm roster.
87. Unfortunately, managers within some companies are concerned about being seen as a 'soft touch' if they are too accommodating of employees' requests, and so, they mitigate this concern by being very tough on employees.
- When an employee required public holidays off to care for her children, her department manager spoke to the store manager on her behalf. Before taking parental leave, the employee had not been required to work public holidays, over a very long period. The (new) store manager's response was "You're a softy and who the hell does she think she is..." This happened in a company which states in its communications to employees that "Flexible work options tailored to individual needs have proven to be an important factor in retaining people as their work-life balance needs evolve." And "Options available to new parents include flexible work options upon return." [170]
88. "Who the hell do you think you are?" is a common response to requests for flexible working arrangements, which is belittling, and does not indicate a willingness to give genuine consideration to the request.

UNPAID PARENTAL LEAVE

89. The following are examples of poor behaviour and poor treatment by line managers, store managers, and human resource managers towards employees taking parental leave:
- Strictly adhering to the parental leave qualifying period, even if the employees missed out due to ill health in the pregnancy, resulting in the employees losing accrued personal leave and the right to return to their job
 - Poor knowledge of parental leave entitlements
 - Refusing 2 weeks concurrent leave for fathers around the time of the birth
 - Poor knowledge of company paperwork required to apply for parental leave
 - Poor communication regarding approval for parental leave
 - Tardiness in arranging a replacement employee so that the employee started parental leave late
 - Pressuring employees, and in some cases actually told employees, to change their application, to take the maximum period of parental leave, saying they could always return to work earlier if needed, then refused to allow them to return to work earlier
 - Not communicating with employees while on parental leave despite requesting it.

EMPLOYER PROVIDED PAID PARENTAL LEAVE (PPL)

90. The following are examples of discriminatory behaviour and poor treatment of employees by their line managers and store managers:
- Providing incorrect advice to employees, resulting in them being ineligible for the company PPL
 - Poor understanding of how the Company PPL payments are calculated, resulting in financial difficulties for employees
 - Communicating the details of the company PPL scheme poorly or incorrectly, to employees
 - Pressuring employees to leave work early (by lack of accommodation during the pregnancy) resulting in them being ineligible for the Company PPL payments

GOVERNMENT PROVIDED PAID PARENTAL LEAVE (PPL)

91. The following are examples of poor treatment of employees by their store managers and human resource managers:
- Delaying the supply of information to Centrelink, thereby delaying the payments to employees
 - Ignorance of the tax implications of structuring company PPL, employee annual leave and long service leave payments with the government PPL payment, thus meaning that employees lost a great deal of money in tax, which then affected the period of parental leave they could afford to take.
92. In addition to the above examples, it is the SDA's experience that there is limited or no information available for mothers and fathers, from their employers, about their entitlements at work in regard to taking parental leave and returning to work, and accessing these entitlements. Some employers do provide up-to-date information which is readily accessible. Others have information which is up to five years out of date, or have updated information which is difficult to access by most employees, even if they know about it.
93. There is limited or (mostly) no training of managers and staff in regard to pregnancy and returning to work issues, and the cultural issues of accommodating individual needs. Time and again we see, in the absence of training, managers invent ill-considered responses to requests or circumstances, often with disastrous results.
94. Employees comment that having different managers results in their pregnancy and return to work experiences being handled differently - where one experience is positive and another is not. This confirms the subjective and prejudicial nature of many of the practical decisions associated with these matters.
95. In many situations, it is not a matter that an employee's request cannot be accommodated, rather there is a lack of willingness to do so. Refusals are made without recognition or consideration of the employee's length of service, seniority, previous performance or attitude to work, and seemingly without genuine consideration of its feasibility. For example:
- o "I asked my line manager if I could return to work a couple months early as we were struggling a lot financially. She told me she couldn't afford me but would ask around, then said no one could afford me. A few weeks later I found out the grocery manager had been struggling for weeks and would have had me back if she knew I was looking. My manager never asked her." [22]
 - o "The member was a casual employee and approached me (delegate) to see if there were any positions in my store and if she would be able to transfer there. I didn't see a problem with this and asked for her availability and transferred her to our store on the hours she requested." [144]
96. It seems that workplaces with the greatest ability to accommodate employee requests for flexibility, due to the extended span of hours the store is open, the number of employees, the use of large numbers of part time and casual employees, and the variety of roles, are the ones about which we have received the most complaints.
97. Attachment 2 also includes several cases where members reported having positive experiences at work during their pregnancy and/or returning to work after parental leave. But it is an indication of their low expectations, that they were grateful for such things as being allowed to leave work if they were unwell and use their sick leave, or being able to have more toilet breaks.

Why are these problems occurring in our workplaces?

98. We believe that reasons for these problems occurring in organisations can be summed up by the following:

- Perceptions that the employee is, or will be, an inconvenience or “hassle”
- Out-dated, uncaring attitudes which result in these issues not being a priority within the business, and consequent bad behaviour and bad decisions
- Misconceptions in regard to employee motivations and capability
- Lack of leadership across various levels of businesses
- Lack of understanding or conviction in the business case for better performance in these matters
- Lack of comprehensive information and training of all managers and staff
- Gendered power imbalances between casual or part time workers and their permanent or salaried managers, and between managers and more senior management.
- Organisational structures and decision making which inhibits information being shared and coordinated across departments, eg employee relations, human resources, WHS, and legal departments
- Communication problems – these can be multi-faceted.
Poor coordination of information across departments in support offices and to stores.
Lack of communication between managers and their employees is a major cause of difficulties. A simple question like: “Is there anything we can do to assist you?” and having a conversation with employees without preconceived ideas and prejudice, would prevent a lot of problems.
- Workloads of both managers and employees
- “Blocks” by more senior management or HR
- Ultimately, the limitations of the legal system for complainants mean that there are few externally imposed repercussions for employers, therefore less motivation for them to act appropriately.

5.1 EMPLOYER CONCERNS

5.1.1 What challenges do employers face in accommodating pregnant employees and women and men returning from parental leave?

99. Employers do have some practical challenges in accommodating the needs of pregnant employees and those returning from parental leave.

100. Many of the challenges are not very different to those faced when to accommodating the needs of other employees, or in adhering to terms and conditions of the NES or the relevant award or enterprise agreement, for example:

- Accommodating personal leave when unwell
- Providing light duties for pregnant employees involves similar issues as when another employee sustains a workplace injury, a sporting injury, or any other injury incurred outside of work
- Providing allowable breaks
- Providing a safe workplace including providing light duties, and not exposing employees to hazardous substances. Risk assessments should be done for all staff, but particularly for pregnant employees.
- Provision of maternity uniforms is just another ‘shape and size’ in the range of options

101. It is reasonable to expect that any employer should have processes in place to deal with these situations.
102. Satisfactory responses to other challenges are not onerous, and may require a little additional planning and communication, such as:
- Providing seating or rest bars
 - Allowing additional toilet breaks
 - Providing rotation of duties, so that pregnant employees are not sitting or standing for long periods

Replacement employees

103. Employing a replacement employee if an employee needs to reduce their work hours during pregnancy, is not usually difficult in the Retail and Fast Food industries, due to the high numbers of part time and casual employees. Managed well, it can also be a stepping stone towards temporarily replacing the employee during their parental leave.
104. Many employers in the Retail and Fast Food sectors experience high turnover of staff and so replacing the employee during parental leave is unlikely to cause additional cost in terms of recruitment and induction. With the natural attrition of other staff, the replacement employee may well be able to retain employment, thereby removing the need to recruit and induct another employee.
105. Having clear processes and record keeping in place to manage parental leave and returning to work after parental leave, and keeping up with changes to legislation requires resources, and is part of normal costs of doing business.
106. Managing the rosters of parents returning to work after parental leave can be challenging. The challenges can be reduced enormously if the replacement employee has been informed of the temporary nature of their appointment. See SDA case studies [11](#), [61](#), [110](#), [111](#), 117, 132, [143](#), [161](#) and 174 for examples of where replacement employees were not informed of the nature of their employment, and the consequent problems.
107. Returning to work would be much easier for parents, if managers were better trained and skilled in rostering.
108. Other challenges can be reduced if the employer adopts flexible workplace policies. Examples of inflexible and rigid policies include:
- Not allowing salaried employees to work less than 45 hours without reducing their hourly rate:
 - o Five months of frustration, stress, suffering and health problems experienced by our member and her whole family, as well as many meetings, emails and time wasted by the Company, could have been avoided if the company HR had been prepared to have a salaried manager work 2 hours less than 45 hours per week and still maintain her hourly rate of pay. [\[182\]](#)

- 'Blanket or nationally applicable rostering formulas, which include night and weekend work, regardless of the personal or family situation of the employee [189]:
 - o A member employed by a large national supermarket, who had been 2IC (second in charge) for 8 years in a full time capacity working Monday to Friday, went on maternity leave. The store manager said he was happy for her to return to work 4 days a week but HR said that she would have to work nights and weekends or else step down from her 2IC position. After SDA intervention, the member was able to continue working Monday to Thursday during the day, but her situation is to be reviewed in 6 months. [128];
 - o "I returned to work after maternity leave and cut my hours down from 30 to 24. When my daughter started school I ask to go back up to 30 hours and was told if I wanted 6 hours back I had to work Saturday, which they know I can't do because my husband is in hospitality and he works all weekend and his roster changes from week to week. Six months later when new roster change came in for the whole store they tried to force Saturday on me again. A little tired of fighting that battle, I lost 6 hours on the last roster change." [133]

109. As described above, employees' availability upon returning to work after parental leave may change for many valid reasons.
110. In these situations, compromise by both the employer and employee, and possibly a graduated return to work, is usually necessary.
111. The costs of accommodating pregnant women and parents returning to work after parental leave are generally very small especially when compared to the costs of replacing employees.
112. Research indicates that the cost of replacing an employee is 1.5 times their annual salary.²²

5.1.2 What support do employers need to accommodate pregnant employees and women and men returning to work after parental leave?

113. All of these challenges require a manager who has the requisite tools, training and time to manage them, yet these seem to be in short supply in the retail sector.
114. While the SDA has developed information materials regarding employee and employer rights and responsibilities in the areas covered by this Review, a comprehensive guide covering all aspects of managing pregnancy at work, parental leave and returning to work, including providing flexible working arrangements would be a valuable tool for employers.
115. Training for managers and employees in managing these situations is vital.

Note: Questions 5.2 and 6 are answered later in this submission.

7.2 The Impact of discrimination against pregnant employees and women and men returning to work after taking parental leave

²² Government of SA

116. Most of the SDA case studies come from employees working for large companies. The behaviours described have caused enormous distress and anxiety, injury, pain, discomfort, and arguably loss of life, as well as enormous costs to both employees and employers, all of which could be avoided. They reflect the low priority given to good management of employees who are pregnant or are returning to work after parental leave who have caring responsibilities. This is, in effect, a matter of not treating employees with dignity and respect, despite what company codes of conduct or policies may say.

117. The SDA notes the following impacts arising from discrimination, bullying and other ill treatment of pregnant employees and women returning to work after parental leave, on:

(a) Women:

- Denial of their right to work and have a family
- Preservation of traditional stereotypes about gender roles, such as 'women must make a choice between having a career or having a family'
- Demotion, dismissal, forced resignation or reduce hours, or forced into casual work due to pregnancy or family responsibilities when trying to return to work, limit their financial resources and cause financial hardship at a time most needed to care for their family
- Lack of opportunity to return to work limits employment options and interrupts advancement in women's careers
- Lack of options to stay or re-enter the workforce negatively affects women's retirement incomes and savings
- Physical injuries
- Physical pain and discomfort, often day after day

79. Discriminatory treatment can create an intimidating, hostile, offensive and distressing work environment, which provides unnecessary distraction and reduced productivity. It is very upsetting for employees who work hard over a long period, and have given over and above what is required. They feel the injustice keenly and in some instances they are severely affected psychologically and emotionally, and find the circumstances mentally all-consuming. It certainly has a negative effect on their view of their employer.

For the woman it results in:

- Feeling like an inconvenience, useless, insignificant, unimportant, unwanted. [55], [141], [162]
- Feelings of embarrassment, humiliation, intimidation, being uncomfortable in the workplace, frustration, annoyance, anger
- High levels of anxiety, stress, and/or depression
- Stress related illnesses
- Psychological distress,
- Emotional distress
- Mental health problems
- Self-blame and guilt
- Reduced morale,
- Reduced self-esteem
- Loss of confidence
- Reduced work satisfaction

- Poor work performance
- Damaged reputation
- Career damage
- Risks to job security
- Increased risks of having an accident
- Victimisation
- Job loss
- Resignation
- If the employee leaves or is sacked, future job opportunities may be jeopardised. In a demoralised, stressed state, the woman will probably face a significant time of unemployment and long term disadvantage.

(b) Parents and Families

80.

Discrimination, bullying and other ill treatment of pregnant employees and parents returning to work after parental leave has a detrimental effect on the whole family, which include:

- Financial hardship
- Caring pressures on families (particularly low- income families)
- Enormous stress
- The partner, and possibly other children, feeling frustrated, annoyed and/or angry
- The negative impact on the employee of ill treatment at work in turn creates stress on family relationships, leading to higher marital discord and marriage dissolution
- Lack of flexible rostering can be such that there is very limited ability to spend time as a family, which also puts pressure on relationships
- Parenting stress
- Employer' resistance to fathers taking concurrent leave around the time of the birth and afterwards, denies them the opportunity to bond with their child and to provide emotional and physical support to the mother. SDA witnesses to the Family Provisions Test Case in 2005 provided examples of families where additional concurrent leave had been required and had not always been provided, such as when a mother suffered post natal depression; where the mother had experienced a caesarean and consequent limitations to her physical ability; where there was a need for the mother to have post birth operations several weeks after the birth and the father needed to take time off work to care for the child/children.
- Lack of flexible work arrangements denies parents the opportunity to spend adequate time with their child or children in the crucial early stages
- When employees are injured, their capacity is reduced which impacts on their independence at home and the contribution they are able to make
- Discrimination affects the general health and wellbeing of parents and families
- Restricting the number of children they have
 - o "I cannot do this fight again. It's too hard." [108]

(c) Business

81.

Increased costs associated with:

- Disaffected employees – both the targeted individual and other staff
- A negative work environment with low levels of employee satisfaction and morale
- Conflict in the workplace
- Loss of talented and valued employees
- Loss of qualified and highly trained staff
- Loss of experienced staff with good corporate knowledge
- Time and money spent on recruitment, training and development
- High cost of recruiting new employees (advertising, management time, training etc)
- Damage to the company's public image and credibility:
 - Negative influence on opinions of customers and clients
 - The company not being attractive to new employees
- Reduced sales
- Reduced productivity and efficiency:
 - Employees not performing to capacity
 - Employee efficiency and quality of work impaired
- Risks of accidents increased
- Increased absenteeism and staff turnover
- Loss of working time for affected employees, managers and other company personnel in investigating and resolving complaints
- Where legal action is taken against the company:
 - Costly and protracted legal proceedings
 - Payment of financial compensation
- Stress related and accident related work cover claims

Other impacts are:

- The loss of pregnant employees limits diversity in the workplace
- Reduced numbers of women in more senior roles because:
 - They have been demoted or forced out, or
 - They have chosen to resign because they don't feel welcome or valued,
 - There is a reduced talent pool to promote from internally
 - The values of women with career aspirations do not align with the behaviours exhibited in the company

(d) The wider Australian Community

The Retail industry and its associated companies (for example distribution centres) is Australia's largest employer. The policies and practices of this sector have a major influence on the health and well-being of the nation. Discrimination results in:

- Fostering negative attitudes that undervalue pregnant women and parents in the community
- Fewer well functioning families
- Less effective parenting
- Costs associated with family discord and marital dissolution
- Negative effect on overall economic productivity and growth in Australia's Gross Domestic Product
- Lower social productivity
- Reduced taxation base
- Women with lower levels of superannuation savings, which increases their reliance on the aged pension and other welfare benefits. Lower pay and workforce participation means women are retiring with an average of 36% less superannuation than men.²³

5.2 POSSIBLE SOLUTIONS

5.2.1 What strategies assist with retaining and supporting employees who are pregnant or have taken parental leave?

82. The underlying cultural attitudes in organisations need to be addressed and pro-active strategies need to be implemented with associated accountability for bad behaviour. It is not enough to develop a policy and hope that all will be well. In fact, most of the SDA case studies would involve breaches of Company policy. It did not stop them from occurring.
83. Development, implementation and monitoring of pro-active strategies requires good leadership and a decision by employers provide proper resourcing in terms of funds, personnel with the relevant expertise, information and process development, training development and delivery, internal auditing, follow up, and accountability linked to bonuses. Generally speaking, this is not happening.
84. Pro-active planning and better communication with pregnant employees and parents on parental leave planning to return to work, is vital.
85. Pregnant employees can also be supported by employers who:
- ensure safe workplaces and practices, including making reasonable adjustments to accommodate the needs of pregnant employees
 - Provide adequate leave for pregnant employees to attend pre natal and reproductive health appointments

²³ Report to COAG November 2013: "Tracking Equity: Comparing outcomes for women and girls across Australia"

86. Parents returning to work after parental leave can also be supported by employers who:
- Genuinely consult with them in regard to their rosters and try to accommodate them
 - Train Managers how to roster employees and provide flexible working arrangements
87. Managers have also said to the SDA that they are aware that they could be doing better at rostering parents returning to work after parental leave. They are in the position of being able to pro-actively plan for these situations, in that they have the experience and therefore a fair understanding of the sorts of hours and rosters parents will be asking for. They also have the operational intelligence, in terms of knowing the rosters which operate in their store, the trading patterns and the hours of opening. However, in the hustle and bustle of running a store, with the many, and often competing demands made upon them, they do not do it.
- Having a greater understanding of the concept and obligations associated with replacement employees, and adhering to them
 - Providing effective communication and consultation with employees on parental leave
 - Providing adequate leave for employees with caring responsibilities.
88. It seems that employers need some incentive to attend to these issues and prevent these behaviours. Large retail employers cannot say they do not know about them. The SDA has brought many to their attention, and argued strongly for better information and practices for many years. They were made aware of the issues connected with pregnancy in 1999, when the Human Rights and Equal Opportunity Commission conducted the previous Inquiry into Pregnancy at Work, and then produced *Pregnancy Guidelines* in 2001. If anything, it seems that the range of issues has increased, and become more severe. The *Fair Work Act 2009* has had various amendments on these matters over time, and the Fair Work Ombudsman has developed very good Fact Sheets in plain English, covering industrial requirements. The glaring gap in information is in regard to the Health and Safety of pregnant workers and those returning to work after parental leave.
89. It is our experience that it is when employers can see there will be a serious financial impact that they are motivated to change. There needs to be greater financial penalties for breaches of legislation.
90. Most of the large retail employers, where the majority of SDA members are employed, are highly profitable businesses. Some of them are in intense competition with each other, which has become 'all consuming' for managers in terms of trying to meet the many operational demands made of them, especially in a context of cuts to management and staff. The employers are wholly capable of implementing change management principles when making changes of an operational nature. It is time they applied the same level of focus to the matters in this Review.

91. The SDA would advocate that the following needs to be done within organisations to improve the outcome for pregnant employees and parents returning to work after parental leave:
- Develop the business case
 - Engage senior management
 - Allocate resources
 - Develop comprehensive information
 - Develop policies
 - Develop detailed implementation procedures and resources
 - Address internal systems
 - Address communication issues
 - Train Managers and staff in cultural attitudes, employee entitlements, safe work practices, and flexible work options.
 - Train Managers in how to roster employees and provide flexible working arrangements
 - Conduct internal audits of participants' comprehension of the training, and follow up any deficiencies
 - Targeted, consistent, regular communications
 - Undertake ongoing monitoring
 - Have transparent consequences for good and bad behaviour
 - Have an effective and timely complaints mechanism which enables employees to retain employment
 - Conduct internal audits of the experiences of pregnant employees and parents returning to work after parental leave and identify and address organisational barriers
92. Most of the SDA case studies involve a breach of employment law, Discrimination law, or WHS legislation. Yet this did not stop them from occurring. There needs to be better enforcement of the legislation which exists, and better access for employees to effective, efficient, and low-cost complaints processes and legal remedies, to enable these matters to be resolved and employees to retain their employment. This will be discussed further in the next section.

6. LEGISLATION

6.2.1 Does the law adequately protect pregnant employees and parents returning to work after taking parental leave?

6.2.2 Are the laws adequately implemented?

6.2.3 How could the laws and their implementation be strengthened?

93. The current arrangements are not working effectively to eliminate discrimination from our workplaces or to effectively redress instances when they occur.
94. There is a clear need for strong and effective enforcement and compliance.
95. The principal concern of the SDA is that legislation be effective in promoting gender equality and making real progress towards eliminating the incidence of discrimination. We are particularly interested in preventative measures being required in workplaces, and where breaches occur, having mechanisms which provide just, low cost and speedy resolutions to complaints.

The Sex Discrimination Act 1984 (Cth)

96. The *Sex Discrimination Act 1984 (Cth)* makes it unlawful to treat a person unfairly because they are pregnant, potentially pregnant, breastfeeding or have family responsibilities. It includes both direct and indirect discrimination.
97. In the workplace, this covers situations where a person has been refused employment, dismissed, denied a promotion, transfer or other employment-related benefits, given less favourable terms or conditions of employment, or denied equal access to training opportunities.

Within workplaces

98. The current system does not operate as an effective deterrent to employers, such that they are all sufficiently motivated to ensure, as much as is possible, that their workplaces are free from discrimination.
99. A concerning number of employers choose not to devote sufficient resources to taking “all reasonable steps” to prevent discrimination, particularly ensuring their policies and procedures are known to all their staff, and properly training them.
100. This “hope for the best” approach is a characteristic of poor management and would not be acceptable in other operational areas of the business. At worst, it is a callous and dismissive approach to the severe impact on individuals who experience discrimination and reveals a poor understanding of the wide-reaching implications for the whole of the workplace, as well as their families and the community.
101. Independently commissioned research of SDA members found that a key reason for not reporting discriminatory incidents is that members thought it would be ignored by management. Other reasons for not reporting incidents are to do with perceived negative repercussions in terms of their job security, victimisation, harassment, being branded a ‘trouble maker’, a negative impact on their reputation, and fear of damaging their relationship with their employer.
102. When an employee does make a complaint of discrimination, employers tend to rely on their internal mechanisms to resolve or ‘get rid’ of the problem. Our observation is that in some companies, double standards exist regarding how these complaints are handled if a manager has been the perpetrator, compared to a shop floor employee.
103. Most complaints are dealt with internally. Depending on the employer and the personnel involved, this can be a lengthy and harrowing process, with little weight given to due process and the principles of natural justice. In our experience, employer investigations are slow, lack independence and may not even involve interviewing the complainant.

External Complaints

104. The complaints process for discrimination claims is too costly, time consuming and does not provide adequate remedies for breaches of the law. The current process greatly discourages an individual from making a formal complaint to the AHRC or state based equivalent.
105. If complaints are not resolved at the workplace (often after a period of several weeks and sometimes months) and a claim is made to an anti-discrimination agency, common employer tactics are to deny any wrong doing and to delay making a reasonable offer of compensation for as long as possible. This can be after going through the conciliation process (which can take 3 months or more) and even after the mediation process (which can be 2-3 months later again). By this time, most complainants just want the case to be over, and are likely to accept a lesser amount of compensation. This is especially so in cases where the individual is also responsible for legal fees.
106. When complaints are settled before going to a public hearing, the confidentiality requirements mean there is no damaging exposure for the employer, and no contribution to precedent case law.

Current difficulties with making a complaint through the Australian Human Rights Commission

107. **The complaints handling process is too long.** As a result, the complainant endures a lengthy period of stress, and therefore associated health problems are more likely. The adage “Justice delayed is justice denied” is applicable in these cases.
108. If the conciliation fails then there should be the capacity to schedule a hearing within a reasonably quick period.
109. **The current process does not enable the quick and effective resolution of simple issues.** In many of the case examples provided by the SDA a simple request, such as a small change in duties or hours of work, will often result in major disputation. However, if there were a quick and effective complaints process accessible to employers and employees it would enable some of these cases to be resolved to the satisfaction of both parties. Such a process would also help to prevent women from losing their job or resigning from their job. It is inconceivable, and the sign of a broken and ineffective legal system, that a woman experiencing pregnancy discrimination has to wait 18 months for an outcome to her grievance in a state or federal discrimination jurisdiction. These time delays further act to discourage women from making complaints which in turn masks the true depth of pregnancy discrimination occurring in workplaces nationally.
110. When the federal anti-discrimination jurisdiction was set up it was to be a jurisdiction where ordinary individuals could make a complaint and, particularly at conciliation, represent themselves in a conversation with the employer in an attempt to resolve the situation. It is now common for employers to attend conciliations with a barrister and/or solicitor to represent them and the individual can be faced with a ‘wall of suits’ on the other side of the table. The individual may have union representation, but then again, may just have their mother or husband to support them. Needless to say this is a very intimidating circumstance for the worker, who is likely to be completely out of their depth in trying to argue a reasonable settlement.

111. To try to create some balance in the situation, and therefore increase the likelihood of a fairer outcome, individuals feel they are forced to obtain and pay for legal representation at the conciliation stage. Legal representation is definitely required following a failed mediation, to have the paperwork properly formatted and to prepare for hearings. Depending on the solicitor, they may also recommend the services of a barrister. This is all very costly and beyond the means of most workers, especially if their situation has meant that they are no longer employed. **Legal advocacy and advice should be made available at low cost to complainants to assist them through the process.**

RECOMMENDATION 11

The *Sex Discrimination Act 1984 (Cth)* be amended to **provide for access to legal advocacy and advice, at low cost** to vulnerable discrimination complainants, to assist them through the process.

112. The process of investigation, conciliation, mediation, directions hearing and finally a hearing is too costly in both time and money. The SDA supports compulsory conciliation before a hearing of complaints but it would be more useful if the conciliator is of senior standing, with the requisite skills and knowledge, and is able to be proactive in the process (rather than just a facilitator of the meeting) giving the parties some direction on the basis of the law.

113. **The outcomes do not deliver justice for the complainant in this jurisdiction.** The payments awarded in this jurisdiction are appallingly paltry, and do not reflect the serious and extensive impact the discriminatory conduct has had on the complainant, her family and her career. The complainant is usually left without employment and financially disadvantaged which should highlight that the present jurisdiction is ineffective in protecting and preventing discrimination in the workplace. The system requires an individual to have the courage to pursue a complaint, and to take on the risk in a jurisdiction which is completely foreign to them and which does not deliver fair and just outcomes. For those without union representation, or the means to afford legal representation, the individual is disadvantaged against the might of large employers and corporations and smaller employers who have legal representation. For many, the prospect of pursuing a complaint is just too daunting. This is especially the case for parents of new babies with all their associated demands.

The Gaps in Anti-discrimination Legislation

114. The scope of **the Act does not sufficiently address discrimination on the basis of “family and caring responsibilities”**. There is inconsistency across Federal, State and Territory anti-discrimination legislation, with each affording various protections in relation to ‘family and caring responsibilities’, ‘family responsibilities’ or ‘caring responsibilities’. The *Victorian Equal Opportunity Act 2010* provides that an employer must not, in relation to the work arrangements of an employee or a person offered employment, unreasonably refuse to accommodate the responsibilities that the person has as a parent or carer.²⁴ The *Sex Discrimination Act 1984 (Cth)* does not presently contain such a provision. The *Sex Discrimination Act 1984 (Cth)* should be amended in line with the provisions of the *Victorian Equal Opportunity Act 2010*.

²⁴ Victorian Equal Opportunity Act 2010, s.17 (1)

RECOMMENDATION 12

The *Sex Discrimination Act 1984 (Cth)* be amended consistent with the definition of **'family and caring responsibilities'** in the *Victorian Equal Opportunity Act 2010* and provides that an employer must not, in relation to the work arrangements of an employee or a person offered employment, unreasonably refuse to accommodate the responsibilities that the person has as a parent or carer.

115. Further, **the SDA supports the creation of a positive objective to achieve substantive equality**²⁵. This positive duty should include a requirement on employers to take all reasonable and appropriate actions to provide a workplace free of discrimination.

RECOMMENDATION 13

The *Sex Discrimination Act 1984 (Cth)* be amended to **introduce a positive objective to achieve substantive equality** (that is, recognising that women and men may need to be treated differently, for equality of results to occur) with an obligation on employers to take all reasonable and appropriate measures to provide a workplace free of discrimination.

116. The obligation on employers contained in the Disability Discrimination Act 1992 (Cth) to make **'reasonable adjustments'** to accommodate the needs of people with a disability is well known and accepted. We believe it is vital that this concept be extended to pregnant employees, women returning to work after birth and women and men with family or caring responsibilities.
117. It is important that there be a positive and explicit stand-alone duty on duty holders which should be clearly expressed and include a reference to the fact that an assessment regarding 'reasonable adjustments' must be made on an individual / case-by-case basis, which takes into consideration the circumstances and needs of that individual.

RECOMMENDATION 14

The *Sex Discrimination Act 1984 (Cth)*, the *Fair Work Act 2009*, and the *Model Work Health and Safety (WHS) Act* (and corresponding Acts where applicable) be amended to **introduce a positive and explicit stand-alone duty on duty holders to make 'reasonable adjustments'** to accommodate the needs of pregnant employees, women returning to work after birth and women and men with family or caring responsibilities. Assessments regarding 'reasonable adjustments' must be made on an individual case-by-case basis, which takes into consideration the circumstances and needs of that individual.

118. This positive duty should be a separate type of discrimination and have specific remedies attached to a breach of this duty. This should help to remove any uncertainty regarding the obligations of duty holders.

²⁵ The substantive equality approach recognises that women and men may need to be treated differently, for equality of results to occur. This approach is used in the UN Convention on the Elimination of All Forms of Discrimination against Women 1979 (CEDAW).

RECOMMENDATION 15

A positive duty to provide reasonable accommodations be a separate type of discrimination and have specific remedies attached to a breach of this duty.

119. The Act should be amended to ensure that the onus of proof must be on the party with the knowledge once a **prime facie case has been established**. The respondent knows the reason for their decision and as such must bear the burden of proof. The SDA supports the approach of the *Fair Work Act 2009* in s361, where once a complainant alleges that a person took an action for a particular reason, this is presumed to be the reason unless the respondent proves otherwise.
120. This is imperative to the success of this legislation because it seeks to redress the obvious and inherent power imbalance which exists between the parties.

RECOMMENDATION 16

The *Sex Discrimination Act 1984 (Cth)* be amended to ensure that the onus of proof must be on the party with the knowledge, once a prime facie case has been established.

121. The Act should **prohibit employers being able to ask questions of employees, or seek information, where the information provided could be used to discriminate against the employee**. Currently, it is legal for employers to ask a range of questions of employees, or potential employees, including offensive or intrusive questions. It is only illegal to do that, if that information is used to discriminate against the employee or candidate. The difficulty arises because it is usually very difficult or impossible to prove that the employer decision or action was based on the information provided. For example, where a prospective employee who reveals that she is pregnant, or is required to do a pregnancy test which confirms that she is pregnant, is not given the job.

RECOMMENDATION 17

The *Sex Discrimination Act 1984 (Cth)* and *Disability Discrimination Act (Cth)* be amended to **prohibit employers being able to ask questions of employees, or seek information, where the information provided could potentially be used for a discriminatory purpose**.

122. **The *Sex Discrimination Act 1984 (Cth)* does not provide an effective means for addressing systemic discrimination.**
123. The current *Sex Discrimination Act 1984 (Cth)* provides remedies for individual complainants but does not allow for remedies to address systemic discrimination in the workplace. This limitation hinders the prevention of further discrimination occurring in that workplace and others. This is particularly the case where the matter is settled prior to a hearing.
124. The SDA believes it is time to move beyond an individual complaints model for anti-discrimination law, in order to allow for systemic discrimination to be addressed.

RECOMMENDATION 18

Legislation be amended to enable the Australian Human Rights Commission and other representative organisations to **initiate investigations and claims of systemic discrimination** on behalf of complainants.

125. The discrimination jurisdiction should be a **no-costs jurisdiction**, recognising the obvious power imbalance which exists between the parties and also recognising the obvious vulnerability of complainants. The risk that costs may be awarded against an individual significantly deters complaints being lodged in this jurisdiction.

RECOMMENDATION 19

The *Sex Discrimination Act 1984 (Cth)* be amended to **provide a no costs jurisdiction**, where each party pays their own legal costs regardless of which party succeeds.

126. The Act should contain **civil penalty provisions** similar to those in the FWA which can assist a complainant with mitigating their costs.

RECOMMENDATION 20

The *Sex Discrimination Act 1984 (Cth)* be amended to provide **civil penalty provisions** similar to those in the *Fair Work Act 2009*.

127. The Act needs to be more robust with additional powers afforded to the AHRC which will enable more timely, effective and proactive resolution of complaints. The Act should be amended to include the following;
- Provide much **higher penalties** to reflect the seriousness of the complaint and properly value the loss suffered in discrimination cases, including future loss of pay and career advancement, especially when 99% of claimants lose their employment as a result of making a claim
 - Ensure **sufficient punitive measures** are in place and utilised to act as a deterrent
 - Ensure the AHRC has the powers and requisite skill and expertise to **investigate and determine complaints**
 - Ensure the AHRC has the requisite skill and expertise to deal with cross jurisdictional matters. This is particularly an issue in regards to discrimination in employment matters. An understanding of employment law, the *Fair Work Act 2009* (FWA), awards, enterprise agreements, Work Health and Safety legislation and Workers compensation legislation would be necessary and could impact on the outcome of a claim.
 - Initiate inquiries into **systemic discrimination**.

RECOMMENDATION 21

The *Sex Discrimination Act 1984 (Cth)* be amended to ensure that the complaints process in anti-discrimination cases is **more accessible, less costly** and provides **greater remedies** and more **just outcomes** for claimants.

RECOMMENDATION 22

The *Sex Discrimination Act 1984 (Cth)* be amended improve the level of **punitive damages** in discrimination cases.

RECOMMENDATION 23

The *Sex Discrimination Act 1984 (Cth)* be amended to ensure **workplaces are monitored** following resolution of a discrimination complaint or a finding of discrimination relating to pregnancy and return to work to ensure adherence to agreed undertakings or orders.

128. The AHRC should have investigative powers and determination powers in order to investigate, hear and determine claims of discrimination. Matters would still be appealable to the Federal Court but only after the AHRC has determined them. It should operate in a very similar manner to that of the FWA. The FWA offers a quick, relatively informal, cost-effective and transparent complaints' resolution model. This model should be adopted in the discrimination jurisdiction.

RECOMMENDATION 24

The *Sex Discrimination Act 1984 (Cth)* be amended that the role and functions of the **AHRC** are greatly enhanced to provide for the powers and requisite skills and expertise to investigate and determine complaints.

RECOMMENDATION 25

Include preventative mechanisms in the State and Federal anti-discrimination legal framework, including the capacity for the State and Federal Human Rights and Equal Opportunity Commissions to **issue improvement notices** and require **enforceable undertakings** from employers.

RECOMMENDATION 26

The **Workplace Gender Equality Agency** implement the **procurement guidelines for employers who are non-compliant with anti-discrimination legislation**.

129. Adequate resources must be given to the AHRC:
- to ensure a fair, fast and equitable legal claims process;
 - to educate, support and provide material to duty holders;
 - to enforce the Act;
 - conduct research to assess the costs of discrimination to individuals, employers and the community, and that such research is widely publicised;
 - That data (non-identifying, where necessary) be collected of all discrimination enquiries, complaints, conciliations, confidential settlements, and hearing outcomes, and that such data be analysed, according to key demographic groups, industry sectors and types of complaints, and is also widely publicised.

RECOMMENDATION 27

The **AHRC is sufficiently funded** to operate as an effective research, education and enforcement body.

FAIR WORK ACT 2009 (Cth)

130. The *Fair Work Act 2009 (FWA)* provides minimum terms and conditions of employment in Australia for pregnant employees and parents returning to work after parental leave. These minimum conditions are contained in the National Employment Standards (NES) and provide for the following:

- The right of up to twelve months unpaid parental leave for employees with 12 months service who are permanent or who are regular and systematic casual employees;
- The right to request an extension of parental leave up to a total of 2 years, with the agreement of the employer;
- The use of paid personal leave for pregnancy related illnesses;
- Unpaid special maternity leave is available for women who are not fit for work due to having a pregnancy related illness or where the pregnancy ends within 28 weeks of the expected date of birth of the child;
- **All** pregnant employees are entitled to a safe job, or to be transferred to an appropriate safe job during pregnancy. If no safe job is available, employees with 12 months service are entitled to paid 'no safe job leave' for the risk period. If no safe job is available, employees with less than 12 months service are entitled to take unpaid 'no safe job leave' for the risk period.
- Female employees may commence parental leave up to 6 weeks before the expected date of birth, or earlier by agreement with their employer;
- Up to eight weeks concurrent leave for both parents after the birth of the baby, which can be taken in separate periods of 2 weeks, unless otherwise agreed;
- Employees may extend their parental leave once up to the maximum period of 12 months, unless by agreement with their employer;
- Employees who wish to reduce their period of leave may only do so with the agreement of their employer, unless they have experienced a still birth or the death of their infant. In that instance, they may return to work by providing 4 weeks notice to their employer.
- Consultation with employees on parental leave is required if the employer makes a decision which will have a significant effect on the employee's position.
- Return to the same position they held before they commenced their period of parental leave, or if that position no longer exists, an alternative available position for which they are qualified and suited, nearest in status and pay to the pre-parental leave position. If the employee was temporarily transferred to another position due to the effects of the pregnancy, then she is entitled to her original position;
- Request flexible working arrangements, such as a change in hours, patterns or locations of work from their employer;
- Be consulted about the impact of proposed roster changes on their caring responsibilities.
- Replacement employees, employed to perform the work of an employee who is taking parental leave, must be notified that their engagement is temporary and of the rights of the employee taking parental leave.
- Notice periods apply and there are evidentiary requirements for several of these provisions.

Gaps in the *Fair Work Act 2009*

131. There are still important gaps in the current provisions in the *Fair Work Act 2009* (FWA), which if addressed would greatly assist parents wishing to retain their employment and adequately care for their family.

Right to request flexible working arrangements

132. Employees returning to work after a period of parental leave will often need to make adjustments as they transition back to work. As discussed already in this submission, many parents wish to return to work after parental leave, on different arrangements than they had worked previously, for a variety of very valid reasons.
133. S65 of the *Fair Work Act 2009* provides the Right to Request Flexible working arrangements in certain circumstances, which include being parents of a child who is school age or younger, and being a carer (within the meaning of the *Carer Recognition Act 2010*). S65 1B specifically allows an employee returning to work after taking parental leave in relation to the birth or adoption of a child, to request to work part time.
134. These flexible working arrangements can include changes to hours, location, and patterns of work. The employer must respond in writing within 21 days and can refuse the request on reasonable business grounds, but is not required to demonstrate the existence of these grounds. The employee has no right to appeal an unreasonable refusal of their request, as the *Fair Work Act 2009* also specifically excludes s65 from being a matter about which the Commission may arbitrate. The lack of appeal rights essentially renders s65 useless and devoid of any 'right' at all.
135. Cases where flexible working arrangements are refused often results in the employee losing hours, relocating to a store further away (if that is a feasible option), or leaving their employment entirely. The "Right to Request Flexible Working Arrangements" is not a 'right' if there is no right to appeal an unreasonable refusal.
136. The SDA does not assert that every request should be accommodated, but it does assert that the Commission must be given the power to deal with a dispute under this section and arbitrate the matter according to the facts and circumstances of each case.
137. The employees of a business are an essential element without which the operation would not be possible or profitable. While employees have responsibilities to the business, so too does the business have responsibilities to its employees. These employer responsibilities should include giving serious consideration to employee requests to change their working arrangements in order to manage their family responsibilities.
138. Enlightened employers make every effort to accommodate employee requests because they know it is good for their business, and they reap the rewards of retention of skilled employees, employee loyalty, good morale and additional effort.
139. Employees with unsympathetic employers should have some recourse if their employer is unwilling to give serious consideration to their requests and refuses them without any good business reason.

RECOMMENDATION 28

The *Fair Work Act 2009* be amended to **remove the exclusion of s65 “Right to Request Flexible Working Arrangements”** from being a matter about which the Commission may arbitrate.

The *Fair Work Act 2009* be amended to **delete S65(2)** of the *Fair Work Act 2009*.

RECOMMENDATION 29

The *Fair Work Act 2009* be amended to include an **obligation on employers to reasonably accommodate an employee’s request for flexible work arrangements** (as in the Victorian Equal Opportunity Act), outlining the considerations that must be given in determining whether a request is reasonable to refuse and allow employees to appeal an unreasonable refusal.

Consultation regarding proposed roster changes

140. The SDA has frequently experienced that many large retailers subject their employees to ‘blanket’ rostering changes which apply across their stores on a state or national level, without any consideration of the family responsibilities or personal circumstances of their employees. For example, employees are told that everyone must work a late night and a weekend and no exceptions will be made. These corporate decisions are routinely made with no consideration for the caring responsibilities of employees. And while this may be considered a breach of the Sex Discrimination Act; the complaints process is too slow and arduous for employees to access and use effectively to gain a quick solution.
141. The SDA supports the changes made in 2013 to the *Fair Work Act 2009* which require employers to consult with employees before making such changes.
142. The SDA is concerned to ensure that employers genuinely consider employee views about the impact of proposed roster changes, and make reasonable efforts to accommodate the needs of the employee. To this end, we advocate that S145A be amended to include both of these elements.

RECOMMENDATION 30

S145A of the *Fair Work Act 2009* is amended to require employers to genuinely consider employee views about the impact of proposed **roster changes**, and **make reasonable efforts to accommodate** the needs of the employee.

Returning to the same position when returning to work

143. Under the unpaid parental leave provisions in the NES, employees returning to work after parental leave are entitled to come back to the same position they had before they went on leave. If an employee reduced her hours or changed jobs during her pregnancy before she went on leave, she is entitled to return to her original position. If the job does not exist anymore, the employer has to offer the employee a suitable available job. This must be a job the employee is qualified for and that is nearest in pay and status to their original job.
144. There is a significant lack of clarity around what constitutes “pre parental leave position” and retail employers often argue that the employee is a sales worker and so can be returned to any position within the “four walls” of the store. They argue this regardless of whether the person had specialist skills or product knowledge, such as a shoe fitter, bra fitter or photo lab technician. These types of issues come up particularly when the replacement employee has not been advised of the temporary nature of their role and the rights of the employee on parental leave. [132]

RECOMMENDATION 31

The *Fair Work Act 2009* is amended to **clarify** the term “**pre parental leave position**” in **S83(2)** to include the actual role and tasks in which the employee was engaged.

Redundancy provisions

145. There is also a concern with the *Fair Work Act 2009* (FWA) in regard to the misuse of redundancy provisions, with the effect that women are unable to return to the workplace after a period of maternity leave. It is the SDA’s experience that many women attempting to return to the workplace are being made redundant under the provisions of the FWA, without being bona fide. The redundancy is not bona fide because its true purpose is to remove a woman seeking workplace flexibility due to her new family responsibilities, rather than accommodate her request for flexibility. The redundancy provision is used to discriminate against people with family and caring responsibilities.
146. Employers frequently respond to requests to accommodate family responsibilities by way of a redundancy. It is commonplace for a woman wanting to return to work after a period of maternity leave to request flexibilities such as part time work. She is often told her position is either no longer available; the job can only be performed full time; if she cannot return full time then casual employment is the only option; or she has to accept a lower status and lower paid position if she wants workplace flexibilities. She may be offered a redundancy, *but* only if her employer employees 15 or more employees (due to the small business redundancy exemption). If she is employed in a small business then she will be left with no job, no redundancy payment and no legal recourse under the FWA.

RECOMMENDATION 32

Insert a special redundancy provision in the *Fair Work Act 2009* which requires an employer to demonstrate that a redundancy is bona fide, and reasonable accommodations can not be made, where the redundancy is for an employee returning to work after a period of parental leave.

147. Other deficiencies in the *Fair Work Act 2009* include:
- The personal leave provisions do not clearly state that the leave may be used for pregnancy related medical appointments (although there is a note in the Special Maternity Leave provisions stating that personal leave may be used for pregnancy related illness.)
 - There is no provision for paid breast feeding breaks and appropriate facilities for breast feeding or expressing milk..
 - There is no right to return to work part time from parental leave
 - A significant number of employees are excluded from the provisions listed above because they are casual or have less than 12 months service, even though they may be eligible for the government paid parental leave pay.

RECOMMENDATION 33

The *Fair Work Act 2009* be amended to clarify the personal leave provisions to explicitly state that **employees may use personal leave to attend pre natal medical appointments** or other reproductive health appointments.

RECOMMENDATION 34

The *Fair Work Act 2009* be amended to provide for **paid breastfeeding breaks** and appropriate facilities for breast feeding.

RECOMMENDATION 35

The *Fair Work Act 2009* be amended provide employees with a **right to return to work part time** from parental leave until their child reaches 2 years of age unless the employer has reasonable business grounds on which to refuse.

RECOMMENDATION 36

The *Fair Work Act 2009* be amended to provide that where an employee is entitled to government paid parental leave pay, that they are entitled to that same period of unpaid parental leave from their employer.

Complaints process - 'one stop shop'

148. The laws that pertain to pregnant women at work and parents returning to work after parental leave cross several jurisdictions, including discrimination law, employment law, Work Health and Safety law, and Privacy law. It is common that experts in one field do not have expertise in another. This means that information and advice in regard to employee entitlements and employer obligations needs to be sourced from various jurisdictions. This contributes to confusion, lack of knowledge, poor enforcement of obligations across jurisdictions, and very poor outcomes.
149. It would be advantageous for employees and employers to have a 'one stop shop' for clear and comprehensive information, advice in respect of all aspects of managing pregnancy at work and returning to work after parental leave, and an efficient, low cost and effective complaints mechanism, which includes conciliation and arbitration, and provides more easily achievable and satisfactory resolutions and remedies.

RECOMMENDATION 37

Consideration is given to the **creation of a 'one stop shop'** for clear and comprehensive information and more easily achievable and just remedies, in regard to pregnancy at work, parental leave, and returning to work after parental leave.

6.2.4 What challenges do employers face in implementing employment laws and policies?

150. Some employers do not have management with the expertise across HR, employment law, anti-discrimination law and Work Health and Safety law.
151. Their huge size and structures mean:
- The development and sign off of policies and information, and the development and delivery of associated training, is laboriously slow.
 - Changes to entrenched and prejudicial views and behaviours are slow
 - Internal communication across departments can be poor, resulting in multiple communications being sent to stores at or around the same time

- 152. Time-poor managers struggle to do all they are required to do to meet KPI's and read all communications and act on them.
- 153. Intense competition has led to reductions in management and staff numbers, which has increased pressure on everyone and means managers have even less time.
- 154. Budgetary pressures and constraints also make some managers more negative and hostile when employees approach them, seeking changes to their work arrangement, however minor that change is.

6.2.5 What challenges do employees face while pregnant or on returning to work after parental leave?

- 155. Many of the examples cited in the SDA case studies are breaches of employment laws, Work Health and Safety laws and/or Discrimination Laws. Unfortunately, pursuing legislative remedies are difficult, time consuming, costly and usually result in the complainant being without a job and receiving a paltry settlement which in no way reflects or compensates for the harm caused. This is especially so in the context of having had, or about to have, a baby with all its associated demands.
- 156. The prospect of pursuing a legal case to get entitlements is considered by some workers as just too daunting and essentially pointless because the cost in both time and money outweighs the return. It is also very stressful and parents put their health and well-being and that of their baby, ahead of justice.
- 157. Employees are often unaware of their legal entitlements especially in regard to protections available to them when they are pregnant or returning to work after parental leave. If the employee is ignorant of their legal position, then whatever the employer says, goes.
- 158. It is common for employees to think that many of their entitlements are granted to them out of the goodness of the employer's heart, as part of Company policy. [See examples [88](#) and [155](#)].
- 159. This view is understandable, especially given the trend by employers to remove the detailed Parental Leave provisions of the NES component of the *Fair Work Act 2009* from Enterprise Bargaining Agreements and to replace them with a reference to the Act. Some employers then create a Parental Leave Policy document which includes elements of the provisions, but often does not include all of them. Some would argue that employer policies 'cherry pick' only those provisions which the employer is happy for the employee to know about. Employees don't see the provision, such as "transfer to safe work" or the requirement to advise replacement employees of the temporary nature of their role, in the document and so do not know about it. It is also difficult for them to distinguish what is a legal entitlement and what is company policy.
- 160. Even when employees are aware of their entitlements, they are often reluctant to enforce them, because they are fearful of the consequences, such as losing their job. [100]
- 161. They often put up with horrific conditions just in the attempt to retain employment.

162. Much of the decision-making around accommodation of individual needs both in pregnancy and returning to work is subjective and depends on the attitude of the employee's line manager or store manager. They have a big impact on the employee's life, so consequently employees usually do all they can to stay in their manager's "good books".

Precarious employment

163. Casual employees are particularly vulnerable to discrimination and exploitation. The nature of being a casual means that they can be subjected to reduced hours or even no hours without any need for justification. Consequently, casuals are less likely to assert their rights even if they are aware of them.
164. Many employees, who are pregnant or returning to work after parental leave, seek the help of the SDA. The SDA provides assistance for its members by:
- Providing information regarding entitlements through its publications, website, delegates, information officers, organisers, industrial officers, women's and OHS officers and other officers
 - Providing advocacy on behalf of members with all levels of management within employers
 - Providing legal assistance if necessary.
165. The SDA generally takes the approach of trying to reach a resolution by using the Grievance Procedures contained in the relevant Enterprise Agreement. This involves raising the issue with the relevant manager and escalating the matter to Employee Relations or Human Resources at a State, Regional, National or even Corporate level as necessary, until a resolution is achieved.
166. The hope is that this will save time and minimise emotional trauma and financial imposts on the employee, in comparison to pursuing the matter in a legal jurisdiction in the first instance. Unfortunately, this is not always the case.

6.3 WORK HEALTH AND SAFETY LAWS

Q6.3.1. What difficulties are there for employers and employees in understanding relevant work health and safety standards in relation to pregnant employees in the workplace?

167. Australia's harmonised *Model Work Health and Safety Act 2011* ('WHS Act') does not specifically address the workplace health and safety issues and hazards associated with reproductive health, pregnancy, breastfeeding women and women returning to the workplace after giving birth. Under the *Model Work Health and Safety Act 2011* ('WHS Act'), the primary duty of care²⁶ lies with the *Persons Conducting a Business or Undertaking* ('PCBU'). A PCBU owes a general duty of care to all workers. This general duty of care requires employers to actively consider the health and safety risks in their workplace, including the risks of working when pregnant. However, there is no specific reference in the *Model Work Health and Safety Act 2011* ('WHS Act'), Regulations, relevant Codes of Practice and Guidance material which address the specific and unique hazards and risk factors associated with reproductive health, pregnancy, breastfeeding and women returning to work after birth.

²⁶ Section 19, Work Health and Safety Act 2011. (Cth)

168. The SDA continues to see our members adversely affected by employers' failure to consider workplace hazards and systems of work for pregnant women and women returning to work after giving birth. Issues frequently arise when employers adopt a 'one size fits all' approach to health and safety which fails to consider and actively assess hazards and risks associated with pregnancy. It is clear from the examples provided in this SDA submission that pregnant workers are generally told to 'get on with it' rather than have their needs accommodated in the workplace. There appears to be a high level of inaction from employers in providing a safe and healthy workplace for pregnant women and an even greater lack of understanding about the physical changes which occur in pregnancy which precipitate the need for such accommodations.

Summary of key issues experienced by SDA members

169. The range of issues experienced by our members can be broadly categorised into the following;
- Failure to acknowledge and understand the physiological changes associated with pregnancy. Such as; morning sickness, increased presence of the hormone 'relaxin' which can affect performance of manual tasks, difficulties associated with prolonged standing and increased pressure on bladder requiring more regular trips to the bathroom.
 - Failure to respect and adhere to medical certificates from duly qualified medical practitioners.
 - Failure and refusal to provide safe work and make accommodations to enable an employee to continue to work safely and without risk to them and the unborn baby. [71, 93, 100, 101, 107]
 - Increased likelihood of experiencing bullying and harassment when pregnant and returning to work.
 - Exposure to hazards and failure to conduct risk assessments which consider pregnancy and return to work after birth.
 - Physical and mental illness and injury as a result of failure of PCBU to provide a health and safe workplace.
 - Onus on the employee to ensure they are medically fit for work in order to meet the inherent requirements of the job, rather than the employer making reasonable accommodations to provide the employee with a safe job.
170. There is a total lack of understanding and consideration of the specific workplace hazards and physiological changes associated with reproductive health, pregnancy, breastfeeding and returning to work after birth. This lack of understanding can be partly attributed to the lack of information available to employers which specifically relates to pregnancy and reproductive health in the workplace.

RISKS AND OCCUPATIONAL HAZARDS

Risks and Hazards - Pregnancy

- Manual handling; lifting and twisting, muscles are often weaker during pregnancy as ligaments are more relaxed
 - Strenuous physical activity, such as heavy lifting
 - Prolonged standing in pregnancy can result in late term miscarriage and premature labour
 - Post caesarian – lifting restrictions due to torn ligaments and muscles.
- Heavy workloads and work intensity – bending, stretching, working on ladders
- Slips, trips and falls - centre of gravity changes when pregnant
- Low or High blood pressure - due to increased production of blood in the body when pregnant, can lead to light headedness and fainting.
- Prolonged standing – varicose veins, swelling of legs, ankles and feet, pelvic floor prolapse, lower back pain. Higher risk of blood clotting.
- Hazardous chemicals – can affect both mother and foetus through skin absorption, ingestion, and inhalation. A pregnant woman will breathe more frequently and deeply making her more vulnerable to the effects of the chemicals.
 - **Studies into chemicals and reproduction have shown;**
 - Nurses and occupational exposure to antineoplastic drugs, anaesthetic gases, antiviral drugs, sterilizing agents (disinfectants), and X-rays effects ability to carry to full term
 - Parental occupational exposures to chemicals and the link with autism spectrum disorder
 - Scientific evidence increasingly shows that some industrial chemicals, known as endocrine-disrupting compounds (EDCs), or hormone disruptors, can have considerable effects on workers and act on their offspring, particularly if exposure occurs during foetal development. Other stages of rapid development are also vulnerable to hormone disruption. With exposure, women and girls are at greater risk of developing reproductive health problems such as early puberty, infertility and breast cancer.²⁷
 - Exposure to infections and viruses eg. Rubella (German measles), chicken pox
 - Fatigue
 - Shift work - irregular work hours may be associated with a slight increase in the risk of spontaneous abortion and reduced fertility
 - Heat stress – lack of air-conditioning, dehydration – especially concerning when toilet breaks are refused by the employer so employees do not drink enough water for fear of needing to go to the toilet.
 - Regular rest breaks being refused
 - Biological hazards– occupational exposure, such as nurses who are at a greater risk of being exposed to Hepatitis B and HIV

²⁷ EU-OSHA - Edited highlights of New risks and trends in safety and health of women at work

- Hygiene practices - exposure to salmonella, toxoplasmosis (Veterinary sciences)
- Gestational diabetes- special requirements, such as regular and frequent rest breaks, will be needed.
- Bullying and harassment – increased likelihood of experiencing bullying and harassment when pregnant and returning to work.
- Stress and depression
- ‘Morning’ sickness – nausea, vomiting, sensitivity to smells and foods
- Injury during pregnancy and birth – hip and back injuries
- Working alone

Risks and Hazards - Breastfeeding

- Exposure to chemicals which can pass through into the breast milk and into the infant
- Work patterns, irregular hours, long hours, effect on supply
- Fatigue and shift work can affect supply
- Exposure to heat and cold in the workplace -Heat stress and dehydration - can affect supply of breast milk

Risks and Hazards – Returning to Work

- Post caesarian recovery and complications – heavy lifting [137]
- Stress and post natal depression [8, 9, 25, 108, 132, 162, 182, 188]
- Bullying [100, 108, 170, 182]

Risks and Hazards - Reproductive health - Fertility of women and men

- Chemicals
 - mechanical solvents
- Studies have shown fertility problems associated with flight attendants and pilots due to toxic cabin fumes and vapours
- Korean Study into exposure and health effects of solvents on electronics workers
- Exposure of fire fighters to hazardous chemicals
 - vapours
 - insecticides – farming, pharmaceuticals, factory workers, fruit pickers and packers
- Radiation
- Lead exposure – it has been known for over 100 years that lead exposure results in miscarriages, still births and infertility going back to female pottery workers in the early 1900’s.
- Fatigue
- Shift work / night work – effect on fertility

A small sample of research conducted on Occupational hazards and reproductive health

- *New risks and trends in the safety and health of women at work.*
European Risk Observatory Literature review. European Agency for Safety and Health at Work (EU-OSHA), 2013,
<https://osha.europa.eu/en/publications/reports/new-risks-and-trends-in-the-safety-and-health-of-women-at-work>
- *Occupational risk factors and reproductive health of women.*
Irene Figà-Talamanca
Occupational Medicine 2006;56:521–531
- *A Study of Occupational Exposure to Antineoplastic Drugs and Fetal Loss in Nurses.*
Sherry G. Selevan, Ph.D., Marja-Liisa Lindbohm, CandPolSci, Richard W. Hornung, Dr.Ph., and Kari Hemminki, M.D.
N Engl J Med 1985; 313:1173-1178 November 7, 1985 DOI:
- *Occupational mercury exposure and male reproductive health*
Kirsten H. Alcser PhD, Kelley A. Brix MD, MPH, Lawrence J. Fine MD, DrPH¹, Lee R. Kallenbach PhD¹, Robert A. Wolfe PhD²
Article first published online: 19 JAN 2007
- *Occupational health problems among migrant and seasonal farm workers.*
K Mobed, E B Gold, and M B Schenker
West J Med. 1992 September; 157(3): 367–373.
- *Occupational exposures to metals, solvents and pesticides: recent evidence on male reproductive effects and biological markers.*
I. Figà-Talamanca, M. E. Traina and E. Urbani
Oxford, Journals Medicine, Occupational Medicine Volume 51, Issue 3, Pp. 174-188.
- *Reduced Fertility among women employed as Dental Assistants exposed to high levels of nitrous oxide.*
Rowland AS, Baird DD, Weinberg CR, Shore DL, Shy CM, Wilcox AJ.
N Engl J Med. 1992 Oct 1;327(14):993-7
- *Self-Reported Stress and Reproductive Health of Female Lawyers.*
Schenker, Marc B. MD; Eaton, Muzza PhD; Green, Rochelle MS; Samuels, Steven PhD.
Journal of Occupational & Environmental Medicine: June 1997 - Volume 39 - Issue 6 - pp 556-568
- *Shift work and reproductive health.*
Tuula Nurminen
Scandinavian Journal of Work, Environment & Health Vol. 24, Supplement 3.
- *Pregnancy Outcomes in Women Potentially Exposed to Occupational Solvents and Women Working in the Electronics Industry.*
Lipscomb, Jane A. RN, PhD; Fenster, Laura PhD; Wrensch, Margaret PhD; Shusterman, Dennis MD; Swan, Shanna PhD
Journal of Occupational Medicine: Journal of Occupational Health, Vol. 46 (2004) No. 1 P 1-19

- *Occupational Exposure Associated with Reproductive Dysfunction.*
Sunil Kumar¹⁾
Released 2004/02/09
- *Women in dental surgeries: reproductive hazards in occupational exposure to metallic mercury.*
Radzislav Sikorski, Teodor Juskiewicz, Tomasz Paszkowski, Teresa Szprengier-uszkiewicz
International Archives of Occupational and Environmental Health
September 1987, Volume 59, Issue 6, pp 551-557
- *Risk of breast cancer in female flight attendants: a population-based study (Iceland).*
Vilhjálmur Rafnsson, Hrafn Tulinius, Jón Gunnlaugur Jónasson, Jón Hrafnkelsson
February 2001, Volume 12, [Issue 2](#), pp 95-101
- *Reproductive Variables as Possible Confounders in Occupational Studies of Breast and Ovarian Cancer in Females.*
Threlfall, William J. B.Sc; Gallagher, Richard P. M.A.; Spinelli, John J. M.Sc; Band, Pierre R. M.D.
[June 1985 - Volume 27 - Issue 6](#) > Reproductive Variables as Possible Confounders in Occupation
- *Effects of exposure to environmental tobacco smoke on reproductive health.*
Marja-Liisa Lindbohm, Markku Sallmén and Helena Taskinen
Vol. 28, Supplement 2. Health effects of environmental tobacco smoke (2002), pp. 84-96. Published by: Scandinavian Journal of Work, Environment & Health
- *Pesticide Use and Menstrual Cycle Characteristics among Premenopausal Women in the Agricultural Health Study.*
S. L. Farr , G. S. Cooper, J. Cai, D. A. Savitz, and D. P. Sandler²

Lack of Work Health and Safety information and resources

171. The SDA believes employer inaction and inability to effectively manage pregnancy in the workplace is at least in part due to the lack of detailed information and education materials available to employers about the specific hazards and risks associated with pregnancy and the suitable control measures which need to be adopted to ensure the health and safety of these workers. Many employers also have a poor understanding of the benefits of Work Health and Safety standards that support pregnant women and women returning to work after birth, therefore little incentive to implement them. As demonstrated by the SDA case studies, there appears to be little, if any, consultation with pregnant workers about the hazards. The failure of employers to consult with workers about their individual needs and the suitable control measures to ensure the health and safety of these workers is also a factor.
172. The level of inertia from employers in managing the health and safety risks for pregnant employees, as detailed in the numerous examples provided by the SDA, is of deep concern. The resulting consequences of the disregard shown by employers to the health and safety needs of their pregnant employees are both disturbing and tragic. Women are suffering miscarriages, premature births, torn ligaments and muscles, and psychological injuries: with many women ultimately leaving the workplace. The lack of respect and understanding shown towards these workers is unacceptable and is impacting significantly on women's health and the health of their babies.

173. Access to information for employees at a workplace level is also fundamental to ensure they understand and can apply relevant WHS principles that will assist them to work in a safe manner. While there remains an enormous gap in information and education for employers, employees arguably can only rely on information and advice sought independently of their employer. The role of unions like the SDA at a workplace level, and health professionals operating externally in relation to workplace health and safety issues and hazards associated with this class of workers, is vital. However, it is important to recognise the most immediate and accessible source of information for both employees and employers in relation to health and safety is the intrinsic understanding individuals have of their own needs, particularly in relation to pregnancy and return to work after birth.

RECOMMENDATION 38

Safe Work Australia develop and implement a comprehensive **Compliance Strategy** which includes information and education components, monitoring and enforcing activities, sharing of information between regulators and the conduct of proceedings under relevant work health and safety laws.

Q6.3.2 Are there any gaps in work health and safety laws and policies in relation to pregnant employees?

174. When compared internationally, Australia lags significantly behind other countries in terms of the information available to assist in the management of pregnant and returning to work employees. At present, no single jurisdiction provides comprehensive information and education materials in relation to pregnancy and return to work with comprehensive materials. There are a range of issues which need to be considered when dealing with pregnancy and work. This distinct lack of information is leading to widespread discrimination and harm to pregnant employees and their babies, as evidenced by submissions to this review.
175. It is recognised internationally that pregnancy and returning to work after birth require specific consideration in order to adequately protect pregnant women whilst at work. ILO Convention 183, 2000, expressly calls for the health protection of pregnant and breastfeeding women in the workplace. It is disappointing that Australia has failed to ratify this important Convention.
176. Article 3 specifically addresses the issue of health protections for pregnant and breastfeeding women and states;

Each Member shall, after consulting the representative organizations of employers and workers, adopt appropriate measures to ensure that pregnant or breastfeeding women are not obliged to perform work which has been determined by the competent authority to be prejudicial to the health of the mother or the child, or where an assessment has established a significant risk to the mother's health or that of her child.

International resources

- ILO. *Health Beginnings: Guidance on Safe maternity at work*. Jane Paul, 2004
- In the United Kingdom *Regulations 16, 17 and 18 of the Management of Health and Safety at Work Regulations 1999* places a duty on employers to carry out a risk assessment in respect of new or expectant women.
- HSE (UK). *A Guide for new and expectant mothers*.
- 'Code of Good Practice on Pregnancy and Afterbirth' (South Africa) 1998
- USDAW (UK). *Pregnancy risk assessment checklist*. Available at www.usdaw.org.uk
- Trades Union Congress (TUC) *Pregnant women and risk assessment*. Available at www.tuc.org.uk

Australian resources

177. The lack of information and resources available to employers and employees in relation to pregnancy and WHS in the workplace is remarkable. At present, only three of the State and Territory Work Health and Safety regulators²⁸ provide specific information about pregnancy and Work Health and Safety. Unfortunately the scope of this information is confined to manual handling and does not deal with any other workplace hazards which can impact on reproductive health, pregnancy and breastfeeding women. The most comprehensive Australian resource is the NSW WorkCover Guide called 'Pregnancy and Work' which addresses Work Health and Safety risks and hazards, discrimination obligations and industrial relations considerations. This document has not been updated since its inception in 2002, and has not been turned into a Code of Practice as per recommendation 23 of the 2000 inquiry.²⁹
178. Employers fail to understand and consider the changing needs and requirements of pregnant employees. Current risk management practices and procedures fail to even acknowledge or identify pregnancy as an issue for consideration from a WHS perspective. There is a significant gap in current WHS law, Regulations and Codes of practice in regard to pregnancy and returning to work after birth. The WHS legislation must specifically refer to and address pregnancy so that employers and PCBU's recognise their legal duty of care so they can then effectively identify, assess and control the risks and hazards in the workplace.

The United Kingdom approach

179. The SDA proposes an approach similar to the one adopted by the United Kingdom which places a legal duty on employers to carry out a risk assessment in respect of new and expectant mothers.
180. This UK model is significant because it recognises the vital role health and safety legislation plays in ensuring women can work safely throughout their pregnancy and upon their return to work. This Regulation also helps to focus the mind of the duty holder in understanding and assessing the risks and hazards which pose a threat to this particular group of workers and their babies. The UK model firmly enshrines health and safety legislation as a key part of the legislative framework necessary for the protection of pregnant women and women returning to work after birth. It recognises pregnancy and returning to work is not solely the domain of discrimination and employment legislation, but rather there are health and safety implications which must be considered and addressed in the workplace.

²⁸ WorkSafe, Department of Commerce (Western Australian) and WorkSafe NT (Northern Territory), NSW WorkCover.

²⁹ HREOC assessment of Government Responses to Recommendations 1 November 2000

181. Regulation 16 of the *Management of Health and Safety at Work Regulations 1999* (UK) places a duty on employers to carry out a risk assessment in respect of new or expectant mothers. It states:
1. Where -
 - a. the persons working in an undertaking include women of child bearing age; and
 - b. the work is of a kind which could involve risk, by reason of her condition, to the health and safety of a new or expectant mother, or to that of her baby, from any process or working conditions or physical, biological or chemical agents, including those specified in Annexes I and II of Council Directive 92/85/EEC on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding the risk assessment required by regulation 3(1) shall also include an assessment of such risk.
 2. Where, in the case of an individual employee, the taking of any other action the employer is required to take under the relevant statutory provisions would not avoid the risk referred to in paragraph (1) the employer shall, if it is reasonable to do so and would avoid such risks, alter her working conditions or hours of work.
 3. If it is not reasonable to alter her working conditions or hours of work, or if it would not avoid such risk, the employer shall, subject to section 67 of the Employment Rights Act 1996 suspend the employee from work for so long as is necessary to avoid such risk.
 4. In paragraphs (1) to (3) references to risk, in relation to risk from any infectious or contagious disease, are references to a level of risk at work which is in addition to the level to which a new or expectant mother may be expected to be exposed outside the workplace.

This Regulation is further supported by the Approved Code of Practice which explains;

Where the risk assessment identifies risks to new and expectant mothers and these risks cannot be avoided by the preventive and protective measures taken by an employer, the employer will need to:

- a. alter her working conditions or hours of work if it is reasonable to do so and would avoid the risks or, if these conditions cannot be met;
- b. identify and offer her suitable alternative work that is available, and if that is not feasible;
- c. suspend her from work. The Employment Rights Act 1996 (which is the responsibility of the department of trade and industry) requires that this suspension should be on full pay. Employment rights are enforced through the employment tribunals.

RECOMMENDATION 39

A new Regulation be inserted into the *Model Work Health and Safety Act 2011* ('WHS Act') which requires Persons Conducting a Business or Undertaking to identify, undertake risk assessments and control any risks to the reproductive health of workers, pregnant workers, workers who have recently given birth or who are breast feeding. This should be accompanied by a requirement that any risk assessment undertaken will be done in consultation with the worker affected.

182. This Regulation must be supported by a Code of Practice. A Guidance note is not appropriate given that it lacks legal enforceability. It is imperative that a Code of Practice be developed to support this Regulation, especially in light of the widespread and appalling treatment experienced by women who are pregnant or returning to work after birth. It is time for Safe Work Australia and the state WHS Regulators to take this issue seriously in order to prevent the occupational risks present in workplaces which are greatly impacting on the health and safety of women and their babies.

183. It is remiss that only two national Model Codes of Practice make reference to the pregnant worker, albeit very limited reference;
- Managing the Work Environment and Facilities, includes one reference to *workers with any particular needs (for example, pregnant or lactating women)*
 - Managing Risks of Hazardous Chemicals when discussing Safety Data Sheets refers to *warnings for pregnant women* but makes no references to the risks from chemical exposures that may be increased for pregnant women i.e. increased ventilation rate and hence increased likelihood of breathing in more of any harmful air borne contaminants.

RECOMMENDATION 40

A Code of Practice be developed which supports this new Regulation. The Code of Practice should address the specific workplace health and safety hazards and risks around reproductive health, pregnancy, breastfeeding mothers and mothers returning to the workplace. It should provide information on the reproductive hazards associated with manual tasks, night work, biological agents, and provision of appropriate facilities in the workplace, work equipment, personal protective equipment and health surveillance. The Code of Practice should also highlight and raise awareness of existing industrial and anti-discrimination legislation.

RECOMMENDATION 41

The following Codes of Practice are amended to include specific reference to the risks associated with reproductive health, pregnancy, breastfeeding and returning to work after birth;

- Hazardous Manual Tasks
- Work health and safety consultation, cooperation and coordination
- Managing risks of hazardous chemicals in the workplace
- How to manage workplace health and safety risks
- Managing work environment and facilities
- Guide for preventing and responding to workplace bullying.

Bullying

184. It is apparent from the SDA case studies that being pregnant or returning to work after birth increases the likelihood of being bullied in the workplace from both managers and co-workers. Women are pressured to resign, reduce their hours; they are demoted, threatened with changes to their employment conditions, refused toilet breaks, refused safe work, subject to verbal abuse, threats, and refused minor accommodations to work and work practices. [33, 38, 54, 58, 59, 61, 71, 80, 87, 100, 102, 114, 131, 144, 155, 157, 162, 163, 177]

RECOMMENDATION 42

Educational resource materials be developed in relation to pregnancy and workplace bullying and harassment. The Guide for Preventing and Responding to Workplace Bullying be amended to include specific information in relation pregnancy and returning to work after birth.

RECOMMENDATION 43

The Guide for Preventing and Responding to Workplace Bullying be upgraded to a Code of Practice.

Inherent requirements

185. The *Sex Discrimination Act 1984 (Cth)*, like the *Disability Discrimination Act 1992 (Cth)* provides for some specific exemptions to a finding of discrimination. Under the *Disability Discrimination Act 1992 (Cth)*, it is lawful to discriminate against an employee with a disability if that employee cannot meet the inherent requirements of their position.
186. Under the *Disability Discrimination Act 1992 (Cth)*, an employer will not be in breach of the *Disability Discrimination Act 1992 (Cth)* if they discriminated against an employee with a disability where that employee could not perform the inherent requirements of their position. The legal test of inherent requirements contains three elements;
1. Determining the inherent requirements or core characteristics of that position.
 2. Determining whether the position could be done if 'reasonable adjustments' were made to the workplace.
 3. Determining whether the 'reasonable accommodations' can be made without imposing 'unjustifiable hardship' on the employer.
187. The inherent requirements exemption is a defence available under the *Disability Discrimination Act 1992 (Cth)*. However, there is no such exemption under the *Sex Discrimination Act 1984 (Cth)*. The *Sex Discrimination Act 1984 (Cth)*³⁰ provides some exemptions for when discrimination on the grounds of sex will not be deemed unlawful; however, 'inherent requirements' is not one of them. Arguably an employer could only rely on the inherent requirements defense where a pregnant employee has a medical condition which is deemed to be a 'disability' if seeking to argue the disability discrimination was lawful. Most pregnancy related symptoms and conditions would unlikely be deemed to be a 'disability' for the purposes of the *Disability Discrimination Act 1992 (Cth)*.
188. There is widespread use of, yet minimal understanding of, the concept of 'inherent requirements' and its foundation in disability discrimination. Employers seem to be confusing and conflating the concepts of duty of care under the *Model Work Health and Safety Act 2011* ('WHS Act'), fitness for work, safe work and inherent requirements. This confusion is causing considerable harm and damage to pregnant women in the workplace.
189. Regardless of the current legislation, employers have latched on to the term 'inherent requirements' without understanding its legal applicability to pregnancy and returning to work after birth. It is unfounded for employers to be relying on 'inherent requirements' to remove or prevent a pregnant employee from working. There are many examples of workers being told that they will no longer be given work because their pregnancy or return to work renders them unable to perform the inherent requirements of their position.(80, 100, 102, 130 156). 'Inherent requirements' cannot be relied upon to deny or remove a pregnant employee from the workplace.

³⁰ S 30, Sex Discrimination Act (Cth) 1984

RECOMMENDATION 44

Amend the *Sex Discrimination Act 1984 (Cth)* to explicitly state that 'inherent requirements' has no applicability in relation to pregnancy and returning to work after birth.

Reasonable adjustments

190. The most prominent issue for our members is getting employers to acknowledge, accommodate and provide suitable and reasonable work when pregnant and returning to work after birth. As the case examples demonstrate ([24](#), [31](#), [39](#), [42](#), [46](#), [52](#), [82](#), [84](#), [55](#), [59](#), [71](#), [80](#), [86](#), [101](#), [102](#), [105](#), [118](#), [113](#), [129](#), [130](#), [142](#), [157](#), [165](#), [178](#)), pregnant women often need some minor, short term accommodations made to the workplace to enable them to continue to work safely. Employees are routinely providing employers with medical certificates which request often small changes be made which would assist the employee to work safely for themselves and their unborn baby. However, employers simply ignore them or argue that any such request indicates the employee can no longer perform the inherent requirements of the position. The SDA has assisted many members in their workplaces in relation to pregnancy and return to work, as illustrated in case studies for this submission where the company has refused to accommodate pregnant employees' requests for suitable/ light duties, rotation of duties, and the provision of seating and shorter shifts. [[42](#), [52](#), [55](#), [63](#), [100](#), [101](#), [105](#), [123](#), [126](#), [131](#), [144](#), [145](#), [158](#), [177](#)]
191. In the *Disability Discrimination Act 1992 (Cth)* the legal concept of 'inherent requirements' is balanced with the legal concept of 'reasonable adjustments'. However, the *Sex Discrimination Act 1984 (Cth)* contains no such provision or requirement on employers to make reasonable accommodations in relation to pregnancy and returning to work after birth. The *Sex Discrimination Act 1984 (Cth)* only requires that a pregnant employee not suffer detriment in her employment. The FWA requires that a pregnant employee be provided with safe work, is transferred to a safe job, or if a safe job cannot be found, the pregnant employee is entitled to no safe job leave. So while there is an implicit requirement to provide safe work there is no explicit duty to make reasonable accommodations.
192. It is most important to clarify the legal obligation on duty holders to provide reasonable accommodations / reasonable adjustments for pregnant employees. *The Fair Work Act, the Sex Discrimination Act and the Model Work Health and Safety Act 2011 ('WHS Act')* need to be amended to make it clear that there is a legal obligation on an employer to make reasonable adjustments for pregnant employees in the workplace. Like the Victorian Equal Opportunity Act, this duty must be a positive duty.
193. This positive duty should be clearly expressed and include a requirement that any assessment regarding 'reasonable adjustments' is made on an individual / case-by-case basis, which takes into consideration the circumstances and needs of that individual and the medical advice / certificates of a duly qualified medical practitioner. It is the SDA's experience that employers like to make generic policy decisions about job descriptions, safe work practices and task analysis which fail to adapt to the needs of pregnant individuals. This becomes a problem when an individual needs reasonable adjustments made in order to function in the workplace, yet the employer is wedded to a tasks' analysis which is inflexible and discriminatory. Employers are sending pregnant women home, reducing their hours, insisting they continue to do unsafe work until they have provided a medical certificate, and are terminating their employment rather than make reasonable accommodations to the workplace in order to facilitate the continuance of work.

RECOMMENDATION 14

The *Sex Discrimination Act 1984 (Cth)*, the *Fair Work Act 2009*, and the *Model Work Health and Safety Act 2011* ('WHS Act') (and corresponding Acts where applicable) be amended to **introduce a positive and explicit stand-alone duty on duty holders to make 'reasonable adjustments'** to accommodate the needs of pregnant employees, women returning to work after birth and women and men with family or caring responsibilities. Assessments regarding 'reasonable adjustments' must be made on an individual case-by-case basis, which takes into consideration the circumstances and needs of that individual.

RECOMMENDATION 15

A positive duty to provide reasonable accommodations be a separate type of discrimination and have specific remedies attached to a breach of this duty.

Medical certificates

194. One of the most concerning aspects of the SDA cases documented in this submission is the persistent and overwhelming disregard employers have for medical certificates issued by duly qualified medical practitioners. SDA case studies bring to light instances whereby pregnant employees requesting any sort of accommodation or adjustment to their work are refused unless it is accompanied by a medical certificate. [22, 139, 144] or more worryingly, light duties are refused even with a medical certificate [52, 55, 66, 86, 100, 107, 114, 123, 138] Where a pregnant employee asks her employer to not be required to wash out wheelie bins [100], or break the load [169], or collect the trolleys [144] or have to stand at registers for long periods of time because of her pregnancy [154], she should not be made to continue that work until such time as she is able to provide a medical certificate.
195. The *Model Work Health and Safety Act 2011* ('WHS Act') imposes a legal duty to provide a safe workplace. When a pregnant worker is telling her employer that the work is unsafe for her at this time, she should not be forced to continue that unsafe practice. It is a breach of the *Model Work Health and Safety Act 2011* ('WHS Act') for an employer to insist that that employee continue to perform unsafe work. It is not a question about the provision of a medical certificate. An employer does not need to be in possession of a medical certificate before they can act on providing a safe workplace. Again this highlights the gap in employers' understanding of the WHS duty of care and the requirement to provide a safe workplace. The *Model Work Health and Safety Act 2011* ('WHS Act') requires that when a hazard is identified it is then assessed and controlled. When a pregnant worker is identifying a hazard, such as heavy lifting or hazardous chemicals, the employer is required to assess that risk and implement control measures. Managing the issue by insisting they continue to work unsafely until they have a medical certificate is failing to meet the legal obligations of the duty of care under the *Model Work Health and Safety Act 2011* ('WHS Act'). Every employee is different, every employee has different needs and the *Model Work Health and Safety Act 2011* ('WHS Act') does not impose or allow an employer to adopt a 'one size fits all' approach to safety.

196. There are many examples where employers simply ignore the medical advice and recommendations of medical practitioners. Employers appear to be of the view that they have greater medical knowledge and understanding than a qualified medical practitioner. Employers' arrogance and ignorance in this area is significantly contributing to very poor outcomes for pregnant employees which in some cases is actually endangering the lives of pregnant women and their babies. The failure of employers to adhere to medical certificates is another example of employers failing in their duty of care under WHS legislation.
197. The SDA is aware of other issues arising in relation to the provision of medical certificates. One large retail company requires a medical certificate certifying fitness for work from a woman returning to work any time after birth, even 12 months. However, there is no legal basis on which an employee could be required to do so.

RECOMMENDATION 45

The *Model Work Health and Safety Act 2011* ('WHS Act') (including the Code of Practice), the *Sex Discrimination Act 1984 (Cth)* and the *Disability Discrimination Act 1992 (Cth)* and all education materials developed in relation to this area are amended to include the following;

- Detail the legal validity of medical certifications.
- Require an employer to adhere to medical certificates from duly qualified medical practitioners.
- Create a separate and distinct offence, with penalty provisions, where an employer has ignored a medical certificate.
- Require employers to respect that medical certificates for sick and personal leave issued by doctors only need to detail that a patient is unwell or unfit for work. (NB: there are different legal requirements for workers compensation purposes)
- Require employers to respect the right of patients to be treated by their own doctor;
- Require employers to respect the rights of patients to follow the treatment advice of their doctor;
- Require employers respect the rights of patients in all circumstances to private medical appointments without the presence of third parties;
- Require employers respect the rights of doctor/ patient confidentiality and not approach a patient's doctor seeking clarification of advice or suggesting alternative treatment, without the patients full and informed consent;
- There must be respect for a doctor's clinical independence;
- There must be respect for a doctor's professional independence and the need for a doctor's to operate in an environment free of conflicting interests.

Q6.3.3 Are there any practical challenges or issues with the interaction of anti-discrimination, employment and work health and safety laws and policies?

198. There is a distinct lack of understanding and knowledge about the interaction of anti-discrimination laws, employment laws and health and safety laws.
199. There is obvious and widespread confusion by employers as to their legal obligations arising from WHS, anti-discrimination and employment legislation in relation to pregnancy as outlined in case studies [6], [10], [24], [39], [41], [45], [52], [54], [55], [58], [59], [66], [71], [77], [80], [83], [86], [87], [93], [100], [101], [102], [103], [105], [107], [113], [114], [115], [119], [122], [123], [125], [130], [138], [142], [147], [152], [154], [155], [156], [157], [158], [163], [165], [169], [177], [178]. This lack of information available to employers and employees is substantially impacting on the health and safety of this class of workers. There is an urgent need for specific and targeted information in relation to the health and safety hazards associated with reproductive health, pregnancy, breastfeeding and returning to work after birth. The need for this to be made an urgent and priority issue is evidenced by the appalling and harmful treatment of our members in the SDA case studies [56], [59], [71], [86], [93], [100], [101], [107], [114], [122], [123], [169].
200. The cross jurisdictional issues can be exacerbated in larger organisations where there are separate Human Relations (HR), Employee Relations (ER) and WHS departments. Specialists within these departments often lack experience across the various jurisdictions and therefore lack the skills to make the appropriate decision in relation to these matters. Where an issue covers more than one jurisdiction it can be difficult to resolve because the WHS team does not understand discrimination obligations and HR does not understand the WHS hazards and risks associated with pregnancy. It is a very frustrating process for our members going back and forth between the various company departments who view these issues differently and often provide incorrect information, which further places the health of pregnant women and their babies at risk.

Misuse of the 'Duty of Care' under Work Health and Safety legislation

201. The SDA has seen the *Model Work Health and Safety Act 2011* ('WHS Act') misused and misinterpreted to deny work to those who are pregnant or returning to work after birth. It is of great concern that employers believe they can refuse work to pregnant employees rather than seek to provide a workplace which is safe and free from hazards. There has been a significant shift in the past five years to employers seeking to employ workers who they deem to be 'fit for work' rather than a focus on providing a workplace which is healthy and safe. Cases in this submission do not present a very positive view of the way a majority of employers see their pregnant employees. Rather than consider this class of workers as productive employees who may require temporary modifications to their normal duties or hours to enable them to work safely, they are seemingly viewed as unfit or unsafe. The view that pregnancy renders an employee to be somehow unfit for work or unsafe at work is an incorrect understanding and interpretation of the duty of care under the *Model Work Health and Safety Act 2011* ('WHS Act').

202. It would appear that there is an overwhelming trend away from providing a safe workplace to putting the onus on the employee to ensure they are medically fit for work, when all that is being sought is some minor and simple workplace adjustments. (SDA case studies where light duties were raised and accommodated: [11], [12], [13], [19], [43], [56], [73], [84], [90], [91], [101], [113], [151])
203. The misunderstanding of Work Health and Safety legislation and failure of employers to fully understand their legal obligations is greatly affecting the opportunity for meaningful and engaging work for pregnant women and women returning to work after birth. This comes at not only a great personal cost to employees but also has a substantial social and economic cost to the community at large.³¹

Privacy and health information

204. There is a growing trend emerging in relation to issues of worker privacy. In recent years it would seem that employers believe they have an unequivocal right to know anything and everything about a prospective or current employee. It would appear that the line between a work life and a private life is becoming increasingly blurred. It is our experience that employers are demanding, and getting access to, a whole range of personal information which can, and is, being used for discriminatory purposes. This is particularly true in regard to disability, with requests for personal health information and testing. The request for such information is often made under the guise of (misunderstood) WHS obligations.
205. Employers have been given unfettered access to the health records of employees and are subjecting employees to pre-employment medical testing, drug and alcohol testing, and even DNA testing in some instances, to determine pre-dispositions to medical conditions and diseases. They are engaging in private discussions with employees' treating doctors without the employees' consent or knowledge. They are physically attending an employee's medical consultation, without full and informed consent. They are requesting and receiving an employee's **full** medical history which goes well beyond the information needed to effectively deal with a workplace injury or disability.
206. Workers need to have rights and remedies in relation to privacy in the workplace. Employers should not be able to make discriminatory requests for information, or medical histories of prospective employees, including pregnancy testing. It would be nearly impossible to prove that a prospective employee was not subsequently employed because of their pregnancy. Employers can only be expected to comply with WHS standards if they know of an employee's pregnancy or disability. It should be up to the employer to identify the tasks the employee will be required to do, including the possible risks, and to ask if the prospective employee will have or would expect to have, any difficulties in doing those tasks.

³¹ For a detailed analysis of the economic impact of excluding people with disabilities from the workplace, see: International Labour Organization (ILO) 'The price of exclusion : the economic consequences of excluding people with disabilities from the world of work.' Employment Working Paper No. 43. December 2009

207. A recent example of the extent of private medical information being sought by employers can be seen in relation to a non-retail company.
208. This company was using a 7 page recruitment form titled Medical History & Physical Examination. (Please see Attachment 4 for a copy of this form). This form contained a range of health related questions which were alarming in the scope and breadth of the personal information being requested. A particularly concerning aspect of this form was the questions contained in a Part F: 'Reproductive outcomes' which were to be answered by the applicant about themselves and their partner. Questions included;
- how many "stillbirths" an applicant has had,
 - whether the applicant had ever been pregnant, and if so, how many times;
 - how many abortions and stillborn children they have had;
 - how many "normal" children were born and if they had any birth defects
 - the birth weights of each child
 - whether the applicant had a medical condition which prevented them from becoming pregnant
 - whether the applicant or their partner had been sterilised
 - whether the applicant or their partner has had a hysterectomy.

RECOMMENDATION 17

The *Sex Discrimination Act 1984 (Cth)* and *Disability Discrimination Act* be amended to **prohibit employers being able to ask questions** of employees, or seek information, where the information provided could potentially be used for discriminatory purposes.

Q6.3.4 What difficulties are there in complying with work health and safety standards to make workplaces safe for pregnant employees?

231. Compliance with work health and safety standards to make workplaces safe for pregnant employees will continue to be an enormous challenge because current work health and safety standards fail to specifically address pregnancy and returning to work after birth.
232. Difficulties arise because of the huge lack of knowledge and awareness around the specific hazards and risks associated with pregnancy and work.
233. There is grossly inadequate information available to employers to help them understand and manage their legal obligations, not only in relation to health and safety but also in regards to anti-discrimination and employment obligations.
234. There is grossly inadequate information to help employees understand and manage their pregnancy and return to work. Information can enable employees to take a proactive role in their own health.

CONCLUSION

235. The issue of supporting working parents in Australia, and in particular supporting pregnant women at work and parents returning to work after parental leave, is primarily about treating employees with dignity and respect.
236. It is consistent with the view we like to have of ourselves as an egalitarian society which provides a 'fair go for all'.
237. The evidence shows that we have been performing badly in many respects and there is much room for improvement.
238. There is a compelling and well researched business case as well as a moral imperative, which should signal to employers the need to give this issue their focussed attention.
239. There is a need for strong regulation and enforcement to protect the rights of pregnant employees and parents in the workforce.
240. There is compelling evidence that as a nation we simply cannot afford to continue with policies which create disincentives for women to have children and fail to support their participation in the workforce.
241. For the benefit of individual workers, their children and families, businesses, the community and the Australian economy, we must help parents and carers to continue to do their valuable caring work, whilst staying in quality, secure employment.

ATTACHMENT 1

PREGNANCY AT WORK AND RETURN TO WORK AFTER PARENTAL LEAVE NATIONAL REVIEW

This attachment contains a summary of issues arising from the SDA Case Studies.

Next to each of these issues is a number or several numbers, which represent the case study where this issue was raised.

That does not mean to say that these issues were not relevant in more of the cases, but just that they had not been mentioned.

Issue Headings from SDA members' Case Studies:

EXPERIENCES OF PREGNANT WOMEN AT WORK:

Pre-natal medical appointments

- Leave for Pre-natal appointments taken from employees' paid annual leave – [44](#), 88, 115 (without consent)
- Employees given a 'hard time' if attended doctor's appointments during work time – [35](#), 87, 131, 141, 144

Doctors' Advice/Certificates

Managers **not** accepting doctor's advice:

- manager insisted on employee going to Company doctor - 163
- manager pressured employee to say she is not fit for work (despite doctor stating she was) and to claim worker's compensation – 125, 158
- manager continuously questioned doctor's certificate – [79](#), 163
- manager accused doctor of "wrapping (employee) in cotton wool" - 86
- managers ignored doctor's certificates – 52, 59 (had to give priority to customers), 86, 100, 101 (re hazardous substances), 107, 114, 158 (hostile), 163, 177,

Doctor's advice to reduce hours – hours taken from accrued sick leave – 115

Issue of cost of medical certificates to employee – [116](#)

OHS ISSUES RELATED TO PREGNANCY

Miscarriages

Manager required **written application** and **notice period** for employee to take unpaid leave when unwell. Employee had a miscarriage before the start of the leave – 103, 114

Manager ignored doctor's advice. Employee had a miscarriage – 52, 169

Premature Labour

Employee stressed by manager's treatment and required to work 40+ hours per week. Employee went into premature labour 6.5 weeks early – 71

Manager and HR ignored 3 doctor's certificates over 10 weeks, and required employee to do heavy work. Employee sustained a 4 cm split in her abdominal muscles. Baby born at 31 weeks with suspected brain damage – 100

Management ignored obstetrician's certificate and required employee to do heavy work, despite 15 conversations and 4 cancelled meetings over 11 weeks. At 33 weeks employee hospitalised with pain and fluid loss and threatened labour. Baby born approximately 6 weeks premature with insufficiently developed lungs and asthma – 107

Plant nursery department - employee's co-ordinator refused to help. Baby born 4 weeks early. - 93

Light Duties

Employee **not** given light duties:

- **After Doctor advised** – 52, 55, 66, 86 (high risk pregnancy and cervical stitch), 100, 107 (recent operation on cervix), 114, 123 (to be discussed at a regional manager's meeting in 2 weeks!), 138, 188
- **After Employee requested** – [26](#), 86, 93 (told to go on leave), 114 (“You're not sick, just pregnant. Stop complaining and do your work”), 147, 152, 155, 169
- Not clear if a formal request was made, but should have been obvious – [21](#), [27](#), 31, 36, [48](#), 58, [92](#), 113, 136, 157
- Insufficient staff made available to help pregnant employee – 21, 36, 48, 58, 92, 107, 155
- After employee request, until doctor's certificate received – 22, 139, 144 (2 ladies expected to collect supermarket trolleys)

Light duties raised as an issue which was accommodated – 11, [12](#), 13, 19, 43, 56, [73](#), 84, 90, 91, 101, 113, 151

Manager:

- refused to provide safe work – 100, 122 (resulting in injury), 123, 130, 156 (suggested finishing earlier), 169
- asked and expected employee to climb ladders - 100
- refused to allow employee to go to the toilet during working hours - 10, 41, 59, 119, 155 (no-one to help), 183 (2 women)
- refused to allow employee to take allowed break – 24, 59
- refused to provide seating - 39, 45, 77, 86, 142, 154 (had a doctor's certificate but only one stool in store for customers), 156
- exposed employee to hazardous substances – 101 (ignored doctor's certificate), 113

- did not accommodate or poorly accommodated special needs (eg gestational diabetes, high blood pressure, low blood pressure, anemia) – 59, 83 (told to “get over it” resulted in hospitalisation), 87, 100, 130
- Expected employee to perform unreasonable work load or at unreasonable work intensity – 54, 58, 71, 80 (or threatened to reduce wages), 102 (or threatened demotion)
- Bullied, harassed and intimidated pregnant employees/treated harshly and unreasonably - 33, 54, 59, 61, 71, 87, 100, 114, 131, 155, 157, 162, 163, 177

Employees experienced:

- Stress – 9, 55, 59, 71, 87, 100, 130, [148](#), 162, 169
- “Morning sickness” - 28, 35, [37](#), 48 (expected to find someone and tell them before throwing up), [60](#), 77 (manager called employee unreliable), 89, [94](#), 116, 118, 144, 157, 178 (accused of being pathetic)

Linked to early morning starts 36, [76](#)

- Difficulty/pain standing for long periods 5, 24, 27, 39, 45, 55, 59, 84, 86 (on concrete floor), 88 and 90 (company purchased a chair), 113, 130, [150](#), 151, 152, [153](#), 156, [85](#), 154, 188
- Swollen feet and legs 113, 142
- Very tired/ Exhausted - [5](#), 11, 27, 28 (linked to toddler sick a lot), 37, [40](#), 42, 100, 105, 129, [149](#)
- Discomfort due to Heat in summer - 7 (very hot in kitchen), 154 (no air conditioning)
- Trouble bending – 27, 39, 56, 113, 123, [135](#), 139, 150, 151
- Back problems – 22, 76, 105, 107, 129, 154, 156, 188
- Trouble with physical demands in the deli – 60, 113, 123, 139
- Trouble reaching the register screen – 39
- Trouble with space in the register area, when there were 2 people – 22
- Trouble with space in the walk-in freezer – [53](#)
- Difficulty with climbing the stairs to get to the bathroom and tea room – [70](#)
- Hard pregnancy so hard to keep up with day to day tasks – [49](#)
- High/low blood pressure – 100, 130, 145
- Complaints/lack of support/ bullying and harassment from other staff – 38, 61, 66, 87, 144, 162, 177

Employees and managers not aware of “transfer to safe work” provisions nor paid “no safe job leave” – 31, 39, 46, 86, 100, 101, 105 and 129 (reduce hours and go casual), 107, 122, 125, 130 (use sick and annual leave), 156, 158, 165, 188

DISCRIMINATION DURING PREGNANCY

Dismissal

Manager dismissed employee on the basis of pregnancy – 14 (went to Tribunal – given “a slap on the hand”), 142, 157 (pregnancy related illness with medical certificates)

Manager placed a lot of pressure on employee to resign/take parental leave early

Manager:

- placed a lot of pressure on employee to resign as “Greek customers will frown upon a pregnant employee and not come to the business” – [4](#)
- ignored doctor’s advice regarding standing for long periods, didn’t allow toilet breaks, shift breaks, leading to stress and starting maternity earlier than planned – 59
- ignored doctor’s advice regarding standing for long periods, forced to take remaining sick leave and annual leave, even though made aware of “transfer to safe work” and “paid no safe job leave”. Workplace not accommodating so took maternity leave early - 86
- perceived to push employee out of workplace:
 - o told not to be lazy (for not lifting heavy gas bottles) and made to feel like she shouldn’t be there and was useless – took maternity leave 7 weeks early- 55
 - o felt really insignificant and not important, made to feel guilty and like she wasn’t wanted – 141
 - o felt company didn’t want her in the store because she had become pregnant again - 162

Employee took parental leave early because:

- could not handle heavy lifting/work load – 31, 86
- no suitable safe jobs could do – 39, 46
- could not handle the work atmosphere – 55, 59
- could not handle the bullying – 163
- could not handle the checkout for full shift – 129, 130

Manager reduced hours, rather than accommodate pregnancy related health issue, of:

- Permanent employee – 55, 105 (and made casual), 113, 165
- Casual employee – 178

Manager:

- Told a store manager, at 12 weeks pregnant, to step down from being a store manager. At 31 weeks was forced to go to a smaller store or threatened to be performance managed out – [34](#)
- Demoted a Customer service department manager permanently due to health issues, and threatened with permanent reduction in hours if reduced hours due to health issues -118

- Required a salaried night fill manager to work to the “same standards” of 50 hours a week, or threatened to reduce wages to EBA level – 80
- A doctor instructed that a supermarket bakery manager should reduce her hours to 32 per week. She already had a high work load, but her manager told her she needed to do extra work at high intensity to compensate for the reduced hours or step down. The manager said “Welcome to the world of management” – 102
- A supermarket 2IC was given lighter duties in response to medical advice and told her wages would be decreased, as she was no longer performing her role - 101
- Denied employee access to promotion on the basis of pregnancy - 142, [146](#) (looking for another job), 189,
- Gave employee formal written warning for not meeting sales commissions due to being tired and sore – 42
- Made assumptions based on their personal experience of being pregnant or that of a partner – 131
- Re-assigned employee’s duties from the shop floor to a register a long way from the ladies toilet - 71
- perceived to give casuals less consideration than full timers - 154
- did not adhere to provisions in Company policy – 86, 100, 156
- Managers attitude – unsympathetic, uncaring, rude/nasty and aggressive – 21, 55, 121
 - Youth of mother perceived to be an issue – 52, 113, 178

Employees

Reduced working hours at own initiative, due to:

- Fatigue – 11, [37](#)
- ‘Morning sickness’ 37
- Requirement to do heavy lifting – 52, 84
- Requirement to stand for long periods - 55, 84

Employee:

- subjected to personal jokes/ name calling regarding their changed body shape – 66
- nervous in anticipation of company response – 59, 60, 66, 118
- employee hid pregnancy until 7 months because saw what happened to others - 9
- felt she was being over protected, “I’m not disabled” – 82

Father issues

- Access to leave around the time of the birth - [134](#), [181](#), [184](#) (2 members – 1 resigned due to denial of leave), [187](#)
- Access to unpaid leave for DaPP - [190](#)
- Issues around payroll information and DaPP – [51](#)
- Lack of information for partners re entitlements - [81](#)
- Company insensitivity – Manager informed father at the hospital of new roster which would result in pay cut of \$140 per week – 181

EXPERIENCES OF EMPLOYEES RETURNING TO WORK:

Manager's attitude in relation to employee returning to work – negative, unsympathetic, uncaring, rude and aggressive – 21, 54, 55, 83, 86, 87, 170

Breaches of S84A NES to inform temporary replacement employees of the nature of their employment and the rights of the employee on parental leave

- Temporary replacement employees not being informed of the nature of their employment and the rights of the employee on parental leave and their entitlement to return to work – 11, 61, 110, 111, 117, 132, 143, 161, 174

Breaches of S83 NES Consultation with employee on unpaid parental leave

- Changes to the workplace or the employee's role, while employee is on parental leave and not discussed with the employee before the employee provides notification of return to work. Job has been "restructured" – 9, [67](#), [168](#), 170, [180](#), 182

Notice of returning to work

Additional notice of Return to Work, provided by the employee at their own initiative – 54, [96](#), 117, 161, [167](#)

Manager asked employee to Return to Work early – 108, 110

Employee asked company to Return to Work early – 132

- due to financial difficulty – 11, 22 (line manager refused despite a position being available), 145

Poor communication by managers regarding return to work arrangements

- Poor communication or total lack of communication from management when employee gave notification of return to work – 54 (impact on child care), 55, 96, 117, [120](#), 132, 147, 161, 174, [175](#), 176

Breaches of S84 NES Right to return to previous position

- **Female managers returning to previous position - demoted, made casual, reduced wages** – [16](#), [69](#), [99](#), [104](#), [106](#), 108, 110, [127](#), 142, 146, [192](#)
 - **threatened with demotion and reduced salary – 25 and 128 (if didn't work nights and weekends)**, 170, 182, [186](#)
 - did not receive pay rise due – [74](#)
 - moved to another store and demoted – [32](#)
 - 2 months before the birth, employee requested to return to work part time working 20 hours minimum. On return to work, told she had no job. Then transferred to another store and given 15 hours per week work.
- Managers of employees blatantly **refusing to re-employ** after parental leave:
 - Don't want back – 7
 - Never intended having back – 13
 - Employees told they have been replaced by a permanent employee and there is no position for employee returning from parental leave – 61, 174, 175
 - Employees told that there are 'no positions available' despite new employees being employed - 77

- Manager **refused to allow employee to return to previous job, even if no change in hours/days requested** – 12, 21, 28, 67, 69 (moved to another store with a pay cut), 80, 111, 132, [140](#) (told to take all accrued annual leave as ‘You probably won’t be coming back’), [159](#)
- Manager **refused to allow employee to return to previous workplace** – sent to a store further from home so she will leave - 7
- Manager **refused to allow employee to return to all previously rostered hours** – [29](#), 38, 41, 46, 67, 109, 112, 113, 121, 151, 186, 188
- Manager **refused to allow employee to return to work full time** – made casual with minimum hours until he could find more regular hours “if I chose to return at all” - 90

Employee Requests for less hours than previously rostered

- Where employee had requested to return to work on less hours than had previously worked – Manager refused to allow return to previous job – 55, 132 (demoted), 170 (bullying and harassment to work public holidays, contrary to previous contract)
- Where employee had requested to return to work on less hours or different days than had previously worked – manager had forced a reduction in total rostered hours than that requested – 33, 82, [98](#), [166](#), 167, 171, [172](#) (originally told no hours at all), 176
- An employee requested to return to work on different days and different times than she had previously worked. Manager tried to accommodate but given employee’s availability, not all hours were reinstated - [193](#)
- Where employee had requested to return to work on less hours or different days than had previously worked – manager had forced them to become a casual employee – 136 (with one shift a fortnight)
- Previous part time employee working 10 hours per week, told no hours available on any days the employee nominated. One of those days is a day she had previously worked - [97](#)
- Previous nightfill employee wanted to work 15 hours per week during the day, not able to accommodate her availability - 192
- Previously casual employees not able to Return To Work (told no shifts) – 13, 144 (the union delegate was able to find hours at another store immediately), 154, 155
- Previously casual employee not given many hours when returned to work – [20](#), 121
- Employees returning to work **offered rostered hours outside of their availability/knowing the employee would not be able to do them** – 99, 117, 118, [124](#), 139, 145, 159, 161, 171, 176

- Return to work difficulty balancing the hours required to work with family commitments /rosters not considerate of family responsibilities/ requests for flexible working arrangements unreasonably denied – [1](#), [5](#), 7, 28, 33, 42, 54, 55, 71, 83, 86, 87, 93, [94](#) (hard for employer to understand there are certain times can and cannot work), 124, 130, 136, 143, 162 (had to work all nights), 192
- Difficulty with roster not having set hours - 93
- Insufficient training or support for different Return to Work position – 80
- After infant death – Return to Work required during “massive” baby sale – 45
- Made to feel bad when couldn’t work because baby very sick – [49](#), 54, 83 (“not fair on other employees when child sick”), 108 (child hospitalised – all manager could say was “It’s stock take”)
- Difficulty getting all hours back when daughter started school. Manager used opportunity to pressure employee to work on Saturdays. She was not able to do that due to husband’s work – 133

Child Care

- Difficulty with roster not having set hours – paying child care when not needed – [78](#), 86
- Return to Work roster agreed and considerate of availability, then employee pressured to change hours when no child care available – [164](#)
- Difficulties with availability of child care – 11, 156, [191](#)
- Difficulties with affordability of child care – 88, 98, 108, 191

Breast Feeding/expressing milk

- No considered accommodation of breast feeding/expressing milk at the workplace, thereby creating difficulties for the mother - 36, only had lunch time when also eating, 93, [194](#)
- Staff resentful of breast feeding breaks - 58

Employee resigned

Employee who had taken parental leave, resigned and did not return to work due to poor treatment at the workplace – 10, 52, 67, 71, 107 (payment and confidentiality clause), 139 (return to work too difficult), 142

Experiences in previous pregnancy

Treatment with previous employer/ manager(s) good in contrast to current experience – [3](#), 4, [57](#) (my work was kind), 59 (UK), [65](#) (government job), 67, 93 (Navy), 154, 156

Big difference due to different management – 87, 130, 155

Return to work OHS issues

Stress and depression – 8, 9, 25, 108, 132, 162, 182, 188

Post caesarean heavy lifting – 137

Bullying – 100, 108, 170, 182

Parental leave

Unpaid parental leave –

- HR refused parental leave as employee missed qualifying period by 2 weeks due to ill health in pregnancy (although store manager agreeable) – 126
- No entitlement if haven't been there 12 months – 8 (issue in context of increased casual employment) - [62](#), 65, 157
- Poor knowledge of parental leave options - [150](#)
- Poor knowledge of company paperwork required to apply for parental leave – 66, 125, 155, 181
- Poor communication of approval for parental leave – 120, 148, 187
- Started parental leave later due to no replacement – [47](#)
- Company pressure to apply for maximum period/actually told to change application – then refused to allow Return to Work early – 55, 143, 145
- Not enough time off – 38
- No communication while on parental leave despite requesting it – 9, 55
- Should have superannuation payments on unpaid maternity leave - 88

Company provided Paid Parental Leave –

- Incorrect advice given by manager resulting in being ineligible – 122
- Manager, rather than accommodate personal leave for family and being sick herself, made employee casual during qualifying period and therefore ineligible for company PPL - [179](#)
- Poor understanding of how Company PPL payments are calculated resulting in financial difficulties – 145, 150
- Poorly communicated to employees – 130, 187
- Pressure to leave early (by lack of accommodation) means ineligible for Company PPL - 59
- Very helpful financially – 73
- Financially difficult on half pay – 150

Government provided Paid Parental Leave

- difficulties with company co-operation – not supplying information to Centrelink – 48, [160](#) (manager asked her to lie to Centrelink to get them to pay her payment directly rather than through the employer)
- unaware of tax implications – Centrelink said employers responsibility to explain - 132
- employer offered employee only 8 weeks unpaid parental leave due to being with company less than 12 months, or required her to resign. She wanted 18 weeks so she could get the full government PPL payment - 8

Positive Experiences at the workplace

Understanding manager – 6, 19, 20, [23](#), [30](#), 37, [40](#), 47, [70](#), [75](#), [76](#), 88 - “allowed to leave work if unwell and use sick leave”, 89, 91, [95](#), [149](#), 151, [153](#), 155 - line manager, but still problems

No problems – [15](#), [17](#), [18](#), [50](#), 56, [64](#), [68](#), [72](#), 73

Good pregnancy experience, but bad return to work experience – 69, 90, 137

Bad pregnancy experience, but good return to work experience – 31, 156

Good support from fellow staff members – [2](#), 40, 44, [135](#)

Able to take things a little easier at work – 8

More toilet breaks provided – 11

ATTACHMENT 2

This attachment includes 194 case studies, from SDA members, which tell of their experiences of being pregnant at work and/or returning or trying to return to work after parental leave.

They have come from:

- cases where a union official has assisted the member, either in person or on the telephone;
- emails from members in response to an email sent to members in one Branch, asking for examples for this submission; or
- an online survey, in response to an email sent to members in two Branches.

Our members, on the whole, have been very clear that they do not want any identifying information included in the SDA submission. They are extremely fearful of the potential repercussions for them in their workplace, therefore we have removed any identifying information, if it was provided. We have included the type of workplace in which the experience occurred, where that is known.

186 of the SDA case studies/examples have come from women

7 of the case studies/examples tell about the experiences of 8 men

The cases studies are not in any particular order.

Gender

Female

Age

35-49 years

Industry

Retail Trade

Employer

National Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response 35-49 years

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Hours required to work versus family commitments

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your expectations differ between your first and subsequent children?

Found management in store at the time of my first child more accepting and understanding.

Gender

Male

Age

25-34

Industry

Retail Trade

Employer

Not provided

Number of employees

20-199

Ration of Male and Female Employees

Roughly even split

Occupation

Clerical and Administrative Worker

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

None

What workplace measures would have helped you to respond to the challenges you faced?

None

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Good support from fellow staff members

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

None

What workplace measures would have helped you to respond to the challenges you faced?

None

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Provide as much notice as you can.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No change as far as work is concerned.

Gender

Female

Age

25-34

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full-time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was forced to step down from my management position by my store manager as I had a pregnancy related illness and was made to take time off and put into hospital by my obstetrician. This has put a massive financial strain on my family as I am now a casual employee and not guaranteed any hours. I spoke with my store manager and told her that she was being discriminatory towards me.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Not really.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

With my first child my workplace was fantastic. They went above and beyond to ensure that I was happy and still able to continue to work for as long as I wanted to. With my current pregnancy my current employer has been horrible to me.

Gender

Female

Age

50 Years and over

Industry

Retail

Employer

National Discount Department Store

Number of employees

More than 3000

Ration of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

When I was pregnant with my first son, 1983, we lived in Darwin and ran a business together. We worked 6 days a week 7-7. My employer was of Greek heritage. When he learned I was pregnant he wanted to sack me as he believed the Greek customers would frown upon me working and not come to his business. He made it so uncomfortable for us that we quit the job and returned to Adelaide. My second son was born in Albury, 1993, when I was working for Wodonga TAFE and La Trobe University. I received Maternity Leave and what a difference. I was valued whilst pregnant. I worked til 6 months then went on Maternity Leave. It was marvellous not to have to rush back to work after pregnancy.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Finding childcare was difficult at the time

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Standing all day and exhaustion

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Getting the hours I wanted

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No

What workplace measures would have helped you to respond to the challenges you faced?

None

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

The Store Manager was understanding when I got pregnant because it took me a long time and he knew I was trying.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I am still on parental leave

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

Independent Supermarket

Number of employees

100-499

Ration of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

The heat in summer working in a very hot kitchen

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Trying to get the right shifts to suit around my baby, and partner's hours. I have already heard from my manager that they don't want me back in the store that I left when I went to go on maternity leave. I have heard they want to send me further away from home so I will leave!!! Once you have kids you are a nobody when you want to come back!!!

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Have had no problems

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

Independent Supermarket

Number of employees

100-499

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Not provided

Length of Service

Less than 12 months

What kind of challenges did you face in the workplace during pregnancy?

My due date for having my 1st child is 14th November, 2013. I was told at the beginning of October that due to myself being in the company for less than 12 months, I can only have a maximum amount of 8 weeks off. I was told if I wanted any longer than 8 weeks, then I'd have to resign then reapply for my position when I wanted to return. All I wanted to take was 18 weeks due to centrelink parental paid leave payment process, but now since I can only take 8 weeks, I can't choose that option with centrelink. This does upset me and has caused a fair bit of stress on myself as it is my 1st baby & there is a chance that I may have to have a caesarean section. My partner isn't working at the moment so my position with the company does mean a lot to me.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Having the ability to take things a little easier at work was good.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Not on leave yet.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

Haven't had children yet

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I felt I had to hide my pregnancy because I saw what other women had gone through. At 7 months I told my manager and within weeks my position had changed to using 3 supervisors instead of just me.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

NO!!!

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I'm still on leave but have heard my position may not be available when I return. Whilst on leave I have found out (through staff not management) that my job has been made redundant. I'm still waiting to hear from the manager who told my SDA rep he would call me. That was over 6 weeks ago!

The last few months of my mat leave has been stressful due to the fact I don't know if I have a job to go back to. No manager has contacted me. I should be enjoying my time off with my newborn but this has not been the case. The company has a mat leave booklet that we fill out and it lets us know what we need to do etc. There is a section that asks us if we want to be kept up to date while off. I ticked the yes box as we are going through a major refurbishment and wanted to be in the know. I have been off for 9 months and not once has anyone bothered to contact me. Once I walked out the door it was like I didn't exist. It is very upsetting and disappointing.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No.

If you have more than one child, how did your experiences differ between your first and subsequent children?

My first two children I worked for a different company and they were very supportive. I had no issues at all.

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Not being able to go to the toilet when I needed to, being told to wait.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I did not return.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

Not provided

Number of employees

Not provided

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Lighter duties so was unable to work in certain areas. Cut down my hours because of fatigue.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

More toilet breaks provided.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Getting baby onto the bottle so my partner could feed her was a challenge. Less time spent with my older child who was already feeling a little left out not getting as much attention as before.

I think a year off work is a significant time to prepare yourself for returning to work but sometime you don't get the same hours you once had because your employer has had to replace your position. Some cases you have to return to work earlier because you can't afford to take too much time off. Waiting lists for childcare can be anywhere from 1 month to 2 years so need to prepare early.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Paid Parental Leave

If you have more than one child, how did your experiences differ between your first and subsequent children?

I quit when getting pregnant with my first because there were no lighter duties I could take on board. The second time they found lighter duties for me.

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

The only challenge was my position as a night-fill assistant. I found it difficult so I got a letter from my doctor and was put in an easier position - dairy assistant.

What workplace measures would have helped you to respond to the challenges you faced?

The company agreed to change my position which made it easier for me.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

My employer was great during my pregnancy and made sure I wasn't doing any heavy lifting.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Upon returning to work after 6mths leave there was new management and I no longer had my position in dairy. I was put on the checkout. My employer was great during my pregnancy and made sure I wasn't doing any heavy lifting. My only problem was not having my position when I returned to work.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

I was not an employee of this company when I had my first child.

Gender

Female

Age

25-34 Years

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ration of Male and Female Employees

Roughly even split

Occupation

Sales/Clerical and Administrative Worker

Employment Status

Casual

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was working in Nightfill when I fell pregnant. I worked in this position until 5 months pregnant. At which time I informed my manager of my condition and asked for lighter duties. I was then placed predominantly on check outs with some office work as well.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Changing my role when I could no longer carry out my duties due to the pregnancy was a good practice.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

As I was casual when I took parental leave, when I tried to return to work they claimed to have no hours for me. I think the main issue was that the management had changed while I was away and nobody knew who I was or what kind of worker I was. I did however manage to get hours from my nightfill manager but it meant going back to late nights which were not suitable to my family. I had to become part time to get decent hours guaranteed.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

A lot better the second time around as the previous company I was with when I took parental leave for the first child, although being casual with full time hours and a verbal discussion that I would return in 6 months. When I tried to return they claimed to have never intending on having me back.

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

Pharmacy

Number of employees

1-19 Employees

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was fired at 8 months. I took him to the work place tribunal and he got a slap on the hand.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I was fired at 8 months.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

None

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Nil. I was able to give my department plenty of notice of appointments.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full-time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Not being able to return to a management role after maternity leave as I only wanted to work part time. My career has been severely halted due to having to step out of management as I could no longer work full time, after being with the company 20 years I should be back in management.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

50 Years and over

Industry

Retail Trade

Employer

National Hardware Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

My children are now 20 & 17 years of age & the parental leave now has changed, but my employer was great & understood that my abilities would change along with my pregnancy & they worked alongside me.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Just know what you can achieve and be fair and honest with your employer.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

This was all new and adjustments all round were needed. But work was ok. I have had no issues pregnant or returning to work. I feel being honest and don't muck them about as they are running a business and it is very important.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Work was supportive for my needs as long as I was honest with them.

If you have more than one child, how did your experiences differ between your first and subsequent children?

I knew with my second child how I was going to feel, child care needs also had to be considered.

Gender

Male

Age

25-34 Years

Industry

Retail Trade

Employer

National Liquor Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

None really

What workplace measures would have helped you to respond to the challenges you faced?

None

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

None

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Yes. Welcomed back and taken through all new practices. The company was fantastic in the leave taken.

If you have more than one child, how did your experiences differ between your first and subsequent children?

Same

Gender

Female

Age

25-34 Years

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was working nightfill when pregnant with my second child. It was tough during the initial stages of pregnancy when I didn't want to tell anyone that I was pregnant. I was trying to avoid heavy lifting as it is bad while pregnant. Once I announced to my boss that I was pregnant he was very supportive. During the final months that I was working I was given Health and Beauty aisle which was physically easy and manageable up to 30 weeks pregnant which was roughly when I gave up work.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

As per previous question. I had a very good manager who was willing to work with me and help me with the limitations that pregnancy can place on a woman.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

We had relocated due to my husband's job and I easily picked up a job with the local national supermarket. There were a few challenges with getting the hours that I was after but after a discussion with the store manager who was very helpful after I had gotten nowhere with my line manager I had the hours that I wanted.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

It is good to have a manager with understanding. I believe that all managers should be educated and be helpful when it comes to pregnant workers. Mums returning to work can be amongst the best workers around because they have a very good reason to be there doing what hours they are able to manage.

If you have more than one child, how did your experiences differ between your first and subsequent children?

I wasn't with the supermarket when I had my first child. Only my second.

Gender

Female

Age

25-34 Years

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was unable to perform all my duties, and the managers were very good and understanding about it

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Customers are nicer if you have an excuse for being grumpy.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I feel that because I wasn't able to show my full potential for the duration of the pregnancy that I am not asked to do as many casual shifts as another employee.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Everyone was great in understanding my parental leave needs.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

A Rude Male Manager that expected me to lift prams and other infant furniture up high on a deck, they had to be done before he came in to start work, which was hard as all the staff first thing in the morning were female and another woman was pregnant, so it was hard to find 2 people to lift them up for me.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Some staff and Management were helpful and some weren't.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Not going back in the job that I previously had before going on maternity leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No I had an asshole of a boss.

If you have more than one child, how did your experiences differ between your first and subsequent children?

I only have 1 child.

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was disliked by my manager at the time, I complained about a sore back in my last 4 weeks of work and was still forced to serve on a full checkout even though my belly was so big I couldn't fit on a checkout beside someone. I was only restricted to express and self serve once I obtained a doctors certificate. I now have what I feel is permanent pain in my back because of this nasty act. Every pregnant person before me and after me was assisted but I was not.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

I personally help them, I will have them doing self serve or smoke shop where possible, or express, and offer to shorten shifts if needed.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I asked my line manager if I could return to work a couple months early as we were struggling a lot financially. She told me she couldn't afford me but would ask around, then said no one could afford me. A few weeks later I found out the grocery manager had been struggling for weeks and would have had me back if she knew I was looking. My manager never asked her.

They need to understand that having a family is part of peoples life, and to accept it and respect the girls, not treat them like crap because they are leaving.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Clerical and Administrative Worker

Employment Status

Full time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

None

What workplace measures would have helped you to respond to the challenges you faced?

None

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

None. I left a full time systems role to have my child. I had one year off and in that time we changed Store Managers. I was nervous coming back to work as I was coming back to systems in a job share role and the new Manager didn't know me from a bar of soap. The Manager took me back and as long as the job was manned we could work out between the two of us who worked when! I had a great experience.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

Only one child

Gender

Female

Age

35-49 Years

Industry

Retail

Employer

National Fashion Chain Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Not being able to do as much physically although I want to. Standing for long periods on the concrete floor was difficult. Whilst at work alone, not being able to take my allowed break.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No, not that I can think of.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member is a salaried grocery manager at a large national supermarket. She is a single mother who doesn't have family or a partner to support her. She came back to work last year and asked her Store Manager for a 30 hour part time position. He said he needed her in her salaried grocery manager position. Our member told him she's unable to do more than 40 hours a week, she can't work nights, and can only do 2 Saturdays a month and only to 12pm, as the person who looks after her 2 kids works in the afternoon.

The person who looks after her children is a friend and sometimes was unable to fulfil her obligation. On those occasions our member used sick or annual leave. Her store manager agreed to these terms and was flexible to accommodate her family needs. This store manager has been transferred and a new manager has arrived. He now wants her to work nights, 2 full weekends per month, and working more than 40 hours a week.

Our member contacted the SDA and was very distressed. Her employer is now considering demoting her to inventory manager and reducing her salary. The position is not a problem as it's perfect for her availability but reducing her wage is now a problem. She said she's now used to the money she's earning and has financial commitments equal to what she's earning now. She feels it is unfair for her to go backwards in money now. When she asked to go part time she was unable to. She said she was used to being broke back then but after a year she can't go backwards.

At this stage we are waiting for a response from her employer with either one of these two options:

- 1) Stay on salary, continue on same roster, no change to 40hours a week.
- 2) Be transferred as inventory manager on same salary she now receives with Monday to Friday roster.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

50 Years and over

Industry

Retail Trade

Employer

No response

Number of employees

Not provided

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was pregnant 24 years ago working on the receiving dock which was a lot of heavy lifting and towards the end of my pregnancy I was finding it difficult with all the lifting went to speak to my manager as there were other duties I could of been offered on the dock which did not involve the heavy lifting and was told if I could not handle it maybe it was time I left.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I did not have any problems as I decreased my work hours to fit in with my new baby.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

Only one child.

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Lifting heavy items, standing for long periods of time, bending, being tired, no action taken.

What workplace measures would have helped you to respond to the challenges you faced?

Shorter shifts, a chair to sit on and light duties. Employers need to take care of pregnant staff members better.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Take care of yourself

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

N/A

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Request parental leave 10 weeks before leave date.

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

A lot of sickness due to pregnancy made things difficult through the year but I achieved what I needed to in the time I was pregnant. Having a toddler who was sick a lot also affected my pregnancy, very tired, lots of overtime.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Work the hours required and let others take the burden off of you like heavy lifting etc.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Job role I left when going on maternity leave was no longer available, when I was told I would have my job back when I returned. HR manager did not know anything about my previous work history and was going to place me in a relief team moving store to store, not suitable to my childcare needs at all. I returned to a part time position with a min 20 hours and was given some weeks as low as 8 hours at a part time capacity.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

Still on maternity leave with my 2nd child so I haven't experienced a return yet.

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Liquor Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Not getting all of my hours back straight away, when I wanted them.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

I have two children but only took leave once.

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

My employer respected and supported my pregnancy, I always could rely on my manager for support and understanding.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Supportive management.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No issues.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Transport, Postal and Warehousing

Employer

Not provided

Number of employees

100-499

Ratio of Male and Female Employees

Not Provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I was still required to perform all heavy lifting up until the day I left (earlier than I would have liked but my body could not handle the work load).

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

My employer has been great. I have had (currently on) 3 lots of maternity leave.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Leaving my kids is the hardest thing I had to handle when I returned to work. My employer has been very, very good to me. I have been able to adjust the hours I work and they work in with me and I with them.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

They did not differ.

Gender

Male

Age

35-49 Years

Industry

Retail Trade

Employer

Independent Supermarket

Number of employees

100-499

Ratio of Male and Female Employees

Not provided

Occupation

Manager

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

N/A

What workplace measures would have helped you to respond to the challenges you faced?

N/A

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

N/A

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

On the day I returned to work after 4 weeks leave I was told I would be moving stores from the next day, I was also demoted and told I was doing a bad job in my role.

It was made very difficult for me when requesting 4 weeks leave at this time. I had to fight to get this amount of leave as my employer does not allow more than 2 weeks off at any time.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

Gender

Female

Age

25-34 Years

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Clerical and Administrative Worker

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I received mild bullying during my pregnancy from my store manager. I was Office Cashier at the time (administration) and in a highly stressful position and the store manager bullied me on a daily basis. I reported this at the time and it was swept under the rug. This particular store manager bullied all staff, however it was not prejudiced towards me and my pregnancy.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Not at the present time.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

After taking parental leave I wished to return part time in a less stressful position. I asked to be transferred to checkout. This was denied. I then asked to be transferred to another store as my base store was over 25km from home and I did not want to travel 50km a day, to work part time. This was also denied. However this was not communicated to me until the last week of my 54 weeks of maternity leave. Eventually I was given hours in nightfill. I reduced to 20 hours per week with no discussion, even though I had left a full time salaried position. After 3 months of travelling 50+km a day I enquired at my nearest branch about transferring and was actually told that no one had ever enquired in the first place about my transfer request. Within 4 weeks I was transferred, initiated by me. To say the least I was not treated well upon my return from maternity leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Not at this time

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

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Gender

Female

Age

25-34 Years

Industry

Retail

Employer

National Fashion Retail Chain

Number of employees

500-3000

Ratio of Male and Female Employees

Majority Female

Occupation

Manager

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was told from my area manager that I should step down from being a manager (I was only 12 weeks pregnant). I was removed from my store and put in a smaller store. They were trying to move me for 12 weeks. I ended up going to a smaller store when I was 31 weeks. This was not a choice. I was also told if I don't go to the smaller store I would be performance managed out.

I made it clear that I was to return back to my original store when I came back from maternity leave. I had the SDA involved.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

N/A

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I haven't gone back yet but I have a letter signed by my area Manager and state manager at the time. The letter states that I will return to my original store as the store manager and also my pay rate should not change unless it's better.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

I've been given a year and I'm happy with that. So far so good.

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Hardware Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Dealing with morning sickness and getting time off for appointments. Had to use all of my sick leave or leave without pay, not annual leave.

What workplace measures would have helped you to respond to the challenges you faced?

A better understanding of policies and more support and general understanding of pregnancy and what's involved and the limitations of duties that can be performed would assist in making work a nice place to go instead of feeling left out and alone.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

Gender

Female

Age

25-34 Years

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

When I was pregnant I had to do early morning starts and heavy lifting. Some days in bakehouse I worked just by myself.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Self motivation

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Main challenge is expressing milk. I am still breast feeding. I tried couple of weeks during my lunch break but it is hard eating and expressing breast milk. Also, I didn't have a proper place to do it. I used one of the old offices but when I asked my store manager he said I can use it for temporary so I gave up. And also it was really hard for me to get my roster the way I wanted.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Mainly morning sickness and tiredness I suffered from the most. The action I took was early communication with the store manager and further on I cut my hours back.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Having a very understanding manager and store manager that I could approach at any time

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Staff and management could have been a little more supportive when I was pregnant but overall could have been a lot worse without having doctor certificates, which I made sure I always had.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I have had to cut my contract hours to only 10 hours a week after returning back with no option to increase my contract in the future. I have been disappointed with that decision as I may want to increase my hours when children go back to school next year. I would have liked to have had another year off with kids at home but I was not offered this. I had to return to work after 2 years.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Not being able to stand for long periods of time. Trouble bending over. Some trouble reaching the register screen with belly in the way. Not being able to sit to do my job.

They did try to accommodate my needs by trying to find other work for me to do after my doctor filled out the paper work they needed. But in the end I went on leave a little earlier than I had really planned to because they said that there really wasn't anything else that I could do

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I haven't gone back to work yet. I still have 10-11 months of leave left that I have taken.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

They were very positive about it. I organised it fairly early, not long after I found out I was pregnant and said if any changes needed to be made I could make them.

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I am a single Mum & was right from the start. So I managed working full-time & being pregnant & taking care of myself alone. It got very tiring at the 11week mark & I needed to take some time off to rest. So my beautiful bosses approved one week of annual leave on the spot. They wanted me to take care of me & my unborn baby. I cannot praise them & all of my colleagues highly enough for supporting me throughout my pregnancy.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us? No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I haven't returned to work yet. My son is almost 13months old & I'm not returning till just after his second birthday. I am taking the full two years maternity leave allowed to me.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

Gender

Female

Age

25-34 Years

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Toilet break was very hard to get.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Nothing was good

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

It was very hard to get hours after leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

18-24 Years

Industry

Retail Trade

Employer

Furniture Store

Number of employees

100-499

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

As my employer is a sales and a commission paid work place, all sales people are allocated weekly \$ budgets to meet. Prior to pregnancy (I had been back from previous maternity leave 2 months before falling pregnant with baby #2) I was making budget, then started feeling tired and sore and wasn't meeting budget.

I was pulled into the office by a new sales manager and told there would be no exceptions being pregnant, and I still needed to perform like the others or there would be consequences. I also got told I looked mopey and needed to smile more. Just yesterday I was given a formal written warning for not making budget still. Which I think was absolutely disgraceful. I feel ashamed and singled out. I also got told my attitude on the floor needed to improve (by a man who has known me 2 months) and I need to start working on my presentation as I look like 'I've just gotten out of bed' most mornings. I believe he is being unsympathetic and just downright unfair, as I've never had a complaint on any of these things in my 4 years of employment. I requested a union rep from my workplace sit in as a witness for the written warning. During my written warning meeting I was told If I was unfit for the job I would have to be relocated to a suitable position, which he said as a 'positive' to try and help me, but I feel as though I'm being forced out of my comfort zone. He also said if I have off days to let him know, so he understands why I haven't 'made an effort' with my presentation.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

With my first pregnancy I wasn't honoured the return to work guarantee with the day I chose to work. Upon to speaking to a union rep this was rectified, and I was allowed to return on my chosen day.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Upon to speaking to a union rep this was rectified, and I was allowed to return on my chosen day.

If you have more than one child, how did your experiences differ between your first and subsequent children?

Different managers at the time means my pregnancy slowing down was handled differently.

Gender

Female

Age

25-34 Years

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I just found that I couldn't lift bags the whole shift. So was given different tasks so I was not lifting the whole shift. This helped a lot.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Self serve was the best thing as I could move around a lot and was not lifting bags all day. Also express was great also.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Not gone back yet

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

Not provided

Number of employees

100-499

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was encouraged to take my annual leave for pregnancy appointments instead of sick leave, but did not know any better at the time that I could use sick leave for them.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Plenty of supportive staff when needing help.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I have not returned to work as yet.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Manager

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Chair not provided for in between customers. Being on my feet all day was hard. Especially being painful pregnancy.

What workplace measures would have helped you to respond to the challenges you faced?

Providing a chair between customers.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Flexibility with my appointments

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Coming back to work after first pregnancy was terrible as I lost my baby after birth and work started me back during massive baby sale. I found that very inconsiderate.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Spending time with baby. Being paid while off was a big help

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Industry

Retail

Number of employees

More than 3000

Occupation

Manager

Length of Service

2 years or more

Age

25-34 Years

Employer

National Supermarket

Ratio of Male and Female Employees

Roughly even split

Employment Status

Full Time

What kind of challenges did you face in the workplace during pregnancy?

There was very little flexibility with the tasks I was required to do. I was made to feel in the way and left work 4 weeks earlier than I had planned to because there was not a suitable and safe job for me to do.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Other staff members were very helpful in covering for shifts I couldn't do or helping with tasks that were more difficult to complete alone.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Also in returning to work part time, the store I worked for didn't have a place for me and the store I transferred to couldn't give me enough hours. Only now 3 months later am I getting the hours I need, despite being over qualified for the position. Also when my husband told his store manager (same company) it was not kept in confidence and also spread information about my complications to other managers without our consent.

I did not have a contact person when I returned to work as I transferred to another store. I had to be relaying information between two stores and the HR specialist. I placed my transfer request 2 months before I left work in email form and was told it was not going to be accepted until 6 weeks before I returned to work. I completed an online transfer request at this time and everyone involved thought it was too late! I ended up with a temporary contract for two weeks and job uncertainty, which was very stressful. I was given 15 hour contract after asking for 20 hours minimum after working 40 hours a week for 5 years.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

I loved having time off with my baby, but will definitely be better prepared for the obstacles next time.

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

Gender

Female

Age

25-34 Years

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I didn't really have any challenges as I didn't get too large or have any problems with my pregnancy. I worked till I was 37 weeks. I stayed a week longer than I was going to as we have no one to take my position as I feel they left it too long to train someone.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Only do what you feel comforted doing. Don't be afraid to ask for help. Our butcher was really helpful, he would do all the heavy lifting for me. At 35 and a half weeks I went down to 5 hours a day instead of 8 hours and only worked the morning.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I am yet to return but I will have to be updated with any safety, food handle, dating changes that may have been updated

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Accommodation and Food Services

Employer

National Fast Food Outlet

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was expected to carry on with normal duties sometimes managing one area on my own or lifting boxes of drinks with no help. I experienced some sickness and was expected to find someone and tell them I was about to throw up before I went to throw up.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I had to coordinate with the head office myself about maternity leave payments none of it was done at store level as there apps toy would be too much confusion as to what was happening even though I was on leave already. It took some time to get a hold of someone to get things moving on getting my payments processed. Any information requested by the government for my other payments took two or three requests before they got what they asked for, I ended up having to tell them that I was having trouble supporting my child because they weren't responding to above requests

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Had a hard pregnancy so keeping up with day to day tasks were hard.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Made to feel bad when I can't come into work due to my son being very sick

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 years

Industry

Retail Trade

Employer

National Electrical Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I had no challenges

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

I had a great team that looked out for me

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Employer was great found me plenty of hours

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

My employer was just so helpful and amazing

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Male

Age

25-34

Industry

Transport, Postal and Warehousing

Employer

National Retail Distribution Centre

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Not getting paid properly by payroll

- Payroll not having the correct information about Dad and Partner pay. I have to waste time by getting information from Centrelink to prove that my employer has the incorrect information about Dad and Partner Pay.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Not getting paid properly due to payroll having incorrect information about Dad and Partner Pay. My employer won't help you; you have to do all the running around to prove they have the wrong information.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

18-24

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

It took weeks for my employer to take my doctors letter seriously. I needed to resort to the union to change my hours to finishing earlier and my heavy lifting job never got changed which could have added to my miscarriage. I wonder if I was older than 23 my pregnancy may have been taken more seriously.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No good experience

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I never returned to work, I had a miscarriage, had a week off sick leave then quit two weeks later.

What workplace measures would have helped you to respond to the challenges you faced?

No

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

First pregnancy, miscarried.

Gender

Female

Age

25-34

Industry

Fast Food

Employer

National Fast Food Outlet

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Space in freezer.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Constant caring of staff

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

18-24

Industry

Retail Trade

Employer

National Fashion Retail Chain

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Manager

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I faced challenges in relation to harassment, my roster and being mistreated in relation to work load. No action was taken as I did not feel protected as I was not apart the union. I did try meetings to voice my concerns but was continually shut down and threatened.

What workplace measures would have helped you to respond to the challenges you faced?

None

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I tried to do the right thing and gave almost two months notice of my return to work although two weeks was all I needed to give. I gave the extra notice in the hopes to organize my son for daycare and **prepare** myself. Unfortunately I got no reply and when I contacted my boss and HR they were aggressive and unhelpful and told me they had other more important matters to address.

The day before I started work I was contacted and told I would be starting at 9 the next morning in a store that was over an hour drive. I was then told I would be given my roster for the week the day I started back I explained that I had agreed on an 8-4 roster with my boss Tuesday till Saturday. They said in a matter of words that it was just for my first week to be re-trained and I needed to deal with it. I then had my mother take a week off to care for my son as I had organized day care 6:30- 5:30 Tuesday to Friday but couldn't follow through as my roster had me finishing at 6 every night or 8 and I had no one to pick my son up before then. I had to pay that entire week of care without him being there as the daycare required two weeks notice of any changes. When I tried to explain this I was told too bad.

Parents that return to work should be given fairer work conditions in relation to what location they work in and the times they work without being questioned or being asked to work back late and being made to feel guilty because we are unable to, as our children will then suffer. I went back to work full time to give my son the best life I can but also because it was

important to me to have a career and to work hard at it. It would be nice to be treated with respect and to be taken seriously and not pushed aside I feel like I have already missed out on opportunities because I have a child and feel unvalued and am not taken seriously. Also parents should not be made to feel bad if their children are sick and they need to take time away from work!

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

18-24

Industry

Warehousing

Employer

National Hardware Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

My work place was rude, not confidential and made my life hard. I couldn't work long hours standing up all day so I asked to have smaller days. I was told to drop to a small contract. I was not allowed to have **more** days with less hours. My doctor wrote me a certificate saying I wasn't allowed to do long 8/9 hour days unless they were to give me a desk job. They didn't like this at all.

I then was challenged about why I wasn't doing gas bottle exchanges. I said because its too heavy for me I was then told not to be lazy. I then had to get a certificate from my doctor explaining I can not lift more then 4kg while at the end of my pregnancy as it was too much for my hips and back. I **was** made to feel like I shouldn't be there and like I was useless. I would cry my way home from work wishing we could afford for me to not have an income but I knew I still had to go back so I could provide the best start for our first born.

I ended up going on maternity leave 7 weeks early because I could no longer handle having the feeling they gave me at work. I took 3 weeks unpaid, the rest maternity leave. I was lucky I had some annual leave to help out too. I was then signing my papers being told I can come back any time so it didn't really matter what I write on the paperwork it was just an estimate. They lied they done everything they could to stop me from returning before the time I signed.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Nothing besides my help from the union

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I was originally told the amount of months I want to take for leave, when filling out paper work, was an estimate as I wanted to take a year but I explains we only have my husbands income which was a bit more but not a lot more then mine and if we couldn't survive could I come back earlier. I was told by my manager yes you can! I believed him so I signed a year. Now I put in writing to my manager that I wanted to come back and obviously only a couple of days a week and certain days as I had my mother in law who didn't work Mondays and would sit with my daughter. It took them till the day before I had asked to start back, so over a month after I wrote my letter, I was told nope you can't till your original signed date. The

union then helped me out by pressuring them but it still took me 2 months after that to get back with days I wanted as they wanted me to be available any day of the week. I simply couldn't do that with a baby. I have no family except my husband's mother to help and she worked too. There was no way I could afford day care every day nor did I want her in day care more than 1 day a week. They also wanted me to work every second weekend. There is no way I can do that when my husband works on call as a qualified sparky. The union finally got my way across with me being able to do 15hrs a week and me available on Mondays, Wednesday and 1 weekend a month.

It was hard and terrible especially when I was lied to when doing my papers. My workplaces argument was they didn't make enough sales to take me back early, crap they just didn't want me to have certain days because others might not like it! That's a fact because I overheard them talking about me in the so called confidential office! Even still today I never got my original job back. I was doing half desk job, half registers, since I have been back I'm only doing registers. I miss my old special orders job, but know I'll never get it back because they simply don't like that I decided to have a family and cause them some inconvenience! I never had 1 phone call from my work place from when I left to when I returned asking how I was going!

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

None

If you have more than one child, how did your experiences differ between your first and subsequent children?

First child

Gender

Female

Age

35-49 Years

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

General Staff

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

It became hard lifting heavy items and also bending to do the work on the bottom shelves.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

All Management and Staff were amazing in my store. Never made me do anything I was not comfortable with and often told me not to do things that I was willing to do.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

N/A

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Only a lot of support

If you have more than one child, how did your experiences differ between your first and subsequent children?

All the same

Gender

Female

Age

35-49

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Before I fell pregnant I was in charge of filling dairy. I chose to do another department while I was pregnant but when I returned after having my baby my job was not re-offered to me. I did nothing as I was unsure of my rights and scared if I spoke up.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

My last pregnancy my work was kind. I did express checkouts and supervision work. This was easy on my body.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

35-49

Industry

Retail Trade

Employer

National Fashion Retail Chain

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Manager

Employment Status

Part time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No changes in the workplace. I would have liked to be offered lighter duties but unfortunately because of being understaffed I could never change my work load. This could have been helped if work offered more hours. I was employed with my employer in Darwin at the time and felt being in a remote area management didn't worry about my workload.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

None. I was employed in Darwin at the time and felt being in a remote area management didn't worry about my workload.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I felt that staff were very resentful if I had to take breaks to breast feed my sons. I would do the right thing and wait sometimes hours just to breastfeed on my breaks but staff would always make me very uncomfortable. If I spoke with my Area Manager she brushed of my comments as being paranoid. I felt that this was not good enough. Other staff members were not understanding at all.

Mothers should be supported by management if they choose to return to work and continue breastfeeding. Companies should educate staff to be understanding if a mother needs to breastfeed not be judgmental.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

With my employer I was happy that they allowed me to stay on as a Part Time Manager for 4 and a half years doing between 20-28 hours

If you have more than one child, how did your experiences differ between your first and subsequent children?

My employer allowed me to stay on as a casual employee during first child. Second Child I took a year off and returned as a Part-time manager. I still felt that the Retail Fashion Industry are not very understanding when a mother chooses to breast feed.

Gender

Female

Age

25-34

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

This was my 2nd pregnancy, my first child was born in UK at that time also I used to work in the retail industry. The facilities and care I received there and here was vast difference. With this pregnancy I had suffered from anemia and it was a really difficult pregnancy. There were many challenges I faced during my 9 month period at work, which I am listing.

1. Beside I provided the doctor's certificate to my manger stating that I am not allowed for prolong standing (4-5 hours constant). I was not given consideration. The store managers reply was I had to give a priority to the customer.
2. Apart from that, shift runner in duty didn't use to allow me to have toilet break (at the end of pregnancy) as it's obvious that you do need to go to the toilet more often.

I did talk with the store manager regarding all these issues but she was not ready to listen to me and favoring me was a very long shot so I took a help of union rep. Even after having a meeting with a SDA union rep and store manager, supervisor at the checkout was after me with the same issues that I should be serving the customer constantly and didn't allow me to have a break in 4 hour shift and toilet breaks.

I felt harassed and mentally tortured. This disturbed me immensely and might have contributed in deteriorating my health during pregnancy. I always remained in stress which altered my behavior towards my loved ones. Even after SDA approached the store manager I was given the same treatment as before and this had reached to a boiling point and I was willing to complain but my husband stopped me doing so. This is because engaging in this process will further stress me out as I was at the very end of pregnancy. Instead of complaining I took the maternity leave much earlier than I thought I would begin. As a consequence I was made ineligible for my employer's maternity pay which I missed just by a month. If this trouble didn't have **and** if the store cooperated with me I would have worked for another month and benefited from the maternity pay.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Unfortunately I have to say none. There was not a single practice I could share. When I compare to the facilities I got back in TESCO in UK. Out of 10 (10 being the best) the score I give here is "ZERO" I felt this is an oppression and discrimination and I hope nobody in future should face this in the pregnancy.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I haven't returned back yet. I hope I don't have to face any trouble managing my rosters.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

Please see my answer above.

Gender

Female

Age

35-49

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I am only a couple of months pregnant therefore the only challenges I have faced so far involve my ability to perform the majority of physical tasks involved in being a deli manager. My employer has not provided extra support to complete these tasks so my teams are required to complete these tasks in addition to their normal duties.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

So far my employer has been quite sympathetic towards my morning sickness.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Have not taken parental leave yet and I am a little nervous about how this will play out.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No children yet, this is my first one.

Gender

Female

Age

25-34

Industry

Retail Trade

Employer

Independent Supermarket

Number of employees

100-499

Ratio of Male and Female Employees

Roughly even split

Occupation

Clerical and Administrative Worker

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was mistreated by staff, including the store manager because of the pregnancy. A meeting was held with the store manager and area manager but I was told because of "my condition" I was hormonal and I wasn't thinking straight. Now being on maternity leave it is hard to return to work that is suitable for myself and family - No hours available.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

I had a miscarriage and was allowed time to grieve

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No hours or wages for stores close to home available leaving me to extend unpaid maternity leave. My position before going on maternity leave has been filled full-time permanently, leaving me with no options but to wait for an availability to come up in a store.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of service

Less than 12 months

What kind of challenges did you face in the workplace during pregnancy?

Not given parental leave after birth. I was only given 5 weeks unpaid leave. I did not even get the baby bundle as I hear from other parents.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was struggling with my duties as a replenishment manager. The store manager was not receptive to my needs so I called the union who helped me to negotiate a solution. However, this meant that I took a career break whilst being pregnant. As I have only just commenced my leave it remains to be seen whether or not I can return to a management position once my leave has ended. Knowing how my employer conducts itself as a business I am sure I will require the union to negotiate my return.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us? No

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

As I have only just commenced my leave I have not faced any challenges but I'm sure when I return I will require the help and support of the union.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34

Industry

Retail Trade

Employer

National Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Just taking extra care with daily task I have to do.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Managers and staff are really helpful and great with it

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

50 and over

Industry

Retail Trade

Employer

Pharmacy

Number of employees

100-499

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

This is about a colleague who is Female, aged 29 years.

I was told by my colleague who recently started with the company that as her due date for her pregnancy would fall before her probation period was up that she would have to resign.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

In my personal situation: A good communication relationship with the HR people, and having options clear and well explained

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I personally did not have challenges, at the time for myself, I worked in a government job and was well looked after

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

I took a career break between children

Gender

Female

Age

35-49

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I had experienced a lack concern with my pregnancy and some discrimination from other work mates as I couldn't do all the normal duties. Although the majority of workmates were very caring and supportive, I did find some, including managers, a little hard to deal with at times. And I honestly got sick of the constant name calling like "fatty" etc. Not a nice nick name when you're pregnant. Also, I was supposed to be on light duties but was still made to rush and fill a heavy load. Really wasn't too impressed with my treatment. And when it came time to organise my entitlements the office staff seemed stumped with what needed to be done? All round really not looking forward to how I will be treated once I have to go back after maternity leave?

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I have still yet to return from leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

None during pregnancy

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

They did help in changing my duties to suit my needs during pregnancy

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I wasn't given my job role back on return to work and wasn't given the hours or pay that I was receiving before commencing leave. I think if my job role had changed whilst being on leave, I shouldn't have been penalised, because if I hadn't had been on leave my hours or pay would not have changed. As a result I moved interstate to get the fair pay and hours that I deserved.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

It was nice to knowing that I could take up to 2 years off without losing my job to spend with my child during those vital early years.

If you have more than one child, how did your experiences differ between your first and subsequent children?

I have 2 children, first time round I had no dramas and it all went smoothly, however second time round I didn't get my original position or pay on return to work.

Gender

Female

Age

25-34

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

None

What workplace measures would have helped you to respond to the challenges you faced?

Nil

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Nil

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Nil

What workplace measures would have helped you to respond to the challenges you faced?

Nil

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

It was great. Had no trouble when I went on leave the 2 times after having my first baby

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

During my pregnancies (3 of them) I was well looked after in regards to ensuring that I was not endangered or the baby even when during my last pregnancy (I have just gone on Maternity leave recently) I also had a workplace injury.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

As said above I was injured at work last year and then found out I was pregnant but still well looked after.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

When I got pregnant with my first child in 2009 I held the position of Point of Sale Coordinator with a decent wage. I took 12 months off Maternity Leave. After 8 months I thought of returning but to be told that if I did I would not get my position back so I held off until the 12 months was up - only to be told that I still could not have my position back and then be moved to a new store and receive a pay cut.

I was forced to take the move to another store and lost about \$150 a week in wages.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

NO!!!

If you have more than one child, how did your experiences differ between your first and subsequent children?

The first I have outlined in a previous question, my second I had a fairly bad experience as well but decided to approach the Area Manager and he sorted it out for me.

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Only challenge I had was climbing up 16 stairs to the toilet and tea room at the store I was working at, at that time.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

When I returned to work it was pretty easy really. They worked with me really well to accommodate my needs being a single parent.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Hardware Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Discrimination by one individual, he had me in tears everyday. He had me working 40+ hours (Bank of hours system). When the manager was confronted, he denied it all although I'd kept a diary. They made it impossible for me to return after being on maternity leave, not accommodating to my circumstances. I went into premature labour 6.5 weeks early because of the stress they caused me. I contacted a lawyer who said I had 3 cases against them, but I didn't have the money to outlay for the legal proceedings.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Only that they took me off the shop floor and onto a register, that was a long way from the ladies toilets (not good when you're 30 weeks pregnant)

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I resigned from my employer, as they were not accommodating, and my doctor told me not to return as I was highly stressed and depressed about the thought of returning there.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

General Staff

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Didn't face any challenges

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

None, as they were willing to work with me and my availability etc

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

With my first child, I had to leave my employment (different company)

With my second child I was able to take 2 years unpaid leave with my position held for me

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Work were really good about me being pregnant and they made it as easy for me as possible by putting me on light duties.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Light duties when required.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

My employer was really good with my pregnancy this time and getting the paid parental leave made it easy for me financially. When I was pregnant with my first baby and was working for a different company it was very hard and I struggled. I was also not entitled to maternity leave which made it hard financially. Getting the paid parental leave has made it easy for me to have time off work and then be able to return to work much easier.

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

2 years of more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Job role moves to lessen the load.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

As a salary member of the company, I did not receive a pay rise, whilst on leave or on return to work, yet had to wait until salary reviews 11months later. If I was an EBA employee however I would not have been financially disadvantaged as I would have returned on the current wage rate not what I left on which was the case due to salary. I can only assume this is the same throughout the company for all salary women, which is discrimination.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Clerical and Administrative Worker

Employment Status

Full time

Length of service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Being the only person that knew my job as another team member left while I was pregnant, therefore having to train 3 people at once in 2 different roles while pregnant.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

My workplace was wonderful when I was pregnant.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I only wanted to return part time and only working weekends.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

My workplace was extremely accommodating and allowed me to do "odd jobs" for 3 months until my actual pre pregnancy position became available on the weekends. Overall my workplace was fantastic with everything and made it clear they would (and did) welcome me back in whatever capacity I felt I could manage after 18 months off.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Accommodation and Food Services

Employer

National Fast Food Outlet

Number of employees

More than 3000

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I did find it a bit of a struggle initially when I began experiencing morning sickness, since it was my preferred and usual shift to work opens starting at 6am. Since I didn't want to work a different shift I stuck with it but it took me some time to work out a way of avoiding troubles with that particular issue.

Additionally, I'm quite tall and a little overweight so I was a bit dismayed to find that my back would ache more when doing dishes. I was just a couple of inches too tall for it to be comfortable. My back was often sore at the end of a shift but not in a big way, just in a 'I'm glad I can relax now ' kind of way!

There wasn't much I could do about either of these issues since they were specific to my physique and preferences. That being said, I wouldn't have changed the way things happened. I never had anything happen that could have been prevented or managed better by my work, which I understand I am quite fortunate to be able to say.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

If you're pregnant and having a lot of trouble with morning sickness, it may be helpful to not have anything to eat or drink until you've been at work for an hour or so. I found that when I started work at 6am, I couldn't really safely eat or drink (without it possibly coming back up) until about 7:30-8am. After then I'd be fine. Until I learned it though I had a couple of moments at work! Also, if you're on your feet and fairly busy normally, you may like to do earlier shifts so that you can deal with any issues that come up during a time that's normally quiet and low -pressure.

Also, it's really good if you are completely unable to get on top of when you feel like you might be sick, to make sure you're never far from the toilets!! That's saved me a couple of times.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I originally wanted to take the full year off that I was entitled to, but it wasn't really financially practical so I returned to work after 9 months on a part time basis. Though I wasn't sure if that would present any difficulties, it was surprisingly easy. I was lucky enough to have a very understanding employer who was able to put me back on the regular roster within a couple of weeks. It was a bit daunting at first because it had been so long since I'd been there, there were new faces and new procedures and new register layouts, but I was surprised at how quickly I settled in again. Again, there weren't really any problems to speak of.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

If you're pregnant and wanting to request parental leave, make sure you advise your boss (store manager in the case of fast food venues) of your circumstances as soon as you can (12 weeks pregnant seems reasonable). This is something they need to know as they'll need someone to replace you and take over your shifts while you're on leave. They will appreciate it believe me! Also make sure to put in your application for parental leave not less than 8 weeks before the time you wish to take it, as this makes it a great deal easier for them to work out rostering issues and make your departure go more smoothly.

If you have more than one child, how did your experiences differ between your first and subsequent children?

Well I am currently pregnant with my second child, and I must say my experience has been much like the first - my boss and my colleagues have all been supportive and things have been pretty easy from the get go. I'm looking forward to the day I take leave because I know, more or less, that there won't be any problems!

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Most people at work were generally pretty good about me being pregnant but I did have an occasion where my store manager called me unreliable for a position on the basis I had morning sickness for the first few months. I have been with company since 2007 and put heart and soul into work but was sick for a little while and this was ages after I was sick in first place. To say that was just unfair and unprofessional.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

They did let me sit down when I needed to for a few minutes but I do think pregnant ladies on checkouts should be able to have a stool to sit on between customers at their registers. Even all the customers said that is very poor of my employer not to.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

When grocery shut up shop in the day's I was pushed onto service until I wasn't pregnant anymore and said first position available in another department I will enable to move of service and now that I'm back from maternity leave they tell me no positions available all the time but every couple of weeks they have a new person hired in the department I would like to work in but as they say no positions available. I call bull crap on that

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Not really.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

18-24 Years

Industry

Accommodation and Food Services

Employer

National Fast Food Outlet

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No challenges, had to avoid lifting heavy items.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No set working hours, employer not understanding how childcare works so having to pay childcare when not needed, or work past when I normally in bed, and/or work late then start early, while getting up during the night to feed the baby. If child has to be picked up early or if sick I am unable to leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Through my pregnancy I experienced some complications and due to these I was limited with what I could do. I obtained a letter from my practitioner explaining this and yet I still found on numerous occasions I had to explain myself. My suggestion would be in the future if acceptable medical documents are produced for pregnancy complications then they should not be continuously, if at all, questioned.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I was a salaried night fill manager & I was told at the beginning of my pregnancy by my store manager that if I could not perform my duties to the same standards, he would take away my salary & put me back on wages (EBA). So I worked 50+ hours every week up until I was 37 weeks pregnant.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

When I returned to work I was forced into doing an 8 week relief for the long life manager, even though I wasn't given adequate training & no help even after I went to HR asking for help.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Male

Age

35-49 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Unsure of the entitlements for partner when baby is born. Union helps to work out best entitlement option.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

N/A

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I have been singled out in doing certain jobs around work. I've been told that I just need to work behind the till and that's all. I told them that I can do things, I'm not disabled but that hasn't got me anywhere.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us? No.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

When I tried to return to my employer I told them that I only wanted 15 hours for the first year and their response was we only have 10 hours all day on a Saturday, take it or leave it. I just transferred instead of doing anything else as I didn't feel comfortable going back.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Accommodation and Food Services

Employer

National Fast Food Outlet

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part time

Length of service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I was very sick during my pregnancy and ended up in hospital. I had to take leave when I was 15 weeks. My store manager and his wife just kept telling me to get over it and come back to work. Once I was in hospital though they were a little more understanding.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Since my Store managers' wife got pregnant and had to work whilst pregnant they have become slightly more understanding. One of our shift managers is pregnant and they have dealt with her better.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I got my job back quite easy but when my daughter was ill and I called in the day before my shift to take carers leave for one day I got told that I have to sort out my priorities and that when I came back to work it was understood that my daughter would not be a problem. I had to limit my availabilities because me and my husband work so I have to be home sometimes to look after my daughter. I got told that it was not fair on the other employees that I am only available a small amount of days and times and that I should work whenever they need me. Nearly all the other employee's either have school aged children or are just leaving school and now are in between courses. Lots of them are only available when I am not.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

When my store manager went on long service leave due to his wife giving birth we had a temporary manager and she was a lot more understanding if I had to take a day due to my daughter being sick.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

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Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Heavy lifting and long hours on your feet has been a challenge. I have changed isles that I work in and reduced shift length.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Haven't left yet

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Electrical Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Less than 12 months

What kind of challenges did you face in the workplace during pregnancy?

To deal with long hours on my feet I have to do stretches several times at work, and take a break on time.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

To have a bottle of water and a snack close to you always. To stretch constantly.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I'm out of work still.

What workplace measures would have helped you to respond to the challenges you faced?

I couldn't get a paid parental leave because I didn't have one year of contract.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Hardware Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I am currently 31 weeks pregnant and finished work a week ago. My pregnancy has been classified as "high risk" from the beginning as my last pregnancy resulted in my son being born extremely premature (4 months) and I am at high risk for this happening again. After telling my workplace I was pregnant I was told to "take it easy" but was offered no alternative to my usual tasks (8 hours standing on a concrete floor, lots of lifting and bending).

I then had to have surgery to have a cervical stitch placed to try and prevent another preterm baby. After several days of rest I felt well enough to return to work but didn't think I would be able to stand for an 8 hour shift and requested to be able to sit when I needed. I was told I could only return to work when I could perform my job properly and was forced to take my remaining sick leave. My doctor wrote a letter stating I was fit for work but would benefit from not standing for any length of time. On checking my employer's parental policies I didn't think this would be an issue as it was stated you could be transferred to a "safe job" and there are plenty of positions at my workplace where I could have the option to sit when I needed. When I showed my managers the letter from my doctor they said there were "no chairs" and it seems like my doctor is trying to wrap me up in cotton wool. I spent the rest of the time trying to take it as easy as possible as lifting/bending/squatting place a huge amount of pressure on the stitch I had in place and I was concerned for my baby. I was forced to use most my annual leave during this time as some days I physically could not do my job. I feel like I had to go on maternity leave early as my workplace was not accommodating at all.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

When I returned from maternity leave after my first child (6 years ago) there was a new boss in place that I had not met. On letting the company know I wanted to return back to work a few days a week she said I had to come back full time or not at all as that was my position before I left. I told her before I left I was only doing 3 days a week, so reluctantly it seems, I was allowed back. I was then given unpredictable shifts that changed all the time (different

days/starting times) that made it extremely difficult with a small child in day care. I then had to write a letter to my boss saying that I had worked hard for the company for a few years and really wanted to continue working there but I was finding it difficult with a child in day care as you had to book in for set days. After this I was given set days I would work which was a lot better.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

My employer is quite a family friendly workplace (flexible with medical appointments/needling to pick up children etc.) but both my experiences with maternity leave/pregnancy have been horrible. Although they have their family friendly policies in place (such as returning to work on less hours and being transferred to a safe job during pregnancy) I find in reality they are completely ignored.

Gender

Female

Age

25-34 Years

Industry

Transport, Postal and Warehousing

Employer

Distribution Company

Number of employees

100-499

Ratio of Male and Female Employees

Not provided

Occupation

Clerical and Administrative Worker

Employment Status

Part time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

My first pregnancy I was bullied from other staff members who did not approve of my pregnancy, management did nothing when this was reported. This resulted in a lot of unnecessary stress during the pregnancy.

My second pregnancy we had new management and I was made feel that any time of due to doctor appointments or towards the end of my pregnancy time off due to high blood pressure I was made to feel as though I should not be taking any time off. The manager made me feel very uncomfortable. I expected to not have a job when I returned.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

My first pregnancy I was welcomed back to work by most, the manager made me feel as though I was wanted and needed back. I was given the hours that I requested to work in with my family duties. On return from my 2nd pregnancy with new management I was expecting to be made redundant but I wasn't. I didn't get the hours I needed to work in with my family duties so we are struggling a little bit at home. Management does not make me feel welcome.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

There was a big difference due to there being new management between my 2 pregnancies. I was sure I would lose my job 2nd time because there was another girl on maternity leave and when she tried to come back they made her redundant. I did not feel welcomed back the 2nd time. Not like the first time the manager actually asked me to return.

Gender

Female

Age

25-34 Years

Industry

Professional, Scientific and Technical Services

Employer

Pharmaceutical Company

Number of employees

100-499

Ratio of Male and Female Employees

Not provided

Occupation

Clerical and Administrative Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Sickness- I was allowed to leave if unwell and use sick leave, sickness only lasted for 4 months on and off with nausea and migraines.

Appointments- I was allowed to leave early and use annual leave.

Sitting and standing- the company purchased a chair with a back support and arm rests.

Staying at work past the date of 1 month before due date- was overdue with first pregnancy and bored at home for a month so my obstetrician provided me with a doctors note saying I would be still be fit for work for an extra two weeks. My employer agreed for two extra weeks of work.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Let your employer know all the appointment dates in advance so your leave can be organised and shift can be covered by other staff members. Know your limits and practice good OHS methods by not lifting heavy objects such as boxed reams of paper or doing light duties. Make sure you check how much sick leave you have with your payroll department and also your entitlements for company paid maternity leave as it changes if you are full time or part time.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Childcare too expensive- luckily my mother in law volunteered to do two 5 hour crossovers between my husband and my shift. If our company had its own childcare centre it would be helpful but not enough staff to warrant.

Not getting super payments while on unpaid maternity leave, sets women back from men in percentage of females taking the bulk of unpaid maternity leave and then only being able to pick up part time employment as trade off for caring for your children before they go to school full time. The government should not pay baby bonus but top up super payments instead until full time work resumes. I have returned to work after maternity leave of 6 months both times at part time, and my employer supported my request for less than full time work.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

My employer has respectful policies in place for employees requiring maternity leave. With the main carer able to take up to a year maternity although only a small portion paid by the Company and partners able to get two weeks paid paternity.

If you have more than one child, how did your experiences differ between your first and subsequent children?

Was ill for 4 months on and off with first and not sick at all with second so took less sick leave. I stayed at work an extra two weeks closer to due date with my second pregnancy.

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Hardware Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I had extreme sickness in the first few weeks of finding out I was pregnant so I used all of my sick leave plus any annual leave I had and even leave without pay because I was so sick and couldn't get out of bed. Maybe in the future there could be some kind of "pregnancy sick leave" and maybe this could include antenatal appointments where there is no other option but to book these appointments during work hours.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

I had a good experience with both of my pregnancies. They were really good with giving me time off when I was sick etc. They only let me work to my capacity they never tried to push me always checking if I was ok, I guess I had really good co-ordinators at the time though.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I had no problems coming back to work. I got the permanent position back with however many hours I wanted. The only thing that I would have liked happen was to be 'kept in the loop' while I was on leave. In the maternity paperwork I had to fill out there was a form to fill out if you wanted to be kept in the loop but I never received any news while I was away. Maybe a quick text or email about events that are happening in store would be nice, such as Christmas lunch, social club events etc.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

I never had any problems with requesting or taking parental leave, I left when I wanted and came back when I wanted. Now that I am thinking about the issue I think I was really lucky on the fact that I had the one co-ordinator dealing with my maternity leave both times, she is a mum herself she is understanding and kind, so maybe there could be one person in the store that could be the designated person who handles maternity leave, a caring and understanding person not a grumpy male or a young person who has no idea about being pregnant or having kids.

If you have more than one child, how did your experiences differ between your first and subsequent children?

Nothing differed really with both pregnancies but I did go through the same co-ordinator both times so she was really good and knew my situation well and helped me with anything I needed.

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

At the time that I was pregnant, I was in the deli and had a fabulous manageress, who knew I had taken 5 years to become pregnant. As soon as she found out I was expecting, she did not allow me in the deli department, but went straight to the store manager and had me moved to checkouts for safety reasons. My biggest challenge was trying not to cry at her kindness and thoughtfulness!

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

At the store I was at, we had a stool placed near-by and whenever we were feeling tired they would allow us to either sit and serve on the 12 items counter, or rip the magazine fronts off - a few years ago - while seated to help us to stay active but also have a mild relax. They also allowed us to wander the store while putting away some stock - in a trolley not basket - so that we could walk off any leg strain from standing still at registers. Being we had 3 pregnant girls all due with-in 6 weeks of each other they did a lovely job of keeping us all happy.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I was told that even though I was full-time when I left, I would have to come back as casual with minimal hours until they could find more regular hours for me if I chose to return at all.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

As soon as I went into labour with my second child, my husband was released from work immediately and someone else took over from him as they knew I was due, and they put him on INSTANT holidays to help me look after our then 2 sons.

If you have more than one child, how did your experiences differ between your first and subsequent children?

I have 2 sons and no real difference between the reaction that I had from staff.

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

My job is quite physical (lifting etc) so made it a bit difficult towards the end of my pregnancy to complete all tasks. But I knew my own limits so did not over do it.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Nothing I can think of.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I was lucky enough to return to the same job I was doing before my maternity leave. I told my manager the hours I could do and they happily worked around me and my family. I am very grateful for this.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Main challenge was heavy lifting bending and reaching. I was working alone so I was required to do regular tasks.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

My manager was understanding, as much as she could be.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No real challenges. I returned early twice and was either given my previous hours or hours which suited me.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

I can print off leave request forms as required. I'm able to stay informed during leave via web site.

If you have more than one child, how did your experiences differ between your first and subsequent children?

First had no paid leave, during leave for my 2nd, paid and extended leave was introduced. I was offered the extension and the return to work bonus. 3rd was straight forwards, 4th they forgot to pay my AL as I wasn't entitled to any other payments. They sorted it in a timely manner.

Gender

Female

Age

35-49 Years

Industry

Retail Trade

Employer

National Hardware Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I worked in the nursery, I received help from fellow team members but not the co-ordinator. When I asked for help the response was I should go on leave. My boy came 4 weeks early. My maternity leave was to start 3 weeks before my due date. I had 10 weeks off.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

On returning to work my roster was all over the place so I had no routine. I was still breast feeding which was hard to do. I know now that with the breast feeding laws I could have been given time to feed my baby during the day. It was not till after a few weeks after I was back at work that the manger called me to the office and told me that their was a 3 month plan that they could do for me to help out. But I was not to tell anybody about the deal that I had. It was hard to tell the boss what I wanted or needed. I was at the stage where I was going to quit. To help it would have been good to understand my rights during pregnancy at work. I was told what they wanted me to hear and when I asked a question I got around about answer. On returning to work it would have been good to have been asked what I needed to help to get back in to work.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

My first was in the Navy. I had no problem at all, they helped me from start to end and returning was just as easy.

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

In the first trimester of my pregnancy I suffered really bad morning/all day sickness & found the management not understanding until I mentioned to another staff member that I felt as if I was not supported enough. Yes I have a shift to turn up to but been so ill made it hard to do so. Notice of not being able to come in for my shift was always given. Management have since changed their attitude. I think that employers need to be a lot more understanding when it comes to women & pregnancy. Each woman is different with pregnancy, some may suffer morning sickness while some may not suffer at all. We should NOT all be expected to come under the no morning sickness category.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Upon returning to work after my second child it was hard for the employer to understand that there are certain times you can & cannot work.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 Years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I did not have any challenges in the workplace during my pregnancy.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

When I told work that I was pregnant they asked me what they could do to make work easier for me.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I did not, I just went into work and told them that I was coming back and told them when and what days I could work.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member was a full time employee and wanted to return to work on a full time basis. She gave her manager 8 weeks notice of her return date & he said he'd work out a roster. Still a week before her RTW there was no roster. Her manager told her there were no more hours in her department and that she would have to have a temporary roster. It took her some time to work out a roster that suited both parties.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Part time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member is a permanent part time employee, working 10 hours per week. She is returning to work from parental leave and has been told there are no hours available on the days she wishes to work. One of the days is the day she previously worked before going on leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member was a full time employee. She is now returning from a period of parental leave and wants to return part time working 20 hours per week over 2-3 days. Her manager wants her to work five days per week. She says that is not financially possible as she could not afford child care five days a week.

She has decided to compromise with the manager and has ended up with a roster which has less hours over 4 days.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member was a salaried Department Manager before commencing a period of parental leave. She had been with the company 19 years and most of this was as a salaried full time employee.

When returning to work our member requested flexible working arrangements. She was given a roster outside her availabilities. She requested to return as a permanent part time employee on wages. The company refused and only offered her casual employment. The store manager said he could give her three 3 hour shifts per week on a casual basis. It took 8 weeks for them to place her and then as a casual. It then took another 4 weeks to be given a full time job, not part time which is what she wanted because she has four children.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

25-34 years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

As a Bakery Assistant, our member's job included cleaning the bakery, including scraping thick grime off the floor on her hands and knees, moving heavy machines, and flatbeds with up to 400kg of flour on them, and heavy benches to clean behind them. She was required, amongst other things, to empty large wheelie bins and scrub them out, clean out ovens, scrub dishwashers and push large crates (often stacked higher than her head with bread) out into the store.

The boots provided for her were man sized and she would frequently slip on the wet floor and trip when pushing heavy things around.

Not surprisingly, at 20 weeks pregnant, she was finding her duties difficult, and was experiencing stomach pain and false contractions. Her doctor advised that she be provided with light duties in a medical certificate. Her immediate manager was happy for her to slow down (but still continue with her duties). The store second-in-charge continuously harassed her to hurry and to do more. When she didn't get everything done, he said "Just because you are pregnant, doesn't mean you can do a Harry half-arsed job." She continued with her job with the pains getting much worse.

She had low blood pressure and often felt faint and would be in tears by the time she got home.

At 27 weeks pregnant, her doctor gave her a week off work and her third certificate for light duties, when she returned. The response from the Store Services Manager was that if she wasn't capable of doing her job, she would have to resign. She had 3 other children and could not afford to lose her job. She was scared she would lose her job, and so she thought she just had to put up with it.

(She was being bullied and, under industrial legislation, as a permanent part timer, she could not be told to resign.)

At no time was she told by the company about the provision in Section 81 of the Fair Work Act which provides that if a pregnant employee gives her employer evidence that would satisfy a reasonable person, that she is fit for work, but that it is inadvisable for her to continue in her present position due to illness or risks arising out of the pregnancy, or hazards connected with that position, then the employer must

1. Transfer the employee to an appropriate safe job, if there is one available; or
2. If there is no safe job available, allow the employee to take paid "no safe job" leave for the duration of the risk period. This could be up until the birth of the baby.

As the Act stood then, an employee was only eligible for this provision if she had at least 12 months service, and had provided her employer with written notice that she would be taking unpaid parental leave. She had satisfied these eligibility criteria.

As part of the FW Act Review, the SDA identified this as an area which should be changed and advocated that the provision of safe work should apply to all pregnant employees. That change occurred when the *Fair Work Amendment Bill 2013* passed in the Federal Parliament in June 2013.)

Each night she went home in a lot of pain and angry at the mistreatment she had to endure. She had tried many times to contact the company HR people and had been given the run around. By her 30th week of pregnancy HR intervened and she was moved to perishables. This involved getting up a step and leaning into fridges to pull stock forward. She used one hand to hold on to the fridge to support herself, but the 2IC insisted she use 2 hands to move the stock faster. Note, she had low blood pressure and was prone to feeling dizzy.

There were many other examples of his bullying behaviour. These include:

- Ignoring 3 medical certificates over a period of 10 weeks, and in fact giving her heavy work to do, which was contrary to the certificates
- Continually demanding she do over and beyond her normal duties
- Continually pushing her to work faster and do more
- Instructing her to climb a ladder when she was heavily pregnant and with low blood pressure
- Insisting that she load goods onto a high shelf and specifically telling her to use both hands, rather than using one hand to steady herself on the ladder.

In the 32nd week, she went into pre term labour. During the process of getting her to hospital the ambulance officers lost the baby's pulse. She was given an emergency caesarean section, and the baby was revived. He spent a month in intensive care. The baby has done well, but required many medical appointments. It was unclear as to whether he had sustained brain damage for 12 months. Fortunately it now appears that he has not.

In the meantime, while she was recovering in hospital, she was told that she had a 4 cm split in her abdominal muscles, and would need to wear a stomach brace until she had healed. The pain she had been experiencing was her muscles slowly splitting and all the heavy work she had been doing had set off her early labour.

When her baby was 8 months old, she returned to work part time, out of economic necessity. She still needed to wear the brace and be on restricted duties because her abdominal muscles had not yet healed and she was still experiencing back pain. Once again she was being bullied and belittled in front of customers and other staff. She contacted the SDA. Fortunately her organiser moved quickly to stop the behaviour, and get a statement of all that had occurred to her. A Branch Industrial Officer had recognised the substantial breaches of the Fair Work Act and Anti-discrimination and OHS legislation, and sought a legal opinion as to potential remedies.

There was an attempt to resolve the matter without resorting to legal action.

The company conducted an investigation, but they came to the conclusion that it was all a matter of "poor communication", and that the second-in-charge was very remorseful and had not intended to upset her. Therefore despite breaching company policy, no-one was subject to any disciplinary action. The company refused to accept that pregnancy discrimination had occurred or that there had been any breaches of the Fair Work Act, and therefore was not prepared to discuss compensation for her. Legal proceedings ensued.

The Company still does not have an up-to-date Pregnancy and Parental Leave Guide for their Managers and employees, despite repeated requests from the SDA since January 2010.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Towards the end of November 2011 a member, working as second-in-charge in the Deli Department contacted the SDA with some concerns about her pregnancy at work. She was 4 months pregnant at the time. She was concerned about the chemicals she used for cleaning down the Deli department.

Our member provided the company with a medical certificate as the fumes were making her feel ill and her doctor had concerns over the effect of inhaling the fumes while she was pregnant. Shortly after this she also felt ill from the fumes while another staff member was using the chemicals. She was told by another employee that she was not supposed to handle the fumes but she could be near them. Our member then provided a medical certificate stating that she should avoid heavy lifting. On receipt of this certificate the company told her she could work on registers, however, she would suffer a decrease in wages as she was no longer performing her second-in-charge role. Our member queried this with the company and they advised they had checked with HR and their actions were correct.

She contacted the union and was directed to the clause in the Enterprise Agreement which provides duties at the same conditions of employment or paid no safe job leave. Our member then approached the company with this information and the company shortly after apologised and reinstated her rate of pay.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

The member contacted the union when she was six and a half months pregnant. She was a Bakery Manager at a large national supermarket. Her doctor restricted her duties to 32 hours per week. However, her workload was high and management told her she needed to do extra work at high intensity otherwise she would need to step down. She was told by her Store Manager “welcome to the world of management”.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

N/A

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

A member who was six weeks pregnant told her Store Manager she wasn't feeling well and wanted to take unpaid leave. The manager told her she had to make the application in writing and give notice. Before she was due to go on leave she had a miscarriage.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

N/A

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

A member who is a Department Manager returned to work part-time after a period of parental leave. She was told that she could not fulfill her duties as a Department Manager if she worked part-time and at night. She has been back at work 8 months and is still performing many managerial responsibilities. The company has now told her they are going to remove her over-award payment which had been provided as a past incentive to continue being Department Manager.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Permanent

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member is pregnant and her doctor has recommended that she be moved to a safe job as working on the registers is causing back problems and fatigue. Her employer has told her she will have to reduce her hours and go casual as it will be too hard to roster her. She has been advised of her rights to no safe job leave and to make sure the certificate is clear that she is able to work if given alternative duties.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member works as a Bakery Manager. She took maternity leave and had a child.

She returned to work in October 2013 and elected to return part time at 20 hours per week, as a Bakery Manager.

Her store manager told her that HR had said she was no longer eligible for the Department Manager rate of pay, or her \$25 per week over award payment which she had been receiving since she accepted the Department manager role, because she was not working full time.

After the SDA intervened, the company agreed to restore her managerial hourly rate fully, and her over award payment.

If she was not a union member, or did not contact the union, she would be working as a Department Manager but being paid as a shop assistant.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Female member started with her employer, a large national supermarket, as a 19 year old. Five years later in November, she was the grocery 2IC (second-in-charge) and she told her store manager that she was 10 weeks pregnant and would need to be careful as she had had an operation on her cervix 3 months before her pregnancy and had been advised that this could cause problems. Her job involved pulling heavy cages of stock and heavy lifting.

She presented her manager with a letter from her obstetrician saying she was 22 weeks pregnant and she should be put on light duties due to troublesome lower back pain.

Over the next 11 weeks she had at least 13 conversations with management requesting that her duties be changed. Her husband had two conversations with the store manager. There were at least 4 scheduled meetings about it that were cancelled for various reasons.

Meanwhile the weekend storeman was not replaced on his leave due to wage constraints. Our member was sometimes the only person working in grocery on the weekend. The night crew worked 8pm-midnight but the truck would often not arrive until 10pm, meaning that there was a lot of stock left over each morning for her to put away.

At 33 weeks pregnant she was at work and in charge of the store when she suffered pain and fluid loss. She was hospitalised for a week with threatened preterm labour.

Her partner contacted the union at this point. The SDA raised its concerns with HR, including that she should have been on no safe job leave for four and a half months. The company purported to have changed her duties and pretended to investigate. In fact, the only different duties she had were because she asked the Point of Sale person herself if she could fill in for her on her leave.

Her daughter was born premature (approximately 6 weeks) and suffers from asthma and insufficiently developed lungs.

After her experience she was not prepared to return to her employment. HR offered her some money and she agreed to settle, which involved signing a deed with a confidentiality clause. The SDA was not directly involved in negotiating the settlement, however, we believe the settlement reflected payment for the time the member should have been on paid no safe job leave, when no suitable position was found for her.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I was asked if I could return early. I did. I was off for 5 months in total. When I returned I didn't return to my whole role. Officer In Charge is my role. This role involved payroll, financials, OH&S, Return to Work and other administrative duties. I was to do this on a Monday and then the rest of the week I was in all different departments. This was because my employer's powers to be restructured and reduced the hours in the office and the store support took my role. The store support after a couple of months got moved to another store and so I got my full role back then.

Things went well for a while but the store manager at the time decided to take jobs away. Things were strange.

My mother looked after my baby until she was 9 months, then she got a job and went to work. So my daughter went into day care. As she wasn't in before she got all the bugs and got sick. I was on and off work and worked as much as I could, being made to feel guilty every time because I wasn't at work.

She ended up in hospital with bronchiolitis, pneumonia and was on oxygen for 4 nights. All my manager could say to me was "its stock take".

The intimidation got slowly worse. As my daughter wasn't back to 100% straight away. We had an audit around a month later and the audit was "mod to high". I got a "low" before going on maternity leave. Most of the issues were done when I was on leave and the name of the store support was on most of these errors. I was still to blame.

The manager then brought in another store support and it was very obvious that this was meant to push me out. Which I'd seen her do to other team members. This is how she does things. For 2 of my shifts I was moved to the BH department. With her saying your kids are

too sick and I need someone in the office. I was working 5 days, but 2 of these days were 4hr shifts being 5am – 9am. I asked for this as I didn't want my children in day care 5 days. This would have meant that I'd be paying for 10 days of care. Ouch as you can imagine.

The store manager went on sick leave and when she came back I was public enemy no. 1. This lasted from November to February, until she left. She turned up the intimidation to bullying as well. I didn't realise what was happening. I got shingles from the stress of it. When she moved me into the BH, I hurt my mid back/right shoulder area and she accused me of faking it. Her words were, "this isn't going to change anything you know". Of course she did this when no one was around. I told the Doctor to give me a final, which is the all clear to work again, to make it go away. The regional manager was no help either. He was on her side. She could do no wrong. I called HR once and the questions I was asked, well I stopped as I knew I'd be the one who'd lose out.

When she finally moved on she told the incoming manager how bad everyone in the store was, so no one had a clean slate, as she bullied a lot of people in the store. The job push out continued. This manager left and while we were waiting for a new one, I got injured again while being in the deli.

A new manager started and the store support that was there was basically running the store.

When she was moved on, I had to fight for my role again. The only way I got it back was putting my daughter in day care 5 days, as my son was at school now the cost wasn't so high. I had the union organiser in with me now to fight for my role as workers comp was involved too. This part is a long chapter.

Sorry for the long description. Basically I found it very un-family friendly. If I wanted to keep my role I had to put the company first and family 2nd. That meant you put your children in care. With what people get paid it's really hard. You have to pay to keep your job.

Due to the fight I had for 2 years really, this is part of the reason we have decided to stop at two children. As I'd have to put the next child in day care from 6mths or earlier for 4-5 days a week, the cost is too great. I can not do this fight again. It's too hard. I'm still injured too and fighting the insurance company too.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

The 4 weeks before I went off for my 1st child, the manager at the time turned. It was like he had decided he didn't want me back in the office when I came back from maternity leave. I remember hiding in the toilets from him. He was fired from the company in the end. So my doctor gave me a sick certificate for the remainder of the time, and I had the SDA with me to pull him into line. Going back was fine because I had the SDA with me before. He was careful. He lost his job a bit after that anyway.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

On returning to work after parental leave our member asked to return on her full hours, which were 24 hours per week. The store manager told her he could only fit her in for 17 hours per week. When I (SDA organiser) spoke to the store manager, he said "but I am flexing her up and she gets more than 17 hours every week." He claimed that he didn't know he had to give her full 24 hour contract back. He said he believed it was whatever hours the business could support. So that if she couldn't work when he wanted her to he didn't have to provide her full contract. Since then we have fixed this issue, however, it illustrates that managers believe employees returning from maternity leave only get what the business can allow.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Hardware Store

Number of employees

500-3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member was employed as front end supervisor, Grade 3. She went on maternity leave and was asked to return early. She agreed to come back on Grade 3 and supervise night fill and front end. Since then the company have said they don't need her as a supervisor anymore and will be reclassifying her as a Grade 2. They have said the business needs a night fill employee not a supervisor. They said they had replaced her supervision shifts with someone else.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Hardware Store

Number of employees

500-3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member works in the office at a large Hardware Retail Store. She is currently on parental leave. She has recently contacted the store to organise her return to work. She was told her office position is no longer available as someone else is now doing it.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member was told her store can only give her back 14 of her 22 hours after maternity leave. She was unaware she was able to fight this, and worked this new contract for months before I knew about it.

Even the area manager said to me "if she can't fit in with our business, we can't afford to give her all her hours back".

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I am currently on maternity leave. My position was sales assistant team member. I worked on the checkout, and occasionally would help out in the deli whenever they needed help.

I didn't want to tell anyone I was pregnant yet because it was still early days. I went to work and, without asking me, they had placed me into the deli instead of service because they were in need of staff. I was only 12 weeks pregnant and had to tell the new manager that I didn't know well, that I couldn't stay in deli because I already can't reach the front, and I was pregnant and didn't want to be leaning on my belly.

Before I knew it everyone was congratulating me on the news. They had taken me off service so I had to stay on deli until the new roster came out and I had hours in service.

Everyone by then was well aware the reason I couldn't stay was because I was pregnant. The lady in the deli didn't want me doing heavy lifting so instead she had me cleaning the metal things the chickens go on, with harsh chemicals, no mask or protection, which I was unaware that it could be harmful to my baby.

Finally I was back on service. But they cut my hours immediately. Luckily, I was on permanent part time for 12 hours, because that is all the hours I would get. I don't know how they expected me to save for a baby on \$180 per week.

I didn't expect any special treatment just for being pregnant. They let me go to the loo whenever I asked. But, by the time I was heavily pregnant (between 28-32 weeks, I was very big), my feet got very swollen, I found it hard to stand. And I was still on big registers. All other people were put on light duties, up front 12 items or less or self service. But I never got to do that. I was never put on light duties. I was always serving, lifting heavy items, constantly on my feet.

Another lady in a different department (grocery) was put in the office when she was 25 weeks. I just don't see how come she got special treatment, and people who were older or with minor wrist injuries were more important. We just got a new roster lady when I found out I was pregnant too, and I think they were all discriminating and judging me because I was young and pregnant.

I'm 20 years old and had worked for the company for 2 Years before falling pregnant, and always helped them when they needed, stayed back, came into work. And they didn't have any courtesy for a pregnant lady.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Our member was a permanent part-time employee on approximately a 30 hour contract in the Bakery at a large national supermarket. She worked in the Bakery making donuts. She had to lift 15 to 20kg bags of flour and tip it into the donut making machine.

She had been trying for a long time to become pregnant and when she found out she was pregnant she informed her line manager as required. She asked the manager to be moved to another department; he said they were working on it.

When she asked the store manager, when would she be moved to another department, the manager replied "you're not sick just pregnant, stop complaining & do your work." – Which she did.

When she was 6 & 1/2 weeks pregnant she started to have pains in her tummy & went to the doctor. He gave her a certificate to have 2 weeks off. She asked for unpaid leave even though she has sick leave accrued, because she thought this would be better for the company because then they could afford to replace her. She also did not want to cause any trouble. The store manager refused her leave. She told her she had to give two weeks notice to take sick leave because she wasn't really sick.

Our member worked until she was 7 ½ weeks pregnant. She was happy because the next two days were non working days. That night she started bleeding and her husband had to rush her in to the hospital. She spent two days in the hospital but they couldn't save the baby. She had a scan and found out she'd had a miscarriage.

She was very upset at the way her manager treated her. This was her first baby.

She then took 3 months off work and asked to be moved to another store. The company agreed to move her.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Our member worked full-time at a large national supermarket. When she was 7 months pregnant her doctor wanted her to reduce her hours from full-time to part-time. The store insisted she take a day of sick leave every week to cover the hours she was not working. Our member preferred to be paid only for the hours worked and leave her sick leave as is.

Also, medical appointments for the pregnancy were taken from her Annual Leave entitlements without her consent. The Enterprise Agreement provides paid carer's leave to attend medical appointments related to the pregnancy.

The SDA Organiser dealt with the issue. It took some convincing but the matter was resolved.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Return to work was made difficult but all issues have now been resolved. Our member had a few issues on her return to work after having her baby, predominately as a result of being put on to temporary contracts.

Our member, who is full time, has returned on a Part Time basis, which she can until her baby turns two. The problem arises because she can decide to shorten the time and return to her Full Time hours and she does not have to wait 2 years. On deciding to return early the store has been making her sign temporary contracts. A member returning from parental leave should not be on back-to-back temporary contracts. The replacement employee, during the period of parental leave, should be the person on the temporary contract.

The Enterprise Agreement the member is employed under doesn't allow back to back temp contracts. At the end of the temp contract the employee must revert to the contract held immediately prior to the temp contract and in our member's case this would be less than Full Time.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Accommodation and Food Services

Employer

National Fast Food Outlet

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

General Staff

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

A young member at a Fast Food outlet was suffering very badly from morning sickness. She couldn't get to work one morning due to this. She phoned the store to tell them she wouldn't be in. They told her that she would have to provide a medical certificate. She explained that she couldn't afford to go to the doctor and the manager said that it was OK and to provide one when she can. Two weeks later she was very ill again with morning sickness and went to the doctor. She asked if she could get a certificate for the previous day she had off, which the doctor provided.

The store is now refusing to pay for the first day off as they are claiming that the certificate can't be backdated that far. Now she is out of pocket one day's pay.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I am currently on maternity leave. In mid July I wrote a letter to my manager telling her I would like to return to work at the start of September, I gave her the letter in person and had a meeting with her to discuss the days and hours I could work. I had given her 7 weeks notice and also told her to contact me at anytime to discuss possible hours and flexible work options with me and I would try to be flexible around my son.

I gave her three weeks to look at it like she said but when I hadn't heard anything I rang her and went in to try and visit her. Each time she made up excuses and told me she hadn't had a chance to look at it yet.

Finally she rang me 7 weeks after I first went to see her and all she said was "sorry all we have is night hours, don't suppose that is going to suit you is it!" She knew I was still breastfeeding and that I couldn't work at night. She said maybe when my leave finishes I wouldn't be breastfeeding anymore and could do the nights.

I am quite upset because I thought upon returning to work I would get my old shifts back. Also I thought that by law they are obligated to negotiate flexible hours with me to help me to transition back to work.

Because I still have until June 2014 on parental leave, if I go back before then does that mean that I can't have my old hours back?

My manager told me she isn't prepared to take my old hours off the people who got them when I went on leave. From the information I have read, I was under the impression that I could go back to my previous positions and hours when I chose to return to work.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I fell pregnant for the 1st time during 2009. At the time I was working for a large national supermarket and I was the Customer Service Department Manager. I had been in this role for the previous 2 years and took pride in my position and was always given positive feedback from not only my boss but also regional managers. Early in my pregnancy I suffered a lot of morning sickness and took quite a lengthy amount of time off work. I did all the right things as in utilising my personal leave and providing the appropriate medical certificates. I felt awful that I was not able to perform my role to my usual standards and was relying on my supervisors to do the majority of my workload whilst I was absent. I had a meeting with my boss and asked if it was at all possible to temporarily step down in my position just until I regained my health. The outcome was not positive. If I decided the need to step down, that would result in permanent demotion. After a few stressful days I decided it was better for me to demote myself. Which I was fine with until the employee who took my managerial position, a few months later had a family situation arise and also asked to temporarily step down - to which the boss agreed! I believe this was totally unfair but I didn't take any action. I was merely disappointed. I had also requested to reduce my full time hours temporarily as I endured a lot of pain and swelling of my feet/legs standing for 8hr shifts, but my boss said that was not possible. I had to either do my 40hr weeks or reduce my hours permanently.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

After taking 12months maternity leave, I met with my boss to discuss my availabilities on returning to work to which I learned was a waste of time as she had me rostered to work all hours that I specifically said I could not do. I work with a lot of women who have children/teens who always seem to be able to pick and choose the hours they work. I have always done my best in working my babysitters around my work schedule but I see it as unfair that the same people are given the same "good" or "bad" shifts. I have a family as well now.

I am currently on maternity leave for 12months and the only issues I have encountered has been with payments. My employer paid all my leave/long service entitlements to me at the beginning of my leave - which I had not requested but I have not taken any action. I am still concerned with how correctly they are continuing parental leave payments as I know a lot of my fellow employees are still being paid incorrectly each week. I am hopeful that on my return to work I will not have any issues with rostering but that is yet to be said.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

During my 2nd pregnancy, I had a different retail employer. And I noticed such a pleasant change with them (so far). My boss was understanding of my absences during early pregnancy with morning sickness yet again. I was rostered mainly night shifts whilst pregnant and I had a lot of experiences where I felt unsafe during work hours. But after confronting my boss of the situation, he was very understanding again and had my roster changed to shorter day hours - which I was extremely happy with.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

A heavily pregnant employee was having difficulties with her supervisors denying her requests to go to the bathroom. The worker needed to go to the bathroom more frequently because she was pregnant yet on several occasions she was forced to stay at her checkout for up to 15 minutes after her request. She was told, "You will have to wait like everyone else, there is no one to cover you, you are not special and will not be treated differently."

There was a very disappointing lack of support and understanding also from her fellow employees.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Fashion Chain Store

Number of employees

500-3000

Ratio of Male and Female Employees

Majority Female

Occupation

Manager

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Our member was a manager at a National fashion retail chain store. She sent four emails to her Regional and State manager notifying them of her intention to take parental leave and requesting a return to her pre parental leave position. She wanted the company to recognize her requests and rights to ensure there were no complications or misunderstandings upon her return to work. She did not receive a response, even after leaving a number of voice mails. The member has had to get the SDA involved to resolve the issue.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

Independent Supermarket

Number of employees

100-499

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Casual

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

A member was employed as a casual employee at an independent supermarket for over two years working 28 hours per week on a consistent basis. She is now having trouble receiving the same hours after returning from parental leave. Her employer employs about 90% of its staff on a casual basis. Her employer is denying the member is entitled to her pre-parental leave position and the same hours of work. They have asked the member to hang in there and wait for hours to become available.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member was employed at a large national supermarket. During her pregnancy she requested a safe job at work as she was not coping with her current duties. Her request was refused so she started her maternity leave early. Her manager told her she could access the 6 weeks paid leave if she got a medical certificate to say she was not fit for work. She did this and HR has told her she cannot access the paid leave until 6 weeks before the baby is due. She is 10 weeks away from the due date. The member is now planning to speak to her doctor about whether she can continue to work in a safe job so she can access no safe job leave if they refuse to alter her duties again. She has also injured herself at work due to not being provided with a safe job but her employer refused to lodge her claim or allow her time off.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

A member was pregnant and working in the Deli at a large national supermarket. Her obstetrician had recommended she be moved from the deli to a safe job due to the bending and reaching involved. She raised it several times with her department manager, and nothing was done, so she went to her store manager. Her store manager contacted the Regional Manager and was apparently told it would be discussed in the next regional management meeting, in 2 weeks time.

Our member said she could not wait that long as she is starting to experience discomfort during her shifts. The matter was taken up by the organiser and resolved.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

Independent Supermarket

Number of employees

100-499

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

A member was employed as the Bakery Manager at an independent supermarket. Upon returning to work she has been moved to the checkouts because they want her to start half an hour earlier than she previously worked. She is unable to do this because the childcare centre is not open at that time.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Department Manager

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

A full time department manager employed at a large national discount department store was pregnant. The company wanted to transfer her to another store which is an additional 45 minutes drive away (this would have meant 1 hour travel to work, and another 1 hour to travel home). Her doctor advised that she was fit to work her job for 8 hours a day full time, but not to add another 2 hours travel to each day. He provided a doctor's certificate to this effect.

In a meeting with the store manager and Regional HR, the organiser referred to the "Transfer to safe work" clause in the NES, and the "no safe job" paid leave. HR was not aware of this clause. During the discussions, HR was yelling at the organiser (also the Branch Women's Officer) and was very unprofessional.

The resolution in this case involved the employee staying at the store on the same hours and same money, but being made an assistant store manager until after she had been on parental leave. But before this resolution was reached, it had been suggested by HR that our member say that she was not fit for work and that she make a Worker's Compensation claim.

In this particular example, the employee had been requesting the relevant paperwork to apply for parental leave, for 4 weeks. The cash office and the Store manager had not realised that the forms were on the company's Intranet. This was established during the process of resolution.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Less than 12 months

What kind of challenges did you face in the workplace during pregnancy?

An employee employed at a large national supermarket missed out on qualifying for unpaid parental leave by 2 weeks due to being unwell due to her pregnancy, which required her to finish early (under instruction from her doctor). The store manager was willing for her to take unpaid parental leave but HR instructed that she was not eligible and that she should be given the option of returning to work for 2 weeks (even on reduced hours and alternative duties) so that she would technically be eligible. In the end, the employee was allowed to take unpaid parental leave without returning to work, but it should never have been an issue.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

A full time department manager employed at a large national supermarket was on maternity leave until November 2012 (after 2 years maternity leave). She is a single mother. She asked to return to work in January 2012 because she needed the money, and asked to return to work part time. The Store Manager was happy for her to return to work part time but had been instructed by HR to tell her that if she returns to work part time in January, she would lose her salaried position and her full time status. The person involved did not want the SDA to pursue this matter on her behalf.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

A member employed by a large national supermarket, who had been 2IC for 8 years in a full time capacity working Monday to Friday, went on maternity leave. The store manager said he was happy for her to return to work 4 days a week but HR said that she would have to work nights and weekends or else step down from her 2IC (second in charge) position. After SDA intervention, the member was able to continue working Monday to Thursday during the day, but her situation is to be reviewed in 6 months.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Permanent

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

In a large national supermarket a pregnant employee's doctor has recommended that she be moved to a safe job as working on registers is causing back problems and fatigue. Her employer has told her she will have to reduce her hours and go casual as it will be too hard to roster her. The organiser advised her regarding 'no safe job leave'. Since then her doctor has decided she was not fit for work and has issued a full medical certificate.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I have recently returned to work after a little over a year off due to pregnancy. During my pregnancy I had a problem with my blood pressure and could not stand in one place for long periods of time without becoming dizzy and feeling faint. It was suggested by my doctor that I could have breaks every hour or so, or even have my duties changed until I left on Maternity leave. I was told at the time that this was not going to happen, and that I either had to be able to do my job (checkout operator) or use all my sick and annual leave. I was around 15 weeks pregnant when this began.

At the time I wanted to work still and even asked if I could do other things such as clean or return stock to have a break while doing my shift. I was told I also could not do this, I had to stay on the checkout for the duration of my shift, which was either four or five hours depending on the day. Now I know others were allowed to leave their checkout and do various things at the discretion of the supervisors, which seemed like blatant favouritism.

I asked about being put in the office for shifts or put on the smoke counter and was also told no. They were not going to train me for the office only for me to leave and I couldn't do smoke counter because my hours didn't cover it. There was very little compassion and in the end I was told to use up my sick leave until they could figure out what to do with me.

As it is I ended up leaving work because I couldn't keep standing at a checkout for a full shift. I used up all my sick leave and all my annual leave (around three years worth). Now I'm back at work I've got no sick leave in case anything happens with my daughter or I become sick, so I have to take the time off without pay. My annual leave is very slowly increasing. It was very stressful to suddenly have no money because I was lead to believe my paid maternity leave would be paid out as soon as my other leave was used up, but this was not the case. There was very little communication and it seemed like I was just shoved into the 'too hard' basket.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Even though the time before I left was a pain and stressful, since returning they have been wonderful. I believe this is due to a change in management, but I may be wrong. I was not given my previous shifts back, due to electing to return only two days a week and as such now work until 7.30 pm where I previously finished no later than 6.30 pm. I'm not sure what will happen when I wish to increase my hours back to the amount I had before I left because I would much rather work earlier to finish earlier. I hope the company will be accommodating of this.

As it is, I currently work 10 hours a week, and was previously doing 22 hours per week. I hope to increase to 15 very soon.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

Not provided.

Number of employees

Not provided

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employments Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I have a pretty disastrous history when it comes to pregnancy, so when I fell pregnant unexpectedly, it was a white-knuckle ride the whole way. I didn't need a whole lot of extra care, but from 16 weeks onwards I did have to attend fortnightly hospital appointments with three different specialists and a midwife. I did the right thing by work by arranging to see everyone on the same day- every second Monday which was my rostered day off.

A public holiday on a Monday meant the doctors pushed all appointments back by one week, and suddenly my appointments were all on my rostered-on Mondays. Two of doctors that the baby and I needed were only available then.

My line manager wasn't happy, but she understood. It was my store manager who was a nightmare. She told me that she had two children and several life threatening pregnancy complications, but had never needed excessive medical care or time off like me. She hinted to other staff members and my line manager that I was lying about how long the medical appointments were taking in order to avoid work. She told me I would have to make up any time I missed at work, which I knew wasn't true. Our SDA agreement provides some paid leave for pregnancy related medical appointments, and my store manager told me that it would be coming out my sick leave instead because I was 'supposedly out seeing doctors and that is what sick leave is for'. The first two medical certificates I submitted went 'missing' after I handed them in, and she told me on both occasions that I would not be paid for those Monday shifts unless I could provide her with another copy. She acted this way even though she knew I had a high risk pregnancy.

Luckily as an SDA delegate myself, I knew my rights. I stood my ground the whole time, calmly correcting the misinformation as she tried to bluff and bully me, to which she would have no reply. It took just over three weeks for the harassment to stop thanks to one final confrontation. I told her flat out that there was no point in my life where I would ever be a victim, and if I heard so much as a peep out of her, I would submit my documentation of every incident and conversation we'd ever had to the SDA, plus the names of the supporting witnesses. She called me a 'troublemaker', but that was the last of the harassment or bullying.

I feel sorry for anyone in my position who doesn't have the type of protection the SDA provides. It would have been extremely distressing to not only have a high risk pregnancy, but be worried I wasn't getting paid properly and being harassed on top of that. It's an experience like this that demonstrates why each of us has to stand up to say enough is enough. And it's an awful lot easier to stand up when you have the support of 230, 000 retail /fast food workers and the SDA behind you. What chance does one narky little store manager really have against that??!!

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I have a 19 month old now and I haven't had a pleasant experience. When this happened I thought to myself I wish there was something in place to help with this, not sure what exactly. I think with me if there was one person that handles all maternity leave and anything relating to that, to offer support and information would have helped me, I will try explain and will try as much detail so you can try to understand the whole story

I had been working for a large national discount department store for 12 years and I loved coming to work. I was fully trained up as the photo specialist and worked 26 hours a week. We basically had me and another lady do weekdays and casuals do weekends. Myself and the other lady are the only permanent part time members that can work in that area.

I found out I was pregnant (unexpected) and I told the store manager first. He was so lovely, very understanding as to the possibility I'd need days off. I went through my whole 10 months with no days off basically (arranged days made for appointments) as I didn't want to let them down. I worked up to 2 weeks before I was due. I was still doing all jobs as I was very healthy.

I had never done maternity leave and Centrelink payments through the work place were just coming in, so no one had done one before. Anyway, I gave written notice of my leave which was 12 months and filled in all forms for payment.

I had bub and all was good, payment was going through although I had discovered I'd lost about \$1000 of my payment from Centrelink as I was charged high tax as it had annual leave and parental leave together. I did contact Centrelink and they said it was up to my work place to inform me that if I started payment from the birth of the child I'd get taxed more, so this is the first problem that if I had someone to guide me this wouldn't have happened.

What workplace measures would have helped you to respond to the challenges you faced?

I think with me if there was one person that handles all maternity leave and anything relating to that, to offer support and information would have helped me.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

All was good and once she was 6 months old I spoke with my manager and asked what days he needed me as I wanted to work some casual shifts. I took the days he had said. I started work and would mostly work a Friday back in photos where I was before leaving. I decided to come back at this stage too as it kept myself up with every thing as many changes were happening and also it was Christmas time. It was all good until I handed in a letter stating that after working casual I was comfortable with wanting more regular hours and would like to return early off my maternity leave and work 9 hours a week.

I had not heard anything and asked the store manager one day as to when I would start part time hours. He requested I write another letter putting an actual date of return. He also mentioned I may not go to photos again. This was the first time ever that this had come up. I said yeah, I understand I come back earlier but when my leave is up I'm the only part time that is trained in that area and the lady covering me was a casual. He said we will look at that when it comes. I was upset at this stage as it's the first I'd heard of it and I didn't worry too much as I never thought it would happen.

Weeks passed again and still I hadn't gone part time so I asked again and he said no contract has been signed. I assumed they would ask me to do it when I was working, so he said he will do it up and start this date (which was only 2 weeks before my original return date) and I was on checkouts. I questioned why and was told photos had no hours, which I didn't understand as I'd been doing those hours as a casual in photos.

I started in checkouts and the hours I was doing as a casual in photos were now being done by the lady that was doing my maternity replacement and then she had 2 or 3 weeks as a casual doing a full 26 hours a week, so once again why pay her casual to work it when I'm available to do 9 hours of it. Then she has been given a contract which I would assume would be up till when I want to return to my full hours at my child's 2nd birthday. So why could I not have done the days I was available instead of her. I asked again and was told it was because we want consistency in there. Now this whole time since I was told I felt it was wrong and unfair and I did have talks with SDA and they also had a talk with the manager. I also was told of a meeting of where staff were told to go to management before SDA (never mentioned my name but this was about me).

All this time on a daily basis at home or work I was asked by staff or customers "oh you're back, why are you on checkouts, and the feeling I was having was like I'd taken a step backwards or I was being punished for going on leave as what I felt and what others seen was like I was demoted down. I struggled a lot with this as I felt embarrassed. Working up the front was ok but after weeks of being there I was still being asked quite often why I was there (being in photos for 9years in the same store the whole town gets to know you).

Now with being asked and having talks with work and SDA I was very, very stressed and did see a doctor and told him I wasn't coping and he gave me some antidepressants. I didn't really want to start them so was just really trying to be happy. My family felt this mostly and also my marriage and then one day at work I was asked again and I just burst out crying. It had all got too much, I was shaking and just felt horrible , managers did take me away till I settled down and then I went home.

They were great, just kept me talking which I told them that work plus home life was causing me a lot of stress. From that day I started my medication and today it has just started to work and I'm feeling great. I don't know how my marriage made it through this or how my kids 17 and 15 put up with me or the baby as I was so not in a good place. Now it all started from being told I'd not be going to photos. I wish I had another person in the store to talk to as I didn't feel comfortable with the managers.

I am still waiting for my pay to be fixed up as when I returned to part time it dropped as I was getting a level 2 before and then once going to checkouts they dropped it which I have also had to take up with a manager. I was told 3 times, no we can drop it because your not in photos now, but I kept asking as I felt that wasn't right. Finally after weeks and weeks he did

get back to me and said it shouldn't have dropped and we will back pay you. I'm still waiting and it has been weeks already so I'll be chasing it up again soon.

I don't have to work to survive but I choose to as I need to be myself not just mum and I enjoy work and after being there so long I enjoy seeing the regular customers. So here is hoping on my daughter's 2nd birthday my returning to full hours goes smoothly as I'd hate to have to give it up.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

Not provided.

Number of employees

Not provided

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employments Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I returned to work after maternity leave and cut my hours down from 30 to 24. When my daughter started school I ask to go back up to 30 hours and was told if I wanted 6 hours back I had to work Saturday, which they know I can't do because my husband is in hospitality and he works all weekend and his roster changes from week to week. Six months later when new roster change came in for the whole store they tried to force Saturday on me again. A little tired of fighting that battle, I lost 6 hours on the last roster change.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Male

Age

Not provided.

Industry

Retail

Employer

Not provided.

Number of employees

Not provided

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

My girlfriend and I have had our little girl last November. She was only 3 days overdue which worked for myself to be able to have time with both mum and bub after the birth.

There is a lot of talk about mums and maternity leave which is fine but takes the focus from both parents with baby to just one parent with baby which is comparable by the amount of time given to each parent around the expected baby.

As a new father, I want to spend time as a new family. I'm lucky in the fact that I saved holidays for years to have 6 weeks off around the time of birth of my little girl which came in handy since the new mum developed extensive blood clots a week after the birth in her legs and so was able to stay home and do the parent and partner role.

I was worried that if I didn't have my own saved holidays to fall back on that the 2 weeks parental leave given by government wouldn't have been nearly enough. To put it into a better perspective, I took a week off before the due date (the standard 10 days either side) then the following week my little girl was born but being new parents mum and bub stayed in the hospital for another 3 days to make sure everything was going well. At the end of the two weeks I would've had a measly 4 days to spend with my new family before having to return to work which isn't fair by any means.

We are hard working parents who have never had government handouts and have only contributed to the work force which makes the time we spend with family more precious than anything. Having 4 months paid for mothers and 2 weeks for fathers is ridiculous. What makes my love and devotion for my family only worth 2 weeks? Instead I have to use my own leave just so I can keep supporting my new family.

Guys tend to put the macho thing when asked about going back to work and leaving their newly created family but majority think about what they are missing out on and bonding with their partner and baby. It's hard to walk out the door to go to work, more so when you're a shift worker like myself, sometimes all you get is to look at a sleeping baby with little interaction before leaving for work again.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail

Employer

Not provided.

Number of employees

Not provided

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employments Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

My work place was great when I was pregnant. The ladies I worked with were a great help to me. My position was point of sale full time and when I could not get down to the bottom shelf the ladies would do it for me. My manager at the time was great.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

When I returned to work I returned part time for 2 years. My manager at the time gave me the hours that I could work having a little baby. After 2 years I stayed at part time and they still gave me the hours that I needed. When my boy started school some days I need school hours and they where ok with that. Being in the point of sale role has made it a little easier with my hours. Maybe having a lady manager at the time was more understanding. Even now if I need to change hours or change days it is ok. So the mangers I have had have been good to me, but as I said I think it is the role I'm in.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I work at a large national supermarket as a checkout operator. When I left to have my baby in 2008 I was working 15 hours permanent part time. When I asked to come back five months later due to money issues, I asked if I could change to 10 hours permanent part time from 15 hrs. Their reply was no you cannot. So, I had to go to casual and get no shifts at all. I got maybe one shift a fortnight.

My son is now 5 and they have no consideration with my work hours at all. When I was pregnant they used to put me on a full lane checkout, till I had, had enough and got a doctors certificate for working in express. The supervisors have no respect for me as I don't suck up to them, like many others do (and they get shifts).

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employments Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

My experience of working whilst pregnant was a good one. I have gone through 3 pregnancies whilst working, and was treated like everyone else. My job was in night fill in a supermarket. I was always told that if I couldn't do something to ask for help. In fact, I was often told not to do things, everyone was always looking out for you.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

After returning to work was also great , except for my first pregnancy. When I returned only 4 weeks after having a caesarean section I was asked to pull a pallet of potting mix. But, to avoid confrontation I just did it. I had no other problems, my roster and my job remained the same.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member is a permanent part time employee working in night fill at a large national supermarket. Our member was 4 months pregnant and took a letter to her manager to be transferred to a safe job. The manager told her he can't find anywhere for her to work and she has to wait till August, which is one month later. She is now in a 'safe job' and the baby is due in December.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

Independent Supermarket

Number of employees

100-499

Ratio of Male and Female Employees

Not provided

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

While I was pregnant, I worked in the deli and found it too hard to reach into the deli case. I asked and asked to be moved and was told that this would be done. After 2 months of asking I was told that I would have to get a doctors certificate in order to be moved.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I resigned due to my return to work from Parental leave being so difficult. My shift times were changed to times when I was unable to work due to my husband not being able to be home with the children. I tried to do some Friday night shifts but was expected to do the duties of 2 people and found it too hard to cope with.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member was told that she couldn't return to her original position when her parental leave period was over. Prior to commencing leave she was told that she had to take her annual leave as she probably wouldn't be coming back.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member was made to feel guilty if she had to make an appointment in work time, and it became more difficult the later into the pregnancy, due to increased doctors appointments and scans etc. She said that her manager would often ask her “how long does it take to go to the doctor?” and on one occasion when she had to have a scan and then see the doctor afterwards, the store manager asked her to return to work afterwards. There was only half an hour after the appointment left in her shift and it was a 15 minute drive back from the doctor’s; she couldn’t understand why this was requested.

Towards the end of her pregnancy, prior to going on Parental Leave, she felt at times that “they” were trying to push her out and she felt really insignificant and not important. She was sent to a couple of other stores and felt like she wasn’t wanted. She also refused to work on a few public holidays towards the end of the pregnancy due to being tired. She was made to feel guilty. On one occasion when she was sent to a different store for a week a public holiday fell during this time and an argument ensued over who should pay her. This matter was referred to the regional manager and all took place in front of her making her feel very guilty.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Transport, Postal and Warehousing

Employer

Independent Wholesaler

Number of employees

100-499

Ratio of Male and Female Employees

Majority Male

Occupation

Clerical and Administrative Worker

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member worked for an independent wholesalers. She worked in the office and was very high up in the company. In her words she was “knocking on the door of management”. She advised the manager that she was pregnant and almost immediately things changed. She was treated differently and they began counselling her on little things and things that had happened six months prior. She was eventually demoted and one day was called into the office and made redundant.

The company then offered her a casual position which she took due to financial difficulties and being pregnant. They put her on the roster. She then had a problem with fluid retention and began swelling due to standing. She asked if she could have a chair and was told no.

Things deteriorated in the office with the person they had given her job to and the manager asked her to go back into the office. She couldn't understand why this was happening when she had been made redundant.

Our member no longer works for the company.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Permanent

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member has been employed at a large national supermarket for five years and has 10 years experience in retail. Prior to taking parental leave she worked in the Bakery.

At the time of applying for parental leave she wanted to apply for 9 months leave. She was advised by the store that it was better for her to apply for 2 years as it was easier to return earlier if she needed to than to extend the leave. So, she did this.

Our member experienced financial difficulties and wanted to return to work early. She went through the correct procedure as instructed by her union official but was told by the store that they didn't have a position for her to return to. She became very upset and was in tears. They then "found" her some hours in a position that she was unable to do due to a medical condition. She has an allergy to nickel and is not able to handle coins. They told her that was all they had for her and as she had no choice due to her financial situation, she took the position. They have got disposable gloves but they don't look good. The store has told her they won't let her return to the Bakery until the 2 years is up because of the replacement employee. Her husband tried to change his shifts to look after the child to make rostering easier but he is on night and has to sleep during the day while they are home and it means they only see each other 2 days a fortnight.

She was later moved to another position and has been back at work for a considerable amount of time but still not in her pre parental leave role due to the time requested not being finished yet.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Various

Length of Service

Various

What kind of challenges did you face in the workplace during pregnancy or on returning to work?

I write this letter in my capacity as Union Delegate in a large national supermarket.

I have recently represented 3 women who have experienced issues that have arisen regarding returning to work after parental leave.

One of these women worked at another store and had been told that as she had extended her leave, there was no room for her to come back. The member was a casual employee and approached me to see if there were any positions in my store and if she would be able to transfer there.

I didn't see a problem with this and asked for her availability and transferred her to our store on the hours she requested.

I also had a request from 2 pregnant ladies in another department wishing to go onto service due to their pregnancy and the work they were doing. The store manager wasn't keen to move them but I couldn't see a problem with this and informed the 2 ladies that I would sort it out for them. I worked out that 2 of the service ladies could simply swap with the pregnant women and after discussing this with the manager, he agreed.

I was then accommodating all three pregnant ladies in my department but I was continually under a lot of pressure to make the ladies organise appointments on their days off or the end of their shifts.

Two of the ladies suffered from very bad morning sickness and struggled to make it to work. Many of the other team members complained that these ladies were getting special treatment.

On one occasion I had a supervisor demand that the ladies collect trollies. Both ladies informed her that they couldn't collect trollies anymore and they were told that they would need to present a doctor's certificate and until such time that the certificate was presented, they were to do trollies.

When I returned to work I was presented with the certificates to say they couldn't do trollies and I asked why they were giving me the certificates, they then advised me what had happened.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Our member was working full time at a large national supermarket and was told by HR that she had completed her maternity leave application for parental leave forms incorrectly and that she needed to change them to apply for 2 years as it is easier to come back earlier than to extend parental leave.

The member then spoke to two other team members who had changed their application to 2 years after being instructed to do so and had trouble coming back early. The member decided to leave the application for 10 months which is what she had originally applied for.

The member's last day at work before taking maternity leave, was to have been in late October but she left a week early due to high blood pressure, which she had a medical certificate for.

In February, the member realized that her pay wasn't adding up. She had taken paid parental leave for 12 weeks at half pay, then 3 weeks annual leave at half pay totaling 18 weeks at half pay, plus the Government paid parental leave pay.

She phoned head office and asked why she was receiving less pay. It was explained that the company's paid parental leave pay is based on an average of her hours over the previous 6 months and as she had used all her sick leave earlier in the year and had taken unpaid leave to attend doctor's appointments as well as leaving work one week early due to high blood pressure, it meant that her average hours were less than full time. The sick leave taken earlier in the year was due to a medical condition which required her to be hospitalized for a period.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Due to receiving less money than expected, the member needed to return to work 2 months early. The store manager asked her to advise her of her available times and days, which she did. A week later the member called the store and was told that there were no day hours apart from every weekend and nightfill.

This was not suitable because the members' husband works every weekend, and due to where she lives night work is also unsuitable.

After the union became involved suitable hours were found.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

Not provided.

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Our member was in training at the time of announcing her pregnancy with the view of becoming management and eventually looking at being a store manager. From the time that she announced her pregnancy things changed dramatically. She experienced difficulties in coming back to the workplace early and also upon returning the whole concept of her becoming management was swept away. She feels so detached from the workplace that she is now even contemplating looking for work elsewhere.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

25-34 years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I had a lot of trouble getting transferred to a section in the store which was more suited to being pregnant.

What workplace measures would have helped you to respond to the challenges you faced?

More store support. Ensuring employees understand their entitlements.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Got government paid parental leave.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I am currently trying to return to work at the moment. I am having trouble finding out if I will get my old position back. I feel like an inconvenience at the moment as no one has answers as to what hours I will receive on the two days that I can return to work. More support to return to work would be good.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

Different jobs held for both children.

Gender

Female

Age

25-34 years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I wasn't informed if my parental leave had been approved until the week I was due to go on leave. My line manager had to chase it up. Made for a stressful time.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

25-34 years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

My manager was extremely accommodating when I needed to take time off for appointments. At no point did I feel pressured to take sick or personal leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Understanding by all levels of management within the store and flexibility due to the increased possibility of sickness, fatigue and physical inability to complete some manual tasks.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

35-49 years

Industry

Retail Trade

Employer

National Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Permanent

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

There was no one in the know available to talk to regarding leave options. Our pay girl just gave me a print out of the 'contract' and I made my decision from that. It was a tough 12 weeks on half pay paid parental leave, but I was grateful to still have a job and be getting paid. I am currently rolling over to the Government version paid parental leave and I am hoping for no faults in the payment.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

It's time to take leave when you can't pick stuff up or put things down and also when standing starts to hurt, ultimately, listen to your body and communicate with superiors.

Also, I didn't realise that I would only get paid half of my set hourly salary per week. This threw a spanner in the financial works. I had to drop my older son from 5 to 2 days to compensate for the money loss. Always re read everything, ensuring you double check before you make a decision.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I haven't got there yet. I am due back beginning of February. I will be talking closer to the time about my return taking into account hours of work, breastfeeding/expressing at work etc.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

Paid Parental Leave didn't exist for my first boy. I took just over a year off. This time around money is tighter so returning after parental leave earlier. I would have loved to have been off for the same amount of time.

Gender

Female

Age

18-24 years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

I worked for a large national supermarket in night fill. Being on my feet 8 hours every night was a struggle! Filling the lower shelves in particular was difficult. I was put on light duties by the doctor. I filled light stuff and had help with the bottom shelf.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

Management did their best to make sure I was comfortable and work around suitable duties.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I'm yet to return to work, but I know things have changed regarding the hours worked in nightfill, and I think I will struggle getting my full contract hours back in that department. I may have to change my availability because I need a baby sitter. I will temporarily reduce my hours. I think it will be hard to get hours in the time frame I'll be available to work.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

25-34 years

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Towards the end of my pregnancy I couldn't lift items or stand for prolonged periods. At first, work was accommodating until they put me on registers for the last 3 weeks before I finished work.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

They were excellent, working around appointments and letting me leave work early if I was struggling.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I had no problems. Work were very accommodating in regards to the hours I could work etc

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

25-34 years

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

I was asked to cut down my hours, but they were OK when I said no.

What workplace measures would have helped you to respond to the challenges you faced?

I think the managers need to know more about maternity leave.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

I had to take a lot of time off, especially the last month and they were really good about that. If I needed to sit or eat for a couple of minutes they just asked if I was OK.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I haven't returned to work yet.

What workplace measures would have helped you to respond to the challenges you faced?

I think the managers need to know more about maternity leave.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response.

Gender

Female

Age

25-34 years

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Casual

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Standing on my feet during shifts was very hard on my back, legs and feet. No air-conditioning also made it very hot to work. I also had problems if needing to lift anything heavy. The only thing I was able to do was get a stool to sit on between customers. This, however, required a medical certificate from my doctor as when I first requested it I was told no, not until I get a medical certificate. We only had one stool at my workplace (it was in photo lab for customers). If a customer was using the stool or someone else was I missed out.

I had a very bad time with my workplace and my pregnancy this time around. It doesn't help that I'm only casual in a company I have worked for, for over four years. They claim to have no contracts available for full-time or permanent part-time work. Therefore, it makes it harder for me to return to a job with no work. I have also been told that I am too expensive to pay due to my age.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

None. Be prepared as for me as a casual worker I didn't receive much help from management when it came to working with me and my pregnancy. A full time worker pregnant at the same time as me got a lot more consideration than I did.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I'm still currently on parental leave. As I am only casual there are no shifts for me to go back to. I was due to return at the end of this month, however there is no work, therefore I have extended my leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

Make sure you are full time before getting pregnant and taking leave.

If you have more than one child, how did your experiences differ between your first and subsequent children?

The previous child I had I found management at the time a lot nicer and more willing to working to make me comfortable. I was given a lot of shifts in fitting rooms to allow me to sit as opposed to this time around only receiving checkout shifts or standing at the door for 3+ hours.

Gender

Female

Age

25-34 years

Industry

Retail Trade

Employer

National Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Casual

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

While I was pregnant we got a new Store Manager. This shouldn't have made a difference in my working conditions but sadly it did. As he was new he didn't know the other staff or myself. On one occasion I was "visiting" a different department of the store conducting relevant work specific to my area. While I was still serving a customer I proceeded to sit down with them as at the time I was suffering from a pinched nerve in my hip due to the pregnancy. Instead of coming and checking on me directly he spoke to my line manager about the incident in front of a lower level staff member as well.

On most of my shifts I would be working alone which was normal but being pregnant I couldn't even get any help even to go to the bathroom.

I was still capable of doing my job which required some heavy lifting but when it came to releasing me of some of the repetitive heavy work, for example, setting up sales, I had no help even though I asked for it.

Being a team leader it was all on me if the work didn't get done so I had no option but to do all the lifting myself.

I also had difficulties getting help to apply for parental leave. As I had never needed maternity leave before, I turned to the personnel office staff for guidance on how to go about the paperwork. They were very unhelpful and didn't have much knowledge themselves. I was directed to our HR office with a phone number. They had almost as little understanding of the paper work as my store did. So, I filled it out 'blindly' and hoped for the best. I originally applied for one year off. A little over a month before that year was up I went in to work to apply to extend the leave for an extra year. I filled out and filed the paper work. This was June this year. Three weeks ago I they called me to fill the paperwork out again as they had lost it.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

I can say that I did have an understanding line manager who I have known for a long time. So that was lovely. She did help me where she could but of course she had her own job to get done as well.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I'm still currently on parental leave. As I am only casual there are no shifts for me to go back to. I was due to return at the end of this month, however there is no work, therefore I have extended my leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response.

Have you experienced any good practices for requesting or taking parental leave you can share with us?

The fact that my company does give us 6 weeks paid leave and allows us to have up to 2 years off work is very helpful.

If you have more than one child, how did your experiences differ between your first and subsequent children?

N/A

Gender

Female

Age

35-49 years

Industry

Retail Trade

Employer

National Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Having to stand in the fitting rooms for 29 hours a week with only standard breaks when I was heavily pregnant caused me severe backache and despite numerous complaints to the store manager nothing was done. The store manager just kept saying that maybe I should finish up sooner than I planned, which financially was not an option for our family.

All I required was a stool to sit on when my back got sore from standing but I was told that wasn't possible.

Then from 32-36 weeks pregnant I was moved to a customer service role on the sales floor which required me to walk the tiled floors for my entire shift. To cope with the pain this caused me I resorted to taking more bathroom breaks just so I could sit down for a short time.

This was my third pregnancy in the same store (a different store manager each time) and this was the worst I was ever treated. I was made to feel that I was being difficult and that if I couldn't do the job as I would have pre-pregnancy then I should start leave early.

What workplace measures would have helped you to respond to the challenges you faced?

I feel that management could do with more training on how to treat pregnant staff and how to find roles that suit both the business and the employees. I also feel that they need to be made more aware of company policies on this matter as there were provisions in my company's policies that were not implemented in my case. Refresher training may need to be done with regards to parental leave payments also.

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

With my second pregnancy my then store manager was great, he regularly asked how I was going with tasks I was given and when I said I was having difficulties he found other jobs for me to do. He even had me trained so that I could do reception toward the end of my pregnancy so that I was off my feet. He made me feel like a valued employee not an imposition like I felt this time.

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

As I am returning to work at the end of the year childcare places are more difficult to obtain, but my new store manager has been very accommodating with my work hours.

What workplace measures would have helped you to respond to the challenges you faced?

Each time I returned to work from maternity leave I have had great experiences with my store manager. They have always taken into consideration my childcare needs versus my hours

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

With my first pregnancy I was part of the management team so my experiences were very different. When I needed a break I was able to sit down and do my paperwork. With my second child, my store manager was very considerate and as my pregnancy progressed he changed my job role to more suit my abilities. My experience this last time was by far the worst.

Gender

Female

Age

18-24 years

Industry

Accommodation and Food Services

Employer

National Fast Food Outlet

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

Less than 12 months

What kind of challenges did you face in the workplace during pregnancy?

Our member is an 18 year old. She was engaged by a national fast food outlet as a permanent part-time employee. She had been employed for less than 12 months and would not qualify for parental leave. She suffered from a pregnancy related illness, which involved severe morning sickness, for 4 days and obtained a medical certificate for this. In discussions with her employer they stated she had not worked a full week of shifts due to her pregnancy.

Our member advised that when she returned to work after being off due to the pregnancy related illness she was quizzed about her absence and the manager said that if she had more time off she would be terminated and that she should consider the discussion to be a final warning.

Our member had another few days off because of her pregnancy and heavy lifting involved with her job. She then provided a medical certificate stating that she needed to rest until the birth of the child. Her mother took her medical certificate in to her employer. Another manager told her that she was terminated and that she could apply for a job after the birth of the child. No termination notice was provided, no paperwork received nor has she been contacted by the employer since then.

Our member decided not to pursue the issue as she believed she still had a good relationship with the company and wanted to try to get her job back after the birth of her child.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Permanent

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

The member has been an employee at a large national discount department store for over 14 years. She is 25 weeks pregnant. The member and her SDA Organiser approached HR in her store because her doctor had given her a medical certificate saying she was fit for work but with very limited restrictions. The HR Manager in the store was very hostile to the member and her organiser and did not want to adhere to the restrictions contained in the certificate. The HR Manager wanted our member to say that she was not fit for work and to treat the matter as a worker's compensation claim.

They also had no knowledge of the requirement to provide transfer to safe work or no safe job leave. They said they were not aware of this provision because it is not included in the information in the company's Parental Leave Pack, which they are using as their reference regarding pregnant employees' entitlements. After making some enquiries and discovering that they would have to provide safe work for their employee or else pay her not to be at work, she was suddenly able to retain her employment on the same rate and hours as before.

The Parental Leave pack has not been updated since 2008. This has been out of date since 2010 when the NES Parental Leave provisions became law.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Fashion Retail Chain

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member was employed by a national fashion retail chain on a fulltime basis. When coming back from Maternity leave she wanted to return to work on a full time basis. The company was pushing her to return on a part time basis, suggesting to her that she might not be able to handle returning to work on a full time basis. The company were making it seem that they were trying to look out for our member but she felt pressured by the company to change to part time employment. Our member agreed to change her contract to part time but then found that the company weren't allowing her any flexibility making her work on days which she had never worked. She was not happy with how it was handled so she requested a meeting and then the company agreed to allow her more of a flexible roster. This matter happened five years ago and our member still works for the company.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Accommodation and Food Services

Employer

Fast Food Outlet

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

12 months – 2 years

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

I have been an employee with a large national fast food outlet for over 12 months. I commenced parental leave and was contacted by Centrelink to inform me that money is awaiting employer's acceptance and that they are contacting my employer.

Almost two weeks later I contacted my employer asking when I can expect payment. My employer informs me that they are not paying the PPL as I have not been employed for 12 months with that particular store (I have been with the company for well over 12 months and at this store location for a year) I make contact with centrelink asking what to do in this situation. Centrelink direct me to put in a dispute resolution request which I submit during the phone call.

Shortly after the dispute resolution request is placed - I receive a phone call from my employer explaining that she was required to pay the leave but that it would be a lengthy wait for centrelink to forward the funds and again a lengthy wait for the funds to be transferred to me from payroll. My employer asked if I intended to return to work after my leave to which I responded with a YES. She explained explained that it would be to my benefit to provide centrelink and work with proof that I did not wish to return to receive my

payment directly from centrelink as it could be a LONG wait for the money to be processed and to be passed on to me. I told my employer I am not interested in leaving my position and the conversation is ended.

Shortly after this conversation I call the SDA for advice. I make contact with my union representative.

I contacted centrelink asking if my employer has accepted the payment in order for the process to start, they explain that still, no contact has been made by the employer and the payment is still awaiting acceptance. I contacted centrelink again and explained that the issue had not yet been resolved.

I called my employer (no answer), left a voicemail, text and email about the centrelink payment pending with no reply. I received a phone call from centrelink asking if I would be returning to work and if I had been employed for 12 months as these were 'notes' left on the file from a conversation with my employer. I finally received payment after over two weeks.

If you have more than one child, how did your experiences differ between your first and subsequent children?

No

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Hardware Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member went in to see her manager 5 weeks before she was due to return from maternity leave. She told the company that she wished to return on a part time basis and work only 10 hours per week. The manager said that was fine and that for her to leave it with him and he would contact her with the details closer to the return date.

Our member never heard back from the manager, so she tried on numerous occasions to contact him but he never returned any of her calls. She had to return to the store a few days prior to her return from maternity leave because she had never heard from the manager. She was then told they couldn't accommodate her request because they couldn't find any hours for her in the times in which she had made herself available. Our member then contacted the SDA and the organiser began to try and resolve the issue for her.

Our member was supposed to return in May 2011 and didn't get back to work until February 2012. During this time the company offered her different availability but never were able to accommodate her request of roster even though it was only 10 hours per week. The rosters the company kept offering were always inflexible and caused her a number of issues as they conflicted with day care centre times and times in which her partner was working as well. This issue wasn't resolved until almost 8 months later. Our member's main issue was with the manager at the time. She found that he offered her no support during her efforts to return to work and wasn't offering her flexible rosters or accommodating her requests to return on different rosters than the ones she was doing prior to the maternity leave. The manager made comments to our member along the lines of "If you wanted to return to work during a busy time then that would be ok but you are trying to return from having your baby and its quiet and we can't find work for you".

The issue has now been sorted out and our member is satisfied within her workplace. Her main issue was with the store manager who was just not supportive of her when she was trying to return to work.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

Independent Supermarket

Number of employees

100-499

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Our member returned from maternity leave and fell pregnant again shortly after returning. After becoming pregnant again her doctor said that she needed to sit down at times while at work as it was not good for her to be standing for long periods of time. Our member passed on the medical advice from her doctor to the manager and was given a seat to sit on between customers when working on the registers. It was after this occurred that she started to get bullied and harassed by fellow staff members and management. She would be made fun of by other employees for having to sit down. She was told by a manager that if she continued to have to sit down then she would have to go home, even though she had medical clearance from the doctor to sit down and the company had agreed.

The bullying from management and fellow employees continued for a long period of time. Our member would be asked questions by certain managers like, how many more times are you going to get pregnant? Also, she was asked by management if she ever planned on coming back to work and staying for a period of time before getting pregnant again. The constant bullying became a big issue for our member and she spoke to the SDA but didn't want to cause any more issues within her workplace so the SDA didn't go into the store to see what was happening.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member also had issues with getting a flexible roster when returning from maternity leave. She was put onto a roster that meant she had to work all nights which was hard for her with a young family.

Our member also requested certain days to have off and she would regularly be rostered on those days. She also requested for her shifts to be flexible so she could ensure that she wasn't working at the same time as her partner but those requests were also denied.

She has now gone back on maternity leave. She left for maternity leave very stressed from her troubles within the workplace and felt that the company didn't want her in the store because she had become pregnant again.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Pharmaceutical

Employer

Not provided

Number of employees

Not provided

Ratio of Male and Female Employees

Not provided

Occupation

General Staff

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member worked for a pharmaceutical company and experienced extreme difficulty in regards to accessing suitable light duties in the time leading up to the birth of her child. Her medical practitioner had recommended being moved to safe duties. The company was insistent that she visit their GP for a report before they accommodated the change of duties. She was harassed to the point that she elected to begin her maternity leave earlier than she originally intended. The member did not wish for the union to pursue the issue.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Transport, Postal and Warehousing

Employer

Not provided

Number of employees

Not provided

Ratio of Male and Female Employees

Not provided

Occupation

General Staff

Employment Status

Part Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

The member is employed in a distribution centre. She elected to return to work on a part time basis. Her problem has arisen due to the stance that her managers have taken in regards to her roster. On returning from maternity leave a roster was negotiated that fitted in with both work commitments and child care/sitters. She has since been under periodic pressure to agree to change her roster to begin at an earlier time, when she has no one to look after her child and the manager did not wish to listen. The matter was addressed but has since been raised again.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member is a full time employee at a large national supermarket. She is 24 weeks pregnant and works most of her hours at the registers. Her baby is sitting on a nerve which is causing some discomfort. Her manager is saying that the only solution is for her to request and put in writing a letter to reduce hours. At no time was she told of her options, for example, transfer to safe job, which is provided for in the Enterprise Agreement. The issue was not the number of hours she worked but the problem of not being able to move around on the larger registers.

Our member was advised to return to the doctor and have the correct medical certificate to present to her manager, have the contract amended back to full time as she was coerced into changing her status because she was not given the correct information.

Our member has done this and has resolved the issue.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Fashion Chain Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member has been employed by a national fashion retail chain on a full time basis for over 6 years. She recently took 12 months parental leave. When returning to work after her parental leave she requested to return on a part time basis working 20 hours per week. The company would only give her 3 options, return to the full time roster she worked prior to going on parental leave, return part time on 11 hours per week or return on a casual basis. After considerable negotiation the company agreed to 16 hours one week and 16.5 hours in week 2. The company was insistent that our member work one Saturday in 2. We managed to get some extra hours on the basis that our member start her shifts earlier than she was initially available. The company said that they were constrained by store budget and that they would only have 2 full time staff on during the week.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

Small Fashion Retail Store

Number of employees

20-99

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member has worked for a small fashion retail company for over 10 years. She initially worked for the company on a full time basis but worked 21 hours per week part-time for the last 5 years. She has just taken her second period of maternity leave.

Our member has followed proper procedure and has put everything in writing and started negotiating her return to work with the company in early May.

She was told by the company that they did not have a job for her. Her availability had changed due to Child Care. Before going on maternity leave her roster was Monday to Friday with no weekend work. She now had childcare on Friday and her husband could look after the children on Saturday and Sunday. The company said they had 7 hours on Friday but no hours on Saturday or Sunday.

Our member then sought assistance from the SDA to resolve the issue. The issues of hours and redundancy were discussed. In the end the company were able to offer 7 hours on a Friday and 5 hours on a Saturday. They had no hours available on a Sunday.

The company was slow to give a definite date of return. Our member eventually returned to work 12 hours per week five months after her initial discussion with the company.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us? No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member was a full time employee at a large national supermarket working every second Saturday in charge on the front end. When returning from maternity leave the in charge position every second Saturday no longer existed. This position was now rotated between the service manager and 2IC (second-in-charge). The store was able to provide a full time roster taking into account family responsibilities but not all on the front end. They have agreed to give her more hours at the front end as they become available.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us? No response

If you have more than one child, how did your experiences differ between your first and subsequent children? No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Permanent

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member worked in the Deli/Seafood Department at a large national supermarket. She was about 4 months pregnant and had been having complications with her pregnancy. She voluntarily stepped down from her position of 2IC (second-in-charge) to Shop Assistant to lessen the stress/workload and enable her to better cope.

Our member made her supervisor aware, in light of complications including bleeding after working to break the load, that it was not advisable that she continue to work to 'break the load'. This plus the smells associated with working closely with the load was having an adverse effect on her. The supervisor, however, put pressure on her saying words to the effect, "Stop using your pregnancy as an excuse to not do the loads".

Our member succumbed to the pressure and again worked to break the heavy load. Shortly after she suffered a haemorrhage and was taken to the hospital. At the time it was unclear on the precise condition of the baby. Our member had to have additional scans to clarify this. There was a concern for the baby as she had lost a lot of amniotic fluid and blood.

Relevantly, even though our member did not provide any medical certificates around her complications, the Company, including her supervisor, were made aware that whenever she had attempted to do the load she suffered from bleeding shortly after.

Our member contacted her organiser to tell her what had happened a week or so earlier. The organiser told our member to take care of herself and the baby and that she would talk to the company. The organiser contacted the store manager on same day and it appeared to her the store manager was aware of our member's difficult pregnancy.

When the SDA Organiser outlined what had happened the store manager said that he needs to investigate what happened. He also informed the organiser that our member needed a certificate for next Tuesday (when she is expected back at work) to say she is fit for work. The manager added that he was informed by our member that "the doctors had told her to terminate the pregnancy". We have not confirmed this with our member. The organiser was upset and disappointed because in the conversation with the manager it did not appear to her that there was any real regard/concern for the member or her baby's wellbeing.

The organiser met with the store manager and deli manager. Our member presented a medical certificate and asked for a reduction in her contract hours. The doctor's certificate indicated that our member could work but was on a 7kg restriction and was to take frequent breaks.

The store manager provided our member a new 30 hour roster with extra breaks scheduled in. The Organiser did advise the store manager that she was not happy how the matter had been handled.

Two weeks later the Store Manager advised the organiser that our member had to stop working and needed to take a couple of months off and have complete bed rest. Sadly, our member lost the baby at 28 weeks.

Our member has since returned to work and is also pregnant again and so far everything is going well.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

I have been an employee of a large national supermarket for twenty two years commencing in 1989. Since 2003, I have been employed in my current position of 2IC (second-in-charge) working Monday to Friday, 7.30 am to 4.30 pm, with a written agreement that I don't work on public holidays.

In 2009, I went on maternity leave returning to my employment in 2010. During the period of maternity leave I was not, at any time, contacted or notified of any changes in the workplace nor was I consulted in relation to my position and any changes thereto, upon my return to work.

I visited the store to meet the Store Manager and inform him that I will be returning to work in 2 months. The Store Manager also mentioned at this time that he has not got enough hours to place me back in my previous position. I told him that this is unfair as I was on maternity leave so why was my position not left available. His reply was "I will have to look at it".

I put forward my request that I return to work on a part-time basis working 32 hours per week, being a 4 day week comprising Monday to Thursday according to my previous working roster of 7.30 am to 4.30 pm to the exclusion of public holiday work as per my written contract.

My manager advised me, during that conversation, that he accepted the proposal with what seemed some hesitation as it seemed he was not really interested in me rejoining the team. He then mentioned he would confirm the reduced hours and roster after discussion with Human Resources.

My manager did not provide any feedback so I contacted him again prior to my return to work and the manager confirmed that the proposal of returning to work part-time, pursuant to the abovementioned conditions, was approved and would be confirmed, in writing, upon

returning to work. He further advised that he was unable to place me in my previous position working the reduced hours until he returned from his leave and would, initially, be placing her to assist in another area.

Upon returning to work, the Assistant store manager advised me that I would be placed in the Perishables Department as 2IC (second-in-charge) until such time as the Store Manager, who was on leave, returned to work to discuss the length of time I would remain in that position.

During the period the store manager was on leave I was presented with an amended agreement by the Assistant Manager, which confirmed the reduction in working hours to 32 hours per week. I was advised that I was required to execute the agreement to confirm the reduction of working hours. I advised the Assistant Manager that the agreement confirmed by the Store manager was that she would be working Monday to Thursday, 7.30 am to 4.30 pm to the exclusion of public holidays. He confirmed the changes pursuant to the agreement and advised that the only change thereto was the reduction in working hours. He reconfirmed the reason for execution of the agreement was to put in place the reduction in working hours.

Upon his return from leave, and to date, the Store Manager has not approached me to discuss the length of time I am to work in my current position nor plans for any change to it. I have continued, to date, to work in the current position as a dedicated and loyal employee of the company.

Shortly after the store manager returned to work from his leave he began to make me feel uncomfortable and intimidated during work, by staring at me intensely using aggressive expressions.

A couple of weeks later, my store manager called me into his office and questioned me as to why I was not rostered to work on public holidays throughout the December and January Christmas period. I advised that my current contract provided that I do not work on public holidays. I further confirmed that I had discussed the same with him when I meet him at the store in June and over the telephone prior to my return to work from maternity leave and that he had confirmed this prior to my return to work, that he consented to same. The store manager then said words to the following effect, *"Well, that's changed now and I'm telling you that this is the last public holiday you will have off while I'm the Store Manager here and good luck if you get another Manager that allows it. What, you think just because you returned from maternity leave and had a child, do you think you can have some special treatment?"* I replied, *"That's not nice the way you just spoke with me."*

I thereafter said nothing further and left his office distressed. Later that month, I was advised by my Department Manager, and I verily believe, that he was *"told off"* by the store manager and questioned as to why I was not working on each of the Christmas public holidays. The department manager advised me that he told the store manager that I required the public holidays off to care for my children. The department manager advised further that the store manager had said to him words to the following effect, *"You're a softy and who the hell does she think she is....."*

A week later, I was again approached by the Department Manager who advised that the store manager had told him that she was not getting the Australia Day public holiday off. On a few occasions throughout that day, the store manager walked past and glared at me intensely using aggressive expressions which made me feel both threatened and intimidated. His bullying and threatening attitude has been constant since my return from maternity leave.

Approximately one week later, I was called into the store manager's office. Also in attendance were two staff members from Human Resources. The following conversation took place,

Store Manager: We would like to talk to you about your roster.

HR: What department do you work in?

Member: Perishables at the moment, Monday to Thursday.

HR: We have been advised by the Store Manager that you have not worked public holidays. You will need to consider your roster as the company has moved forward over the last year and there is now a national roster that includes working one late night and weekends including public holidays.

(At this stage, I looked at the store manager who smirked at me.)

HR: You have until next Wednesday (5 days) to decide whether you work this roster or demote yourself to a lower pay.

Member: I have been working a roster that has been in force since my appointment to the position of 2IC in 2003 which is Monday to Friday only, working 7.30 am to 4.30 pm with public holidays off. The only thing that has changed since I returned from maternity leave was I reduced my working hours to 32 to work Monday to Thursday, the same hours.

I handed HR a copy of my roster agreement which was signed off by the Store Manager and Area Manager in 2003.

At that stage, I informed all present that I did not agree with their decision to change my working days and hours, that I believed the current position to be unfair and that, since my return from maternity leave, I had been treated unfairly. I advised HR that she was directly aware when I returned from maternity leave, that my working hours had been reduced to 32 hours along with the original provisions of not working on public holidays. I confirmed with HR that I was advised by the Store Manager that the proposal for reduced work hours and the original provisions of not working public holidays was accepted by both himself and Human Resources.

I further confirmed that since my return from maternity leave six (6) months ago I had, at no stage, been directly approached in relation to an issue with my working days or hours other than indirect remarks via other store personnel and believe that I have been discriminated against due to having been on maternity leave. I made it quite clear at this meeting that I felt this was all about being on maternity leave and subsequently the current meeting was a result of ongoing harassment and discrimination against me. I then mentioned that this will be taken further,

HR: Advised me, "*do what you need to do*".

At this point, I was distressed, upset and crying. I left the meeting with no support or comment by the store manager nor the staff members from Humans Resources.

I would like to make a point that I did not disclose the issues of bullying and intimidation by the Store Manager as he was in attendance at the meeting and because I felt that both Human Resource staff were not independent and I did not have confidence in them maintaining confidentiality and treating my issues with respect. This was further confirmed by the way they have treated me since my return from maternity leave with respect to the outcome of this meeting and dealings prior to this meeting.

Since my employment with the company I have been a diligent, loyal and hard working employee who, throughout the years, has received nothing but praise for a job well done. I consider myself a team player and have always undertaken my work giving 200% and worn my uniform with pride, this is why I was requested by the Store Manager and Area Manager in 2003 to be elevated to a position that I could be rewarded.

The Federal Sex Discrimination Act 1983 states that it is unlawful for an employer to discriminate against an employee on the grounds of the employee's sex, marital status, pregnancy or potential pregnancy.

This means that an employer must not treat an employee less favourably because she has taken maternity leave. Less favourable treatment can include the transfer of a staff member to a lower level or position.

The Anti-Discrimination Act in my state confers similar obligations on employers in the treatment of staff returning to work from maternity leave. In addition, the Industrial Relations Act in my state states that employees returning to work after a period of parental leave (either maternity or paternity leave) are entitled to be employed in the position held by the employee immediately before going on leave.

The provisions of the company's Parental Leave Scheme include employment flexibility.

In the company's online employee information the company states, "*We continually seek new and improved ways to stay ahead of the changing needs of our workforce*" and,

"Flexible work options tailored to individual needs have proven to be an important factor in retaining people as their work-life balance needs evolve" and,

"Options available to new parents include up to 104 weeks of parental leave, at Stay in Touch program for those on parental leave and access to reduced workloads and flexible work options upon return."

I feel that my Store Manager has failed in his duty of care to promote a safe workplace in which an employee can work in an environment without feeling intimidated, harassed, threatened or bullied and discriminated.

I have never, in my twenty two years of working as part of the company been made to feel an outcast as I have during my return from maternity leave. I also feel that the Store Manager and the Human Resources personnel, as representatives of the company, have failed to fulfil the requirements set by the company by not allowing "*Flexible work options tailored to individual needs*" and "*flexible work options upon return from maternity leave*" and by not allowing my continued work roster to be in accordance with an agreement reached with them in 2003 that I work only set hours during weekdays to the exclusion of Public Holidays.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member is a permanent part-time employee at a large national department store. She applied for 12 months parental leave and extended it for a further couple of months. She is a single mum.

She gave her availability to her manager and he gave her a roster which was nothing like her availability. He told her that was the only roster he could give her for 25 hours per week. Eventually she agreed to sign a roster for 15 hours per week as it was the only one that fitted in with her availability.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member was a full time employee with a large national supermarket. She is now returning to work from parental leave. She has requested to return to work part-time working 24 hours over three days. Her manager has told her he has no hours but could possibly give her 15-17 hours.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Permanent

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member is coming back from maternity leave and wants to reduce her hours to 16. The manager has told her that she can have a 3hr shift each day. She worked in the bakery & couldn't go in for the early shifts. He manager told her she would have to go to another store. She refused to do that as she lives close to the store. In the end the organiser helped her & settled the matter.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member sent a letter to the company late last year stating that she intended to return to work from her two year maternity leave absence in 5 weeks' time. She did not hear anything back from the company so she called the store to find out what was happening with her return. Before she left to go onto maternity leave she was employed as a service manager on a salary at a large national supermarket.

Our member rang the store to find out that the previous store manager had left and the new manager knew nothing about her and wasn't aware that she was employed at the store within that position.

The store has permanently replaced her position and currently has another employee who is doing her role. The store manager when speaking to our member told her that he had no idea she was even employed at the store and her position has been permanently replaced not just temporarily. The store manager told her he would speak to the regional manager about it and get back to her.

Our member heard nothing from the store manager or the regional manager so she contacted the SDA and requested advice as to what she should do. An SDA organiser then got in contact with the company to discuss the matter. He spoke to the regional manager and informed him that our member needed to be put back into the same position on the same pay rate as she had been on before leaving for maternity leave. The regional manager said that he understood this but he would need to look into it to try and resolve the issue.

Our member has moved since she left work to go onto maternity leave and actually would prefer to move to another store closer to home anyway. This was put to the company but they still have been unable to find anything for her. Our member has not received any

feedback from the company, and has of her own accord gone and spoken to other stores to see if they had a position for her to return to.

Our member was told of a vacancy at a store close to her house. She called the regional manager and was told that she would need to apply for this position if she wanted it. She went to the interview and applied for the position but has not heard anything back from the company. During this period she always had to contact the company and even agreed to go to an interview about a position because she felt that it would be the only way that she would get a position back within the company.

The SDA followed up the issue and the matter settled on the basis that she will return to the same position she was prior to her going on maternity leave in a store that she is happy with. The new store is closer to home. A meeting between HR and the member will be held in relation to her going back at work in the new store with an agreed roster.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Hardware Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

Not Provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member is a full time team member. She went on maternity leave at the end of Sept 2012 for a year. In August the member made contact with the store about her return to work from maternity leave. She was told she had been replaced and that there was currently no position or hours for her in the store and was told to extend her maternity leave for another 3 months. She contacted our office about her rights and was told about the EBA which allowed her to work casually while on parental leave, but when she approached the store about this was told they didn't do that.

Our member decided to return to work full time and needed to organise day care. She was due to go back to work in January. She informed the company of her intention to return to work a second time and was told to contact the store mid-December. She was then told she needed to speak to the Operations Manager, who claimed he had no idea what she was talking about and that he would call her back. She hadn't heard anything by the following week so rang the Operations Manager again to be told to call back later in the week as he will need to speak with the co-ordinator, as they haven't worked out their January rosters yet.

The SDA followed up the issue and the member is back at work full time with an agreed roster in the position she held prior to her going on maternity leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Discount Department Store

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Female

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member was scheduled to return from maternity leave in February 2013. She went and spoke to the store manager in December 2012 and informed him that she would like to return on fewer hours due to her family responsibilities. She handed the store manager a number of different rostering options and she was very flexible in regards to the times she could work which reflected her availability.

Our member didn't hear back from the store manager after that meeting. She had to call the store multiple times leading up to her scheduled return date and the store manager wouldn't return her calls. She got in contact with the assistant manager and he said that they couldn't offer her any of the rosters that she had provided to the company.

When our member left to go on maternity leave she was doing 31 hours working in the photo lab department. She wanted to return to work in the same position but on 18 hours per week. The company stated that couldn't offer her 18 hours in the photo lab and that they would only be able to provide her one shift in the photo lab and in total would only be able to provide her with 15 hours.

The 15 hours that the store manager offered her were completely different to the hours that she had requested from the company. The store manager didn't at all take into account the requests made by our member to try and have a flexible roster which enabled her to juggle her family responsibilities and her work. Our member requested the assistance of the SDA and it wasn't until the organiser became involved did anything start happening for her.

The SDA organiser was able to negotiate a new roster for her but the company still wouldn't offer her the full 18 hours or all her shifts in her previous position working within the photo lab. Our member still isn't totally satisfied with the outcome but said that things have

become better for her at work since the store manager who was handling her return to work has left.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member was working in the bakery when she became pregnant. It came to a time when her doctor informed her she would have to transfer to a safe job because the heavy lifting required in the bakery was too much for her now that she was further into her pregnancy. Our member provided the company with a letter from her doctor requesting a transfer to a safe job. She wasn't immediately transferred and was left in the bakery on restricted duties.

Our member again went back to the doctor and got another letter stating that restricted duties weren't enough she needed to be transferred to a safer job within the store. Management within the store were not helpful and continued to delay the process of moving her to a safe job.

She was also given a hard time by other members of staff and management about her requests to move to a safe job and her restrictions on what she could do at work. Management within the store made it seem that she was causing them so many issues by requesting a transfer to a safe job. The SDA became involved and it wasn't until this happened did the company find something suitable for her.

HR had to get involved. The store manager was the main issue as he was not open to helping our member through her pregnancy.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Accommodation and Food Services

Employer

National Fast Food Outlet

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Casual

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Our member is a casual employee who has been employed with a large national fast food outlet for three years. She informed the company that she was finding it very hard to continue to work early morning shifts as she was suffering from pretty bad morning sicknesses and her current roster had her working all early mornings. Our member requested a change in hours during her pregnancy to help manage her morning sickness. She had to take time off work due to her morning sickness and felt that a change in roster would help her and would reduce the number of sick days she would have to take. She stated that she would be able to work any time between 8am-4pm as that time seemed to be the time of the day when she felt the best. She didn't want to do the nights because she also got tired very quickly and working the afternoon/ night shift was hard for her.

The company changed our member's roster for her but gave her all afternoon and evening shifts which she had stated would be hard for her to complete. She then was offered another roster which was more accommodating to her but only gave her one shift a week. An SDA organiser got in contact with the manager and tried to get the situation resolved but the manager stated that because she is a casual employee that they couldn't guarantee her shifts. Prior to asking for a change in roster due to her morning sickness she had worked 4-5 shifts a week regularly. She asked for at least 3 shifts a week but at this time she is currently still only regularly getting one shift a week. This is yet to be resolved.

The second issue that our member has encountered is the news which has been passed on to her from staff in the store regarding discussions that have been conducted by management and other staff. In one of these meetings, it was passed on to her that the attitude toward her in an effort to fill her shifts due to her pregnancy was one of frustration and anger, and in one circumstance a member of senior management was said to have mentioned that she was being pathetic. After hearing of this our member proceeded to leave a note outlining her distress by the lack of communication from management.

Management has not spoken to her about her pregnancy or illnesses associated and how they can help in the work place with her shifts, nor any discussion in relation to the numerous doctors certificates. This was all prior her contacting the SDA in November. Since then she has been made aware of managers being quizzed over her work during shifts, and her time at store, and finds this distressing due to the thought that she is being closely monitored due to her being pregnant, and raising concerns with the company since then.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

Our member is employed at a large national supermarket. She commenced employment as a permanent part-time employee on 3rd March 2009. She worked as a part-time team member for three years. She then reverted to casual employment on 15th February 2009.

The reason she went casual was because her father had cancer and she had to look after him. She was also sick herself & waiting for an operation. The manager thought it would be better if she went casual as she was having too much time off and agreed she could go back to her permanent part time hours when her life was back on track. She has since gone back on to her permanent part time contract.

Our member then applied for Maternity leave from April 2013. When she spoke to the store manager about applying for the company's Paid Parental Leave he agreed she should be entitled to it. However, it has been approved as unpaid leave instead. Payroll told her that HR would not approve paid parental leave as she was casual for part of the two year period before parental leave and is therefore not eligible. The company policy stipulates that an employee must have 2 years full time or part time continuous service to be eligible for paid the company funded parental leave.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member worked in the deli department at a large national supermarket, on a permanent part time roster of 30 hours one week and 28 hours the next.

When returning from maternity leave our member notified her department manager she had to swap a couple of days as she had no one to mind her son. Our member and her partner have no family support.

The department manager told her hours were taken out of the deli while she was on maternity leave and there were eight and a half hours they could not give her, as she changed her availability

Our member notified the Union because she said the manager was unreasonable, she had even offered to go to another store for the eight and a half hours. She needed to work as her partners over-time had dried up .

A meeting has taken place with the Union and the manager is now looking at other departments and stores she can work. He is also looking at casual hours which she may be able to pick up as a permanent part time shift.

The member has no family and limited support in relation to child care. The SDA has since been able to negotiate another 4 hours (a work colleague looks after her son while she works the extra 4 hours). The SDA is also still working with the member and the store to try to get a further four hours work.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Male

Age

Not provided

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

A male member works at a large national supermarket. His partner had a baby. He could not afford to take two weeks unpaid paternity leave. However, he used annual and long service leave to look after the baby and his partner. He had permission from his store manager to take paternity leave early if his partner had the baby early.

When the baby was born his department manager visited the hospital. He congratulated them and told the staff member "you have a new roster and the store manager told me to give it to you". The roster change meant the member would lose \$140 per week. The member told his department manager, "it is supposed to be a happy time, I just had my first baby and I am going to lose over \$140 a week. No, I don't want to talk about this now. It is supposed to be a happy time for me. I will see you when I return from leave. The manager then told our member "we have to give you notice" and kept talking about the roster and that he was directed to do so by the store manager.

The company now refused to back pay his annual leave and long service leave since he returned from his time off. They refused on the grounds that he did not fill out forms for unpaid paternity leave, which they knew he was taking to look after the baby. Even though they had verbally agreed to the time off prior to him taking the leave and knew the circumstances as they visited him in the hospital. They were able to take a new roster to the hospital but did not offer him any forms to complete to sort out his leave.

The SDA have intervened and the store has paid the annual leave and long service leave taken at the time of the birth, at the accrued rate, that is the rate the member received prior to his roster change. Unfortunately, the SDA was unable to prevent the change in our member's roster and consequently his rate of pay, as he no longer works hours which attract a penalty rate.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full-time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member is a salaried second-in-charge Bakery Manager in a large national supermarket. Her twin babies were born in September 2011, but were due in November 2011 (so were very premature). She had originally requested 2 years parental leave, but wrote to the company before Christmas 2012, asking for an early return to work in February 2013. By then her twins were 16 months old. Her employer accepted her early return to work.

When our member left to go on parental leave, she was on a Tuesday to Saturday roster from 5am to 3pm.

While she was on parental leave, the company decided to change their baking schedule. They said that the company expects the stores to have bread on show for customers late afternoon and early evening as they had received customer feedback about the unavailability of freshly baked bread for purchase. In response, the company now required staff coverage in the Bakery from 7am and 7pm. They had not advised our member of this until she returned to work.

Her twins had started child care but had special health needs because of their premature birth. They were under weight and needed specially prepared meals, scheduled on time. They also had specialist appointments for speech therapy, physio and a dietician, as well as regular paediatric appointments. All of these appointments involved considerable cost. Our member used her annual leave to take the children to their appointments, and her husband also took leave to care for them.

Our member had been strongly advised by the children's specialists that their health and weight gain would benefit from a consistent routine for feeding. The Child Care centre the

children attended did not have sufficient staff to provide the one on one attention required to ensure that the girls ate enough at the correct times.

Daycare for the twins costs \$77 per day. This meant it was financially impossible for her to go to part time work. Her mother was also sick and could only look after the girls on Saturday. Her husband is also a manager with the same company and is required to work until at least 6pm each night.

Also, our member cannot work in deli, fresh produce or checkouts because of sea food, and fruit related allergies. The company was aware of these limitations.

In the lead up to her returning to work, the store presented her with 3 roster options including:

1. Tuesday to Saturday, 7am until 5pm daily;
2. Tuesday to Saturday, with 2 of the shifts 6am-4pm and 3 shifts 7am-5pm, and
3. on the last occasion, the store agreed to roster her 3 days between Tuesday and Saturday 6am-4pm, 2 days at 7am-5pm. They said "Due to operational requirements, the store is unable to roster her for the 5 shifts at her preferred roster of 6am-4pm."

Option 3 would have been acceptable if all the shifts had been 6am -4 pm. Our member requested that she work one hour less on the 2 days which finished at 5 pm (a total of 43 hours) and not be paid for those 2 hours, to assist her with her family responsibilities, as per S65 of the *Fair Work Act* "right to request flexible working arrangements". The Company refused. As this provision in the Act specifically denies the right to appeal an unreasonable refusal, there was nothing she could do about the decision.

She said she was happy to work 6am-4pm, and the store was able to confirm this roster arrangement on 3 of the 5 shifts.

Our member sought assistance from the SDA and a meeting occurred with HR the first week she was back. (During this week she was doing training at a different store.)

After further discussion, the company gave her a new roster working 6am – 4pm over 5 days for a trial period of the first 4 weeks, in the hope that she could put "appropriate arrangements" in place for her children by then. This roster totalled 45 hours work per week, which is the minimum number of hours each week required of salaried employees by the company. The expectation is that on any given day if there is a business need managers should work for the longer time required. The arrangement for our member was that she wouldn't work later than 5 pm.

After the trial period, the children's needs had not changed, and the company proposed that she explore 3 months unpaid leave with Centrelink payments as a solution. HR offered to write a letter to Centrelink to facilitate this. Our member rejected that proposal. The HR specialist also suggested "Wouldn't nightfill be good for you?" It wasn't.

The company then insisted that she work the roster proposed previously, which was:

Tuesday 6am to 4pm,
Wednesday 7am to 5pm,
Thursday 7am to 5pm,
Friday 6am to 4pm, and
Saturday 6am to 4pm.

It was also suggested that these hours would be provided with a review period. The SDA refused to agree to this arrangement and insisted that the status quo of working from 6am - 4pm each day be maintained until the grievance procedure had been exhausted.

Our member lives a minimum of 45minutes drive away from this store (The later she worked, the heavier the traffic and the longer the journey.) She paid approximately \$80 in petrol per week to get to and from work. This roster meant she was just in time to pick up her girls from day care on Wednesday and Thursday and by the time she got home and prepared

their dinner, the girls would be behind in their feeding schedule. They normally went to bed at 7pm.

She offered to step down to 38hrs a week with a Sunday shift (which involved extra money on that day) and to transfer to a store closer to home. As a salaried employee it was not acceptable to the company to work 38 hours at the higher hourly rate of pay. They said that they did not have any 38 hour per week positions available across 9 stores. They did agree for her to step down to a 38 hour per week position at a (reduced) EBA salary. Subsequent feedback from HR was that there were no positions available at a store closer to home. Our member continued to work on the status quo roster.

As it turned out, she was not able to work the rostered hours on many weeks, because her children were sick from viruses picked up from Child Care. They were particularly vulnerable to these because of their own poor health. At one point the girls were hospitalised because they were so sick. Our member's husband took carer's leave to care for them. Also her mother's health deteriorated and she needed support and assistance. Our member experienced a great deal of pressure, bullying and harassment as a result of the time she needed to be away.

In June, she also injured herself at work (She sprained her wrist.) A week after the incident the in-charge manager finally relented and told her to go to the doctor's. He made her drive him to the doctor's because he didn't have any petrol in his car. On that occasion, he did not go into the surgery, but on 2 other occasions he did go in to see the doctor after she came out. On 2 other separate occasions the assistant store manager and the front end /service manager also spoke to the doctor after her appointment. She did go on light duties and had physio. She did her best to work to the restrictions of her light duties plan but this was difficult given all the work to be done and the lack of staff.

The Bakery manager was on light duties and was only working 4 hours per day and our member was feeling unsupported. This was also within a context of the Company generally cutting staff due to competition, so that if employees were away, they were not being replaced. This meant increased work intensity for those at work. She became very stressed, exhausted and angry. She was close to breaking point and desperate.

Over the 4 ½ months since her return to work, there had been many discussions with store and area management and HR, proposing different options, including a transfer to a store closer to home, with no satisfactory outcome from our member's point of view. The sticking point from the company's point of view right from the start was our member retaining the higher hourly rate of a salaried manager, if she worked less than 45 hours per week, despite continuing to do the job when she was there. The SDA Branch escalated the issue to the SDA National office, who took the issue to personnel in the company's Corporate office. Within a few weeks a new and satisfactory arrangement was formally agreed and was operational.

Our member now works 34 hours per week at the higher hourly rate of a second-in-charge manager, Tuesday – Friday 6am – 3 pm.

She has not been given a pay increase since before she went on maternity leave, and this is to be raised with the company.

Nonetheless, this arrangement is so much easier for her to cope with. She is much less stressed, and she is not taking so much time off work. It reduces her child care and petrol costs, so is affordable, although she still needs to be very careful with her money. The children are healthier as she can cook their special food for them, and keep them to their routine.

Five months of frustration, stress, suffering and health problems experienced by our member and her whole family, as well as many meetings, emails and time wasted by the Company, could have been avoided if the company HR had been prepared to have a salaried manager work 2 hours less than 45 hours per week and still maintain her hourly rate of pay.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

An organiser received a call from the store delegate of a large national supermarket, stating that there were a couple of issues regarding toilet breaks for 2 pregnant women.

The first one had asked if she could go to the toilet as she felt something was wrong and needed to check herself. She was told that she couldn't just run off to the toilet whenever she felt like it, and to stay on register until someone could relieve her. It was expressed harshly that it was a busy time of the day and most inconvenient.

The member waited for half an hour and again expressed to the department manager that she needed to go to the toilet desperately. After much eye rolling and huffing, she was allowed to leave her station. When she went to the toilet she discovered she was bleeding. The member was then taken to the hospital where she spent a couple of days, and fortunately everything was fine with the baby.

The second member asked if she could go to the toilet and was told to hang on. This resulted in the member urinating in her underwear, which caused enormous embarrassment and humiliation.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Male

Age

Not provided

Industry

Retail Trade

Employer

National Retail Distribution Centre

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Warehouse Worker

Employment Status

Not provided

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us? No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Two members who were employed in a large national retail distribution centre applied for 2 weeks paternity leave. The DC was only willing to sign off on one week of leave.

One member resigned and the SDA heard about the issue after his resignation.

The other case was resolved with the employee being able to take the two weeks as per his entitlements.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Transport, Postal and Warehousing

Employer

Labour Hire Company – working at a National Distribution Center

Number of employees

Not provided

Ratio of Male and Female Employees

Majority male

Occupation

Warehouse Worker

Employment Status

Casual contractor

Length of Service

12 months – 2 years

What kind of challenges did you face in the workplace during pregnancy?

Our member discovered she was pregnant at 5 weeks gestation. She has had a number of miscarriages in the past so sought her doctor's advice. Her doctor provided a medical certificate stating light duties required. She was employed by a labour hire company and worked at a large national retail distribution centre. The labour hire company said such duties were not obtainable at the DC, so are seeking an alternative position at another location which would be more suitable. They had considered an alternative position at another warehouse but concerns regarding excessive heat meant it was not appropriate.

The SDA Industrial Officer confirmed that the labour hire company is required to provide a "Safe job" or provide "No safe job paid leave".

The labour hire company then decided to obtain legal advice. Subsequent to this advice, they requested that the employee attend the company doctor. The employee's medical history is of a very sensitive nature and another doctor could not be aware of the full medical history and she should not be required to disclose it to someone else.

In the meantime, she did not receive any pay and as a result had increasing stress and concerns in regards to her inability to pay for her child's childcare, which she had to pay for to keep the child's spot at the childcare centre.

Given the employee's history of miscarriage the escalating stress she was experiencing due to work issues was not good for her health or the health of her baby.

The SDA again went to the company and said there was no requirement for the employee to go to their doctor. If they required more information it could be provided by her doctor.

The labour hire company has since found her a position doing administrative duties in their office. They have also agreed to pay for child care for the week she was not given work. Her normal pay will resume once she commences work next week.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

N/A

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member is currently attempting to return to work. She previously worked a spread of hours which sometimes included weekends and evenings as required. Current childcare availability is from 7am until 6pm Monday to Friday. This member offered to work within this spread of hours.

The company responded by saying that these hours were unsuitable – they required her to be available from 5.30am until 7pm and to work every second weekend. She was offered 5 hours per week. When the member replied that this was not enough, her manager responded “well, you can have ten, then”. Furthermore, she has not been offered her previous position, but a demotion and lower hourly pay rate.

She would like her previous position and 38 hours per week back. The SDA is trying to secure greater hours for the member.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Male

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member applied for 6 weeks concurrent leave as his wife was due to have a baby soon. Initially when he had asked the store manager about the leave, he had told him that he would need to talk to the grocery manager as he's the one that has to replace him, and was very offish.

Our member visited the local SDA office to find out his entitlements. He was told his industrial rights and was given copies of the SDA Parental Leave information booklet and the SDA information booklet on the Government Paid Parental Leave Scheme. He was also informed that his employer had a Parental Leave information Kit which he did not know about. His wife works for the same company as well and she also did not know about the Parental Leave Kit. He was told that he should be able to access it through the company Intranet. He asked if it was possible to do that using the union office internet. It was, and he and the Branch Women's officer got on to the Company Intranet and, after a great deal of time, they eventually found the document, but commented that it was very difficult to find, even when they knew what they were looking for.

Our member's wife had the baby late December, a couple of weeks early. He saw the store manager in the hospital car park and he had yelled out to him "see you in 6 weeks" which was the first our member knew that all of the leave he had applied for was granted. The store manager seemed to have had an unexplained total turn around.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

Our member was a full time employee at a large national supermarket. When she was working she was expected to push around a fully laden drinks cage even after she had produced a medical certificate and spoken to the Service Supervisor about not coping working full time because she couldn't stand for long periods, and was having back problems. The Service Supervisor told her that she couldn't find her other duties. Our member says that she had a very swollen stomach even at 4 months. The Service Supervisor wanted to put her on a "big" register but our member refused because she was unable to pick up anything from the floor due to her back problems or to stand for long periods. She asked to speak with the store manager. The Service Supervisor then put her on the express checkout (lighter work), without her needing to speak with the store manager.

Her baby's heart beat was not detected at 34 weeks. At that point she had been on maternity leave for 2 weeks. Our member sadly lost the baby.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member had been a full time employee before having her hours reduced during her pregnancy. When she applied to return to work the Assistant Store manager told her that she was not entitled to return to work on 38 hours per week because there was no written agreement stating this.

The SDA organiser spoke with the Assistant Store Manager and told her this was incorrect. It was reported that the Assistant Store Manager was very unprofessional in this meeting which included our member, and had her in tears over the haggling about her return to work arrangements. The Assistant Store Manager asked her whether she was crying because she lost the baby, which upset our member further.

Our member has applied for a transfer to another store, which has been approved "when the store has hours available". She is now living close to the other store and it will take her 2 ½ hours each way by public transport to travel to her original store. The Assistant Store

Manager has insisted that while she is still at her original store she work a “Tuesday to Friday one week and a Tuesday to Saturday the next week” roster. Our member says that there is no public transport to her original store on the weekend and so she can’t work on a Saturday there.

Her doctor advised that she should return to work for 20 hours in the first week, 30 hours in the 2nd week and 38 hours in the week after that. She wants to work at the new store as soon as possible, and is becoming quite anxious about having to return to her old store. At the new store she says she could work any day from Monday to Sunday up to 6 pm, and in any department. She says that she has worked in a lot of departments – registers, bakery, perishables, grocery, and is half trained as a 3IC.

SDA members at the new store say that they are desperate for people, but the Assistant Store Manager at the original store says that they have not got any hours at the moment.

The situation was eventually resolved by the SDA and HR at the National level of the company. Our member was able to return to work at the new store on a graduated return to work arrangement.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

Independent Supermarket

Number of employees

500-3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Full Time

Length of Service

Not provided

What kind of challenges did you face in the workplace during pregnancy?

SDA member works in the Bakery of an independent Supermarket. She was told that because she was pregnant that she was not suitable for promotion to the Bakery Manager. She was told that all managers have a set roster which includes nights and weekends and early mornings, and if you can't do the roster then you can't get the promotion. The member contacted the SDA because HR are moving her from the store because they think that there will be a personality clash between her and the new Bakery Manager, but they haven't given her a chance. The member just wants to stay in the store.

The SDA will advocate on her behalf.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Male

Age

Not provided

Industry

Transport, Postal and Warehousing

Employer

National Retail Distribution Centre

Number of employees

More than 3000

Ratio of Male and Female Employees

Majority Male

Occupation

Warehouse Worker

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

A male employee, who has been employed at a national retail distribution centre for 18 years, asked his boss in advance, for 2 weeks unpaid leave, so that he could access Dad and Partner Pay (DaPP). The employee explained that DaPP was only payable if the employee was not in receipt of employer payment. This Company's parental leave guide for employees at that time was 4 1/2 years old, and does not include Dad and Partner Pay in its information. In the absence of any other information, the manager looked up the company's Unpaid Leave Policy, which said that unpaid leave should not be granted if the employee has any outstanding accrued leave available. This employee did have accrued Long service leave and annual leave, so the manager denied his request for unpaid leave.

The employee contacted the SDA and the member was able to access 2 weeks unpaid leave as per the concurrent leave provisions in the Fair Work Act.

The Company agreed to change its policy in regard to unpaid leave to exclude instances of DaPP, and to include information regarding DaPP in an updated Parental Leave guide. After several months, neither of these has been finalised.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Accommodation and Food Services

Employer

National Fast Food Outlet

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Manager

Employment Status

Full Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

An SDA member worked as a full time manager for a large national food outlet franchise which has 3 stores. The member lives 1 ½ hours travel away from her workplace.

She is a single mother with no family support available, as her family live interstate.

She wished to return to work as a store manager. Her child was placed in a child care centre for one day per week. Child care was not available on the other days. Therefore, her availability was one day per week. The franchisee said we don't have store managers who only work one day per week. He offered her work as a crew member but that it would be at the rate of pay for a crew member.

Under the industrial agreement for her workplace she needed to work a minimum of 9 hours per week as a part time employee.

The store does not open until 10am and shifts are not 9 hours long, because staff are just not required for all of that time. The franchisee said that he could offer her 2 shifts over a couple of days of perhaps 5 hours one day and 4 hours another day. Even if she could get child care for another day, she said that it would not be economically viable on a crew member's wages, especially in addition to travelling 3 hours each day to attend work.

The franchisee wanted to do the right thing, and once again, offered her work as a store manager, as they desperately need store managers. She wasn't able to do that. He said if the member can increase her availability to 2 days, he may be able to help her. Until then, she would not be able to return to work for that company.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member was a night fill employee working 15 hours per week permanent part time before taking parental leave. She had been trying to sort out this issue since July 2013 and contacted the SDA in November 2013. In the meantime, she had not been able to return to work.

She has an 8 year old son and a 2 year old daughter. Her return to work was due in August 2013 after 2 years parental leave.

She wants to work 15 hours per week, part time, in service and grocery during the day. Her husband does shift work, which requires him to go to bed early and get up early, which means that she can't work night fill, because she needs to look after the children.

The store constructs its rosters over a 4 week period. Our member's only availability was:

Week A	on Wednesdays up to 7 pm
Week B	on Mondays and Fridays
Week C	on Mondays up to 7 pm
Week D	Mondays 7am – 1 pm Thursday 7am – 2 pm Friday up to 7pm

The store manager had spent 2 hours going through various roster options with her.

The Store manager came to the conclusion that he could not accommodate 15 hours each week with her availability eg. Weeks A and C. He didn't have jobs for 9 hours, and would have to create a position and was not going to do that. He therefore concluded that her availability did not meet operational requirements.

In the company's EBA, employees can reduce their hours until their child is school age, which requires a minimum of 10 hours per week, or 40 hours over 4 weeks. This was not going to be possible on our member's availability.

Our member contacted the SDA and an official met with the store manager. Certainly the store manager thought that he had done enough. He was somewhat irritated that our member had contacted the union, despite it being an unresolved issue for 4 months. A number of other options were discussed and the store manager had undertaken to contact HR, but had not done that, and was fobbing off the SDA official. He wasn't being particularly cooperative, and there was the sense that he wasn't fair dinkum.

As part of ongoing discussions, our member was prepared to look at numerous options. This matter is still ongoing.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail Trade

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member worked for a large national supermarket. She notified her employer of her return to work date. She requested to work on some different days and at different times, but to retain the same hours as before her parental leave.

A meeting was held with the store manager, area manager and an SDA union official 2 weeks before her return to work date. During this discussion our member noted that she had noticed casuals working on the floor at times when she would be available to work. It was explained that they were filling in for someone who was sick or away on leave, and so those shifts were usually taken by someone else.

The managers printed out all the rosters over the 4 week cycle, weeks A, B, C, and D, and highlighted all the casual shifts. At the meeting, this was presented to our member and she was asked to circle any shifts that she could do, which was used as the basis of discussion. The managers did not pressure the employee and the union official to decide immediately and left them, giving them whatever time they needed to discuss what had been put to them.

Through this process our member was able to get another shift more than what she had been offered previously, which was not everything she wanted but was acceptable to her, when she understood the situation.

The store manager told her that he would then notify the relevant casual(s) that they would no longer be working those shifts and she could start in 2 weeks.

The information provided and transparency from management was very helpful in helping reach a resolution.

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

Gender

Female

Age

Not provided

Industry

Retail

Employer

National Supermarket

Number of employees

More than 3000

Ratio of Male and Female Employees

Roughly even split

Occupation

Sales Worker

Employment Status

Part-Time

Length of Service

2 years or more

What kind of challenges did you face in the workplace during pregnancy?

No response

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for managing pregnancy in the workplace you can share with us?

No response

What kind of challenges did you face when you returned or tried to return to work after taking parental leave?

Our member works for a large national supermarket. She notified her employer of her return to work date. She spoke with her line manager and told him that she was still breast feeding and asked about whether the company had a policy regarding breast feeding. Her line manager said that he did not have any idea and would contact HR. HR informed him that there was nothing in the EBA (Enterprise Bargaining Agreement) and the company did not have a policy or any information at all about lactating or breast feeding facilities.

[In fact, 5 months before the company had launched a Parental Leave Information Kit for all their staff. The Kit included the following: "...we aim to understand and support our new parents in the workplace, including accommodating breast feeding and expressing milk where we can. Appropriate locations are available in each workplace that are suitable for breastfeeding or expressing milk, as well as changing your baby.Please speak with your line manager about a location in your workplace that would be most suitable."

The company head office had sent a "team talk" to their managers for them to use to inform the managers in the store of the Kit, and they in turn were to inform their staff. The Kit was put on the company website.

In this store the store manager, who is highly regarded by his staff, had seen the communication, team talk and the parental leave information kit, but had not had time to read it nor to do the team talk with his managers. He said that they have so many policies and communications coming though all the time, they just don't have time to be across them all.]

The line manager contacted our member and told her that she could use the meeting room to express milk. He said there was a lock on the door but no sink, fridge, or comfortable chair. She would need to use a computer chair or a hard kitchen chair.

He also said she would be given 15 minutes to express and no longer. If the meeting room is being used for ticketing or a meeting when she needs to express, she will be unable to use the room.

The member phoned the local office of the SDA to find out her rights regarding breast feeding and lactation, and this was when she was informed of the company information kit.

She informed the SDA that when she breast fed her last baby she got severe mastitis and was very scared of getting mastitis again or any other form of infection.

The member phoned the SDA again to say that she had just been speaking to her line manager who advised that the store manager had said that she could return to work early from parental leave on 4 hour shifts. He had originally advised that it would be a 5 hour shift with a lactation break.

She said that there had been no mention of a break in the four hour shift and she hadn't asked at the time as she was down the street with her children and it wasn't a good time to talk. She was advised that she would need to phone back and just ask about the lactation period.

The member called the SDA office back in 5 minutes very upset and crying. She said she had asked her line manager about the break for lactation and he had told her that they hadn't allowed for one as they didn't know how long she would need. She explained that she would probably need longer than the 15 minutes and he proceeded to tell her in a "not very nice tone" that there was nothing in the EBA about breast feeding so they didn't really have to do anything about it.

The SDA organiser visited the store and the store manager responded positively. He agreed to:

- Provide a comfortable chair in the meeting room
- Restore the member's shift to 5 hours with a lactation break of whatever time she needed
- Allow the member to use his office or the pay office to express milk if the meeting room was being used.
- Roll out the team talk about the Parental leave Information Kit in his store immediately

What workplace measures would have helped you to respond to the challenges you faced?

No response

Have you experienced any good practices for requesting or taking parental leave you can share with us?

No response

If you have more than one child, how did your experiences differ between your first and subsequent children?

No response

ATTACHMENT 3

This attachment contains a list of good practices or suggestions identified by members, which they believe were, or would be, beneficial in assisting the management of pregnancy at work and returning to work after parental leave.

Suggestions and helpful hints from Case Studies

- Case Study 13:** Changing my role when I could no longer carry out my duties due to the pregnancy was a good practice.
- Case Study 19:** It is good to have a manager with understanding. I believe that all managers should be educated and be helpful when it comes to pregnant workers. Mums returning to work can be amongst the best workers around because they have a very good reason to be there doing what hours they are able to manage.
- Case Study 22:** Doing self serve or smoke shop where possible, or express (fewer items), and offer to shorten shifts if needed.
- They need to understand that having a family is part of peoples life, and to accept it and respect the girls, not treat them like crap because they are leaving.
- Case Study 27:** Shorter shifts, a chair to sit on and light duties. Employers need to take care of pregnant staff members better.
- Case Study 34:** I made it clear that I was to return back to my original store when I came back from maternity leave. I had the SDA involved. I have a letter signed by my area Manager and state manager at the time. The letter states that I will return to my original store as the store manager and also my pay rate should not change unless it's better.
- Case Study 35:** A better understanding of policies and more support and general understanding of pregnancy and what's involved and the limitations of duties that can be performed would assist in making work a nice place to go instead of feeling left out and alone.
- Case Study 43:** Self serve was the best thing as I could move around a lot and was not lifting bags all day. Express was great also. Express means the Express Register, where customers can bring a limited number of items, and not usually heavy things such as large bags of dog food etc. As it involves less heavy lifting it is more appropriate for employees on light duties.
- Case Study 54:** Parents that return to work should be given fairer work conditions in relation to what location they work in and the times they work without being questioned or being asked to work back late and being made to feel guilty because we are unable to, as our children will then suffer. I went back to work full time to give my son the best life I can but also because it was important to me to have a career and to work hard at it. It would be nice to be treated with respect and to be taken seriously and not pushed aside I feel like I have already missed out on opportunities because I have a child and feel unvalued and am not taken seriously. Also parents should not be made to feel bad if their children are sick and they need to take time away from work!

- Case Study 58:** Mothers should be supported by management if they choose to return to work and continue breastfeeding. Companies should educate staff to be understanding if a mother needs to breastfeed not be judgmental. I still felt that the Retail Fashion Industry are not very understanding when a mother chooses to breast feed.
- With my employer I was happy that they allowed me to stay on as a Part Time Manager for 4 and a half years doing between 20-28 hours.
- Case Study 65:** In my personal situation: A good communication relationship with the HR people, and having options clear and well explained.
- Case Study 76:** If you're pregnant and having a lot of trouble with morning sickness, it may be helpful to not have anything to eat or drink until you've been at work for an hour or so. Also, if you're on your feet and fairly busy normally, you may like to do earlier shifts so that you can deal with any issues that come up during a time that's normally quiet and low - pressure.
- Case Study 77:** I do think pregnant ladies on checkouts should be able to have a stool to sit on between customers at their registers. Even all the customers said that is very poor of my employer not to.
- Case Study 79:** My suggestion would be in the future if acceptable medical documents are produced for pregnancy complications then they should not be continuously, if at all, questioned.
- Case Study 85:** To deal with long hours on my feet I have to do stretches several times at work, and take a break on time. To have a bottle of water and a snack close to you always. To stretch constantly.
- Case Study 88:** Not getting super payments while on unpaid maternity leave, sets women back from men in percentage of females taking the bulk of unpaid maternity leave and then only being able to pick up part time employment as trade off for caring for your children before they go to school full time. The government should not pay baby bonus but top up super payments instead until full time work resumes. I have returned to work after maternity leave of 6 months both times at part time, and my employer supported my request for less than full time work.
- Sickness- I was allowed to leave if unwell and use sick leave, sickness only lasted for 4 months on and off with nausea and migraines.
- Appointments- I was allowed to leave early and use annual leave.
- Sitting and standing- the company purchased a chair with a back support and arm rests.
- Staying at work past the date of 1 month before due date. I was overdue with first pregnancy and bored at home for a month so my obstetrician provided me with a doctor's note saying I would be still be fit for work for an extra two weeks. My employer agreed for two extra weeks of work.
- Let your employer know all the appointment dates in advance so your leave can be organised and shift can be covered by other staff members. Know your limits and practice good OHS methods by not lifting heavy objects such as boxed reams of paper or doing light duties. Make sure you check how much sick leave you have with your payroll department and also your entitlements for company paid maternity leave as it changes if you are full time or part time.

- Case Study 89:** Maybe in the future there could be some kind of "pregnancy sick leave" and maybe this could include antenatal appointments where there is no other option but to book these appointments during work hours.
- The only thing that I would have liked happen was to be 'kept in the loop' while I was on leave. In the maternity paperwork I had to fill out there was a form to fill out if you wanted to be kept in the loop but I never received any news while I was away. Maybe a quick text or email about events that are happening in store would be nice, such as Christmas lunch, social club events etc.
- I had the one co-ordinator dealing with my maternity leave both times, she is a mum herself she is understanding and kind, so maybe there could be one person in the store that could be the designated person who handles maternity leave, a caring and understanding person not a grumpy male or a young person who has no idea about being pregnant or having kids.
- Case Study 90:** At the store I was at, we had a stool placed near-by and whenever we were feeling tired they would allow us to sit and serve on the 12 items counter, or rip the magazine fronts off - a few years ago - while seated to help us to stay active but also have a mild relax. They also allowed us to wander the store while putting away some stock - in a trolley not basket - so that we could walk off any leg strain from standing still at registers. Being we had 3 pregnant girls all due with-in 6 weeks of each other they did a lovely job of keeping us all happy.
- Case Study 92:** I can print off leave request forms as required, I'm able to stay informed during leave via web site.
- Case Study 93:** To help it would have been good to understand my rights during pregnancy at work. I was told what they wanted me to hear and when I asked a question I got around about answer. On returning to work it would have been good to have been asked what I needed to help to get back in to work.
- Case Study 94:** I think that employers need to be a lot more understanding when it comes to women & pregnancy. Each woman is different with pregnancy, some may suffer morning sickness while some may not suffer at all. We should NOT all be expected to come under the no morning sickness category.
- Case Study 132:** I think with me if there was one person that handles all maternity leave and anything relating to that, to offer support and information would have helped me.
- Case Study 147:** More store support. Ensuring employees understand their entitlements. More support to return to work would be good.
- Case Study 149:** Understanding by all levels of management within the store and flexibility due to the increased possibility of sickness, fatigue and physical inability to complete some manual tasks.
- Case Study 150:** It's time to take leave when you can't pick stuff up or put things down and also when standing starts to hurt, ultimately, listen to your body and communicate with superiors.

Always re read everything, ensuring you double check before you make a decision.

Case Study 153: I think the managers need to know more about maternity leave.

Case Study 154: Be prepared as for me as a casual worker I didn't receive much help from management when it came to working with me and my pregnancy. A full time worker pregnant at the same time as me got a lot more consideration than I did.

Case Study 155: The fact that my company does give us 6 weeks paid leave and allows us to have up to 2 years off work is very helpful.

Case Study 156: I feel that management could do with more training on how to treat pregnant staff and how to find roles that suit both the business and the employees. I also feel that they need to be made more aware of company policies on this matter as there were provisions in my company's policies that were not implemented in my case. Refresher training may need to be done with regards to parental leave payments also.

ATTACHMENT 4

Medical History & Physical Examination GO-146

Medical Provider: When completed, please forward to the Regional Medical Manager checked below:

Regional Medical Manager (check one)

Part A. Examinee: Please complete Parts A through L prior to exam.

F.I. M.I. Last Name	Called Name	Birth Date (MM-DD-YYYY)	<input type="checkbox"/> Male <input type="checkbox"/> Female	PERNR / SSN
Job Title		Company		Work Location
Home Address	City	State / Province	Postal / Zip Code	Country
				Exam Date (MM-DD-YYYY)

Part B. General Health

1. Compared to other people your age and sex, how would you rate your overall health?

Excellent Good Fair Poor

If poor, state reason: _____

2. In general, how satisfied are you with the way you spend your time (at work and at home)?

Very Somewhat
 Generally pretty satisfied Not satisfied

3. Do you have any physical/medical limitations that would restrict you from participating in activities that you would like to do?

No
 Yes → What is this limitation?

4. Are you on a special diet of any kind? No Yes

If yes, explain _____

Part C. Exercise

Do you exercise routinely?

No
 Yes → Is your exercise program one that you engage in at least 3 times per week and that causes you to breathe hard for at least twenty minutes each time?
 No Yes

Part D. Family History

1. Has any blood relative been diagnosed as having, or died of any of the following conditions? (other blood relative = grandparent, brother, sister, aunt, uncle, first cousin)

No Yes → Specify below:

Condition	Mother	Father	Other Blood Relative
Diabetes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asthma	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stroke	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chronic Bronchitis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Emphysema	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Heart Disease	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Anemia/Other Blood Disorders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cancer (specify type)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Examinee Name	PERNR / SSN
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Part E. Medications

1. In the *past 12 months* have you taken any of the following medications? If yes, please provide the additional requested information.

Medication Type	No / Yes	Medication Name	Reason	Currently Taking It? No / Yes
Allergy or Asthma Medication	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Anticoagulants	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Aspirin or Aspirin Containing Tablets	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Birth Control Pills	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Female Hormones	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Blood Pressure Medications	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Iron Pills	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Oral Diabetes Medicine	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Tranquilizer	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Sleeping Pills	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Antibiotics	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>
Other Medications (prescription and non-prescription)	<input type="checkbox"/> <input type="checkbox"/>			<input type="checkbox"/> <input type="checkbox"/>

2. Are you allergic to any medications? No Yes

If yes, what medications? _____

Part F. Reproductive Outcomes

Men and women should answer all of these questions to the best of their knowledge.

(Applicants: Section F is optional but we would appreciate your response. Thank you.)

1. Have you or your spouse/partner ever been pregnant? No → If no, skip to 3. Yes

2. Complete the following table by listing all pregnancies starting with the most recent pregnancy. (If more than six pregnancies, include only last six.) For multiple births, list each child. Do not include current pregnancy. Please check (3) all boxes that apply.

Date of Birth/ Termination of Pregnancy Month / Year	Mother's Age At End of Pregnancy	Live Birth			Miscarriage (Confirmed by Doctor)	Stillbirth	Medical Abortion
		Normal Child	Less Than 5 pounds / 2 kilograms	Birth Defect(s)			
A _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
B _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
D _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
E _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
F _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Have you ever tried for at least a 12 month period to conceive a child without success? No Yes

4. Has a physician ever told you or your spouse/partner that one of you had a medical condition that prevented having a baby?

No Yes → Did you have a condition? No Yes Did your spouse have a condition? No Yes

5. Have you or your current spouse/partner had a procedure for, or resulting in, sterilization (i.e. vasectomy, tubal ligation, or hysterectomy)?

No Yes, self Yes, spouse/partner

Examinee Name	PERNR / SSN
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Part G. Exposure History

Have you regularly been exposed to any of the following for at least 6 months? If yes, check all boxes that apply.

Exposure	No	Yes	How Long? (# of Years)	Exposed at Work	Use In A Hobby	Respirator Or Protective Clothing Usually Worn	Currently Exposed
Dusts/Fumes							
Asbestos	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Asphalt Fumes	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Arsenic	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cement Dust	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lead, Lead Compounds	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Insulation Materials	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mineral Dusts	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Silica Dusts	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Welding, Soldering Fumes	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wood Dusts	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Dusts and Fumes	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, specify: _____							
Chemical Agents							
Benzene	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cutting Oil	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Degreasers	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dyes	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Epoxies	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Formaldehyde	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Paint Remover	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Solvents, Cleaning Fluids	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Vapors, e.g. Gasoline	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If yes, specify: _____							
Other Agents							
Adhesives, Rubber Cement	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Engine Exhaust	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hot Roofing Materials	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lacquer, Paint, Stains	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pesticides	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Resins, Plastics	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Physical Factors							
Noise	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Radiation/X-ray Equipment	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vibrating Hand Tools	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wrist, Hand Repetitive Motion	<input type="checkbox"/>	<input type="checkbox"/>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Have you worked at least six months in a:

	No	Yes	From (Year)	To (Year)
Chemical Plant	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Cotton, Flax or Hemp Mill	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Electronics Plant	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fertilizer Plant	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Foundry	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Grain Silo or Elevator	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Imitation Leather Plant	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Mine	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Pesticide Plant	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Pharmaceutical Plant	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Plastics Plant	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Pottery	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Print Shop	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Quarry	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Rubber Process Plant	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Service Station/Garage	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Shipyard/Tanker Crew	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Shoe/Leather Factory	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Smelter	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

Have you worked at least six months as a(n):

	No	Yes	From (Year)	To (Year)
Abrasive Blaster	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Insulator	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Painter	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Welder	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

I. Alcohol Consumption

1. Do you currently drink alcoholic beverages? No Yes

If no, did you drink alcoholic beverages in the past?

No → Skip to Section J, Tobacco Use

Yes → What age did you last stop? _____

2. What is/was your approximate weekly intake of the following alcoholic beverages (if < 1 put 0):

Beer _____ # Bottles or Cans Per Week

Wine _____ # Glasses Per Week

Liquor _____ # Straight or Mixed Drinks Per Week

Part J. Tobacco Use

1. Cigarette Smoking

Have you ever smoked cigarettes?

No Yes

Σ If no, skip to 2.

If yes, at what age did you start? _____

Do you smoke cigarettes now? No Yes

If no, at what age did you last quit? _____

On the average, how many cigarettes a day do you or did you smoke?

(check [3] one.)

Less Than 1 Cigarette Per Day

1 - 9 Cigarettes Daily (Less than 1/2 Pack)

10 - 20 Cigarettes Daily (1/2 - 1 Pack)

21 - 40 Cigarettes Daily (1 - 2 Packs)

More Than 40 Cigarettes Daily (Over 2 Packs)

2. Cigar Smoking

Have you ever smoked more than 1 cigar per week for a year?

No Yes

Σ If no, skip to 3.

At what age did you start? _____

On the average, how many cigars a day do you or did you smoke?

If you have quit, at what age did you last quit? _____

3. Pipe Smoking

Have you ever smoked a pipe regularly?

No Yes

Σ If no, skip to 4.

At what age did you start? _____

About how many pipefuls a day do you or did you smoke?

If you have quit, at what age did you last quit? _____

4. If you smoke(d), did you or do you inhale the smoke?

	Not At All	Slightly	Moderately	Deeply
Cigarettes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cigars	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pipe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Did you ever chew tobacco regularly for at least six months?

No Yes

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Part K. Please read this section carefully and answer each item to the best of your knowledge. This information is being collected in the interest of your personal health and safety.

Describe each "YES" answer in Part L.

HAVE YOU EVER HAD, OR DO YOU NOW HAVE:	No	Yes		No	Yes		No	Yes
1. FREQUENT OR SEVERE HEADACHES	<input type="checkbox"/>	<input type="checkbox"/>	28. SWELLING OF LEGS	<input type="checkbox"/>	<input type="checkbox"/>	54. FREQUENT OR PAINFUL URINATION	<input type="checkbox"/>	<input type="checkbox"/>
2. HEAD INJURIES	<input type="checkbox"/>	<input type="checkbox"/>	29. PALPITATION OR POUNDING HEART	<input type="checkbox"/>	<input type="checkbox"/>	55. BLOOD IN URINE	<input type="checkbox"/>	<input type="checkbox"/>
3. LOSS OF CONSCIOUSNESS	<input type="checkbox"/>	<input type="checkbox"/>	30. HIGH BLOOD PRESSURE	<input type="checkbox"/>	<input type="checkbox"/>	56. ARTHRITIS, GOUT OR RHEUMATISM	<input type="checkbox"/>	<input type="checkbox"/>
4. DIZZINESS OR FAINTING SPELLS	<input type="checkbox"/>	<input type="checkbox"/>	31. TREATMENT FOR HIGH BLOOD PRESSURE	<input type="checkbox"/>	<input type="checkbox"/>	57. BROKEN BONES, DISLOCATIONS, AMPUTATIONS OR SPRAINS	<input type="checkbox"/>	<input type="checkbox"/>
5. EPILEPSY (SEIZURE DISORDER)	<input type="checkbox"/>	<input type="checkbox"/>	32. HEART TROUBLE	<input type="checkbox"/>	<input type="checkbox"/>	58. ANY TYPE OF BONE OR JOINT TROUBLE	<input type="checkbox"/>	<input type="checkbox"/>
6. EYE TROUBLE	<input type="checkbox"/>	<input type="checkbox"/>	33. HEART MURMUR/RHEUMATIC FEVER	<input type="checkbox"/>	<input type="checkbox"/>	59. BACK OR NECK TROUBLE	<input type="checkbox"/>	<input type="checkbox"/>
7. PERFORATED EARDRUMS OR DRAWING EARS	<input type="checkbox"/>	<input type="checkbox"/>	34. A STROKE	<input type="checkbox"/>	<input type="checkbox"/>	60. CHIROPRACTIC TREATMENT	<input type="checkbox"/>	<input type="checkbox"/>
8. RINGING IN EITHER EAR	<input type="checkbox"/>	<input type="checkbox"/>	35. EXCESSIVE BLEEDING PROBLEMS	<input type="checkbox"/>	<input type="checkbox"/>	61. WORN A BRACE OR SUPPORT	<input type="checkbox"/>	<input type="checkbox"/>
9. HEARING LOSS	<input type="checkbox"/>	<input type="checkbox"/>	36. ANEMIA OR OTHER BLOOD CONDITION/BLOOD TRANSFUSION	<input type="checkbox"/>	<input type="checkbox"/>	62. PARALYSIS, MUSCLE OR NERVE PROBLEM	<input type="checkbox"/>	<input type="checkbox"/>
10. SINUS INFECTIONS	<input type="checkbox"/>	<input type="checkbox"/>	37. VARICOSE VEIN TROUBLE	<input type="checkbox"/>	<input type="checkbox"/>	63. NUMBNESS, TINGLING, TREMORS OR TWITCHING	<input type="checkbox"/>	<input type="checkbox"/>
11. HAY FEVER	<input type="checkbox"/>	<input type="checkbox"/>	38. HEMORRHOIDS OR RECTAL BLEEDING	<input type="checkbox"/>	<input type="checkbox"/>	64. RASH OR SKIN DISEASE	<input type="checkbox"/>	<input type="checkbox"/>
12. ANY OTHER ALLERGIES	<input type="checkbox"/>	<input type="checkbox"/>	39. FREQUENT NAUSEA, VOMITING OR INDIGESTION	<input type="checkbox"/>	<input type="checkbox"/>	65. NON-CHILDHOOD IMMUNIZATIONS OR INJECTIONS	<input type="checkbox"/>	<input type="checkbox"/>
13. PERSISTENT HOARSENESS	<input type="checkbox"/>	<input type="checkbox"/>	40. UNEXPLAINED WEIGHT LOSS OR GAIN	<input type="checkbox"/>	<input type="checkbox"/>	66. REACTION/ALLERGY TO ANY INJECTIONS OR MEDICINE	<input type="checkbox"/>	<input type="checkbox"/>
14. MOUTH/DENTAL PROBLEMS	<input type="checkbox"/>	<input type="checkbox"/>	41. GALL BLADDER OR PANCREAS TROUBLE	<input type="checkbox"/>	<input type="checkbox"/>	67. TUMOR, GROWTH, CYST OR CANCER	<input type="checkbox"/>	<input type="checkbox"/>
15. OTHER EAR, NOSE, OR THROAT TROUBLE	<input type="checkbox"/>	<input type="checkbox"/>	42. ULCER OR HEARTBURN	<input type="checkbox"/>	<input type="checkbox"/>	68. EMOTIONAL PROBLEM	<input type="checkbox"/>	<input type="checkbox"/>
16. ASTHMA	<input type="checkbox"/>	<input type="checkbox"/>	43. HEPATITIS OR JAUNDICE	<input type="checkbox"/>	<input type="checkbox"/>	69. MENTAL ILLNESS OR TREATMENT	<input type="checkbox"/>	<input type="checkbox"/>
17. EMPHYSEMA/CHRONIC BRONCHITIS	<input type="checkbox"/>	<input type="checkbox"/>	44. CHRONIC CONSTIPATION AND/OR DIARRHEA	<input type="checkbox"/>	<input type="checkbox"/>	70. USED MARIJUANA, COCAINE OR OTHER "STREET DRUGS"	<input type="checkbox"/>	<input type="checkbox"/>
18. CHRONIC COUGH	<input type="checkbox"/>	<input type="checkbox"/>	45. BLACK OR TARRY STOOL	<input type="checkbox"/>	<input type="checkbox"/>	71. DATE OF LAST CHEST X-RAY (MM/YYYY)		
19. FREQUENT COLDS	<input type="checkbox"/>	<input type="checkbox"/>	46. OTHER STOMACH, INTESTINAL, OR LIVER TROUBLE	<input type="checkbox"/>	<input type="checkbox"/>	72. IF YOU HAVE EVER WORN A RESPIRATOR, DID IT CAUSE ANY PROBLEMS?	<input type="checkbox"/>	<input type="checkbox"/>
20. COUGHED OR SPIT UP BLOOD	<input type="checkbox"/>	<input type="checkbox"/>	47. HERNIA OF ANY TYPE	<input type="checkbox"/>	<input type="checkbox"/>	73. HAVE PAST OR PRESENT DISABILITY CLAIM (AND/OR CONDITION)	<input type="checkbox"/>	<input type="checkbox"/>
21. TUBERCULOSIS/POSITIVE TB SKIN TEST	<input type="checkbox"/>	<input type="checkbox"/>	48. GOITER, THYROID, OR PITUITARY TROUBLE	<input type="checkbox"/>	<input type="checkbox"/>	74. DO YOU HAVE ANY BIRTH ABNORMALITY (CONGENITAL)	<input type="checkbox"/>	<input type="checkbox"/>
22. PNEUMONIA	<input type="checkbox"/>	<input type="checkbox"/>	49. LUMPS OR ENLARGED GLANDS	<input type="checkbox"/>	<input type="checkbox"/>	75. FOR WOMEN ONLY		
23. SHORTNESS OF BREATH WHEN NOT EXERCISING	<input type="checkbox"/>	<input type="checkbox"/>	50. DIABETES OR ABNORMAL BLOOD SUGAR	<input type="checkbox"/>	<input type="checkbox"/>	A. ANY DISCHARGE, LUMPS, OR PAIN IN BREASTS	<input type="checkbox"/>	<input type="checkbox"/>
24. EXCESSIVE FATIGUE WITH WORK OR EXERCISE	<input type="checkbox"/>	<input type="checkbox"/>	IF YES, TAKING INSULIN?	<input type="checkbox"/>	<input type="checkbox"/>	B. CURRENTLY INCAPABLE OF HAVING CHILDREN	<input type="checkbox"/>	<input type="checkbox"/>
25. PAIN OR PRESSURE IN CHEST	<input type="checkbox"/>	<input type="checkbox"/>	51. AIDS, OR AIDS RELATED ILLNESS	<input type="checkbox"/>	<input type="checkbox"/>	C. ARE YOU PREGNANT NOW?	<input type="checkbox"/>	<input type="checkbox"/>
26. PNEUMOTHORAX/COLLAPSED LUNG	<input type="checkbox"/>	<input type="checkbox"/>	52. SEXUALLY TRANSMITTED DISEASE ("VD")	<input type="checkbox"/>	<input type="checkbox"/>	D. MISSED LAST MENSTRUAL PERIOD?	<input type="checkbox"/>	<input type="checkbox"/>
27. ANY OTHER CHEST OR LUNG TROUBLE	<input type="checkbox"/>	<input type="checkbox"/>	53. URINARY BLADDER/PROSTATE/ KIDNEY PROBLEMS	<input type="checkbox"/>	<input type="checkbox"/>	E. DATE OF LAST PERIOD (MM/DD/YYYY)		

Have you ever been employed with _____ or examined for employment by: _____ ? No Yes If yes, when _____

Do you have any other health problems you'd like to discuss with the physician? No Yes I describe on page 6

EXAMINEE:

I certify that the information given by me is true and I authorize the examiner to furnish the results of this examination to the Medical Director,

FOR APPLICANT ONLY: I understand that any misrepresentation, false statement or omission herein may result in the company rejecting my application, withdrawing any offer of employment, or terminating my employment at any time.

Examinee Signature _____ Date (MM/DD/YYYY) _____

Examinee Name	PERNR / SSN
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Part L. Examinee: Fully describe each "yes" answer from page 5.

# : _____	Diagnosed By Physician	Have You Experienced This Within The Past 12 Months?
Description: _____	<input type="checkbox"/> N <input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> Y
# : _____		
Description: _____	<input type="checkbox"/> N <input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> Y
# : _____		
Description: _____	<input type="checkbox"/> N <input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> Y
# : _____		
Description: _____	<input type="checkbox"/> N <input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> Y
# : _____		
Description: _____	<input type="checkbox"/> N <input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> Y
# : _____		
Description: _____	<input type="checkbox"/> N <input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> Y
# : _____		
Description: _____	<input type="checkbox"/> N <input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> Y
# : _____		
Description: _____	<input type="checkbox"/> N <input type="checkbox"/> Y	<input type="checkbox"/> N <input type="checkbox"/> Y

Please list any surgery and/or hospitalizations you have had.

Date	Type of Surgery/Reason For Hospitalization	Completely Resolved
_____	_____	<input type="checkbox"/> N <input type="checkbox"/> Y
_____	_____	<input type="checkbox"/> N <input type="checkbox"/> Y
_____	_____	<input type="checkbox"/> N <input type="checkbox"/> Y
_____	_____	<input type="checkbox"/> N <input type="checkbox"/> Y

If you have any other health problems you would like to discuss with the physician, please list them here.

Physician Comments:

Examinee Name	PERNR / SSN
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Part M. Report of Physical Examination. To be completed by physician, physician's assistant, or nurse practitioner.

Height	Inches / Centimeters		Color Blindness	No	Yes	Depth	%	
Weight	Pounds / Kilograms			<input type="checkbox"/>	<input type="checkbox"/>		Perimeter Score	Right
Body Mass Index			Red/Green Defect?			Tonometry	Right	/MMHG
Blood Pressure	R	L		<input type="checkbox"/>			Left	/MMHG
Pulse Rate	Regular?		Other Color Defect?					
Urine (Reagent Strip)	Sugar pH	Protein Specific Gravity		<input type="checkbox"/>				
Audiogram Performed?	<input type="checkbox"/> No <input type="checkbox"/> Yes					Vision		
(Attach audiometric test strip)						Uncorrected		
If no, examiner's impression of hearing ability						Corrected		
<input type="checkbox"/> Normal <input type="checkbox"/> Abnormal						<input type="checkbox"/> Glasses <input type="checkbox"/> Contacts		
						Both Right Left		
						Both Right Left		
						Far Near		
						20/ J# 20/ J# 20/ J# 20/ J# 20/ J# 20/ J#		

Grip: Check Dominant Hand
 R L

Instrument	Setting

Forward Bending Knees Extended (distance fingertips from floor) _____ Inches

Reflexes: Romberg _____ Patellar _____ Achilles _____

Pap Smear _____ ECG Treadmill _____ Mammogram _____ Sigmoidoscopy _____ X-Ray _____

	Declined	ABN	NORM	Declined	ABN	NORM	Declined	ADN	NORM
Head and Face				Heart			Upper Extremities (strength, range of motion)		
Eyes				Vascular System			Lower Extremities (strength, range of motion)		
Pupillary Reflex				Chest & Lungs (include breasts)			Spine (curvature, range of motion)		
Ears, Ear Drums				Abdomen & Viscera			Other Musculoskeletal		
Nose				Hernia (Rings)			Skin & Lymphatics		
Throat				Genitalia - Pelvic Exam			Deep Knee Bend		
Mouth				Anal Inspection			Sigmoidoscopy _____ CM Findings _____		
Neck-Thyroid				Rectal on Men Over 40 Years of Age					

REMARKS: (Describe/discuss significant findings and history; precede each entry with appropriate item number)

Summarize Significant Findings/Diagnosis (suitable for ICD coding)

If any abnormalities were found during the examination, was applicant/employee informed: No Yes

Work Limitations (See GO-308)

Medical Classifications

A. No work limitations required

B. Work limitations required

C. Medical classification deferred. Issuing Office obtain GO-153 from examinee and forward to

Physical Limitations

Must wear glasses

Must wear contact lenses

Other (describe)

Medical Clearance(s)	Examining Physician: (check appropriate clearance(s) status)			
	Fit	Not Fit	Fit with / Limitations	Failed to Comply
<input type="checkbox"/> Fire Brigade				
<input type="checkbox"/> Hoistman/Crane Operator				
<input type="checkbox"/> Respirator Use				
<input type="checkbox"/> Spill Response Team				

Examiner's Name (please print) _____ Signature _____ Date _____

Address _____ Street _____ City _____ State / Province _____ Postal / Zip Code _____ Country _____

Provider Number _____