

Checklist: Maternity Protection in the Workplace

This checklist is based on the OCIRT and SECO checklist

Name / First name	
Employee	
Superior	
Work Safety Specialist	

Legal Basis

- Arbeitsgesetz (ArG; Labour Law): Art. 35, 35a, 35b, 36
 - Ordinance 1 on the ArG (ArGV 1): Art. 60 – 66
- Ordinance 3 on the ArG (ArGV 3): Art. 34
 - Federal Department of Economic Affairs, Education and Research (EAER) ordinance on dangerous and arduous work during pregnancy and maternity (Maternity Ordinance, MuSchV)
- Ordinance on the Protection of Employees from Dangerous Microorganisms (SAMV)
- Radiation Protection Ordinance (StSV)

Point	General Information on Organising Working Hours	Noted
1.	Upon request, pregnant or breastfeeding women are to be exempt from work that is strenuous for them.	☐
2.	If need be, pregnant women have the possibility of leaving their workstation or are exempt from having to explain themselves if this course of action proves justified (e.g. in the event of tiredness).	☐
3.	Pregnant women are not permitted to work longer than the agreed daily working hours and never more than nine hours per day.	☐
4.	The pregnant or breastfeeding mother is to be relocated to a safe workstation if the risk is too great, if it is not possible to take the appropriate safety precautions or if the risk analysis is insufficient or has not been carried out. Should this is not be possible, the person is entitled to 100% of her salary.	☐
5.	For the period from eight weeks prior to giving birth and from the eighth to the sixteenth week after giving birth, pregnant women are never permitted to work between 8 p.m. and 6 a.m. Pregnant women and mothers who work from the eighth to the sixteenth week after giving birth are entitled to 100% of their salary if no equivalent work can be proposed for them during the daytime.	☐
6.	Pregnant women who predominantly work standing up are entitled to a daily rest period of twelve hours and an additional ten-minute break every two hours from the fourth month of pregnancy.	☐
7.	Activities standing up are to be limited to four hours per day from the sixth month of pregnancy.	☐
8.	Work is prohibited for women for a period of eight weeks after giving birth.	☐
9.	Pregnant or breastfeeding women must have the possibility to lie down, rest or breastfeed in a suitable environment.	☐
10.	The time necessary for breastfeeding is to be provided for mothers. 100% of the time used for breastfeeding shall count as working time if the breastfeeding takes place in the company and 50% if outside the company. This time does not need to be caught up.	☐

Point	Prohibited Activities	Noted
11.	Work without a break or cyclical work is not permitted if the working rhythm is dictated by a machine or technical installation and cannot be influenced by the employee.	☐
12.	Work where the noise level reaches 85 dB(A) (LEX 8 hrs) and above.	☐
13.	Work in excess pressure (e.g. in pressure chambers).	☐
14.	Work in rooms with an oxygen-depleted atmosphere.	☐
15.	Work involving radioactive substances where there is a risk of incorporation or contamination.	☐
16.	Expositions to substances which are classified according to the the list „Grenzwerte am Arbeitsplatz“ (Suva, 1903.d) as proofed to be reproduction toxic (R _{E1}) and embryo toxic (teratogenic) (SS _A).	☐
17.	Work involving mercury and organic mercury compounds, mitosis inhibitors or carbonmonoxide.	☐
18.	Work involving exposure to microorganisms from groups 3 and 4 according to the SAMV.	☐

Point	Remarks/Actions for Points 1 - 18	Date/initials

Introduction: Hazard Analysis/Precautions

The employer is only permitted to assign hazardous or strenuous activities to pregnant and breastfeeding women if a risk analysis has proved that there is no danger to the health of the mother or child.

Only tick the questions if the risk applies. In this case, the corresponding safety or supervision measure that rules out any danger to the health of the mother and child is noted for every question ticked.

Point	Risk Analysis/Precautions	During pregnancy	While breastfeeding
19.	Are loads weighing over 5 kg shifted regularly (or occasionally if over 10 kg) or is a force equivalent to a load of over 5 kg or 10 kg necessary when operating mechanical equipment such as levers and cranks? Pregnant women are no longer permitted to move such loads from the seventh month of pregnancy.	☐	Irrelevant
	Safety precaution for Point 19:		
20.	Are activities carried out with movements and postures that may cause premature tiredness? Activities that repeatedly require movements and uncomfortable postures, such as considerable stretching or bending, squatting or stooping forwards, or activities with a fixed posture without any possibility to move.	☐	Irrelevant
	Safety precaution for Point 20:		
21.	Are activities carried out that involve impacts such as blows, jolts or vibrations?	☐	Irrelevant
	Safety precaution for Point 21:		

Point	Risk Analysis/Precautions	During pregnancy	While breast-feeding
22.	Are activities carried out indoors at room temperatures below -5° C or above +28° C, as well as regular jobs involving high moisture levels? Working at temperatures between +10°C to -5°C is permissible so long as the employer provides clothing that is adapted to the thermal situation and the task at hand. Factors such as humidity, airspeed or the length of exposure are also to be included when assessing the room temperature.	☐	Irrelevant
	Safety precaution for Point 22:		
23.	Are activities carried out under the influence of harmful radiation? (Please note the limit values in accordance with Art. 36 of the Radiation Protection Ordinance.) The equivalent dose on the surface of the abdomen must not exceed 2mSv and the effective dose as a consequence of incorporation must not exceed 1 mSv.	☐	☐
	Safety precaution for Point 23:		
24.	Are expositions expected to a substance labelled with maternity relevant H-phrases (H340 to H369) or P-phrases (P263) or which are listed in the SUVA table of MAK-values as mutagenic (M₁ to M₃), reproduction toxic (R_{F1} to R_{F3}), embryo toxic (R_{E2} to R_{E3}) or toxic to women on motherhood (SS_B or SS_C)? Based on a risk analysis suitable actions should be take to avoid any damage to mother and child.	☐	☐
	Safety precaution for Point 24:		
25.	Can expostions occur to microorganisms of groups 2 according to SAMW (Verordnung über den Schutz der Arbeitnehmerinnen und Arbeitnehmer vor Gefährdung durch Mikroorganismen)? Activities involving such microorganisms are only allowed, if any damage of mother and child is excluded by taking suitable measures based on a risk analysis.	☐	☐
	Safety precaution for Point 25:		
Point	Hazard Analysis/Precautions	During pregnancy	While breast-feeding
26.	Can activities arise in working hour systems that, based on		

Remarks

The hazard and risk analysis must be conducted by a work safety specialist.

The precautions are to be inspected every three months thereafter to assess the efficacy of the safety precautions adopted. This is the superior's responsibility. If necessary, he or she can seek support from a work safety specialist.

The inspection must take place immediately upon the mother's return from maternity leave.

The assessment of the medical condition of the pregnant or breastfeeding woman for the purposes of inspecting the precautions adopted is to be performed by the attending physician.

Assessment date: _____

Date / signature

Employee

Superior

Work Safety Specialist

Original: Superior
Copies: Employee
HR Manager
HSE-Officer

Appendix:
Übersicht Mutterschutz und Schutzmassnahmen SECO

Inspection of Precautions

☐	No change		
☐	Change necessary For which points? Please indicate here or under the individual point		
	Date: Signature/initial :	Employee	Superior

☐	No change		
☐	Change necessary For which points? Please indicate here or under the individual point		
	Date: Signature/initial :	Employee	Superior

☐	No change		
☐	Change necessary For which points? Please indicate here or under the individual point		
	Date: Signature/initial :	Employee	Superior

☐	No change		
☐	Change necessary For which points? Please indicate here or under the individual point		
	Date: Signature/initial :	Employee	Superior

Original: Superior
 Copies: Employee
 HR Manager
 HSE-Officer

Appendix:
 Übersicht Mutterschutz und Schutzmassnahmen SECO



Mutterschutz und Schutzmassnahmen (Übersichtstafel)

Gesetzesartikel	Schwangerschafts-Monate vor Geburt								Geburt	Wochen nach Geburt (und Stillzeit)				
	0/1	2	3	4	5	6	7	8	9	8	16	52	bis Ende Stillzeit	
ArG = Arbeitsgesetz ArGV = Verordnung zum Arbeitsgesetz MuSchV = Mutterschutzverordnung														
ArG Art. 35a	Beschäftigung nur mit Einverständnis der Schwangeren; Schwangere dürfen auf blosser Anzeige hin von der Arbeit fernbleiben.								Arbeitsverbot	Wöchnerinnen: Beschäftigung mit ihrem Einverständnis.				
ArG Art. 35a										Stillende: wie oben.				
ArG Art. 35a								Beschäftigungsverbot zwischen 20:00-06:00 Uhr 8 Wochen vor Geburt		Stillende: Anspruch auf die zum Stillen erforderliche Zeit (Voranzeige beim Vorgesetzten).				
ArGV 1 Art. 60 Abs. 1	Keine Überstunden und max. 9 Stunden pro Tag bis Ende Stillzeit.									Stillende: siehe Text links.				
ArGV 1 Art. 60 Abs. 2										Stillen: Bezahlte Arbeitszeit in folgendem Umfang: Bei täglicher Arbeitszeit von: ≤ 4 Stunden = 30 Minuten > 4 Stunden = 60 Minuten > 7 Stunden = 90 Minuten				
ArGV 1 Art. 61										Stehende Tätigkeiten: tägl. Ruhezeit 12 h, Zusatzpausen 10 Min./2 h.				
ArGV 1 Art. 61			Stehende Tätigkeiten: max. 4 Stunden pro Tag.											
ArGV 1 Art. 62, 63 Gefährliche und beschwerliche Arbeiten, Risikobeurteilung	Im Grundsatz ist gemäss ArGV 1 für gefährliche oder beschwerliche Arbeiten eine Risikobeurteilung vorzunehmen (mit Konkretisierung in der MuSchV)									Stillende: siehe Text links.				
ArGV 1 Art. 62 / MuSchV Art. 13	Schwangere in Raucherbereichen: Passivrauchschutzgesetzgebung verweist auf ArG > MuSchV Art. 13 (z.B. Gefahrstoff Kohlenmonoxid) → Risikobeurteilung erforderlich → in der Regel Beschäftigungsverbot!									Stillende: siehe Text links.				
ArGV 1 Art. 64 Abs. 1	Befreiung von Arbeiten, die subjektiv beschwerlich sind.									Stillende: siehe Text links.				
ArGV 1 Art. 64 Abs. 2										Bei reduzierter Leistungsfähigkeit Arbeit anpassen → Arztzeugnis. (erste Monate nach Entbindung).				
ArGV 3 Art. 34 Schutz Schwangere/Stillende										Schwangere und Stillende müssen sich unter geeigneten Bedingungen hinlegen und ausruhen können.				



Mutterschutz und Schutzmassnahmen (Übersichtstafel)

Gesetzesartikel		Schwangerschafts-Monate vor Geburt								Geburt	Wochen nach Geburt (und Stillzeit)				
		0/1	2	3	4	5	6	7	8	9	8	16	52	bis Ende Stillzeit	
M = Mutterschutzverordnung (MuSchV)															
M Art. 7	Bewegen schwerer Lasten	Eine Gefährdung wird vermutet, wenn die Voraussetzungen von Art. 7-13 erfüllt sind.	Regelmässig nicht mehr als 5 kg, gelegentlich nicht mehr als 10 kg.						Heben/Tragen nicht mehr als 5 kg.		Arbeitsverbot				
M Art. 8	Arbeiten: Kälte - Hitze - Nässe		Arbeiten < -5°C oder > 28°C oder bei Nässe nicht zulässig; Arbeiten < 10°C bis > -5°C → angepasste Kleidung; bei Arbeiten < +15°C → warme Getränke.												
M Art. 9	Ermüdende Bewegungen und Körperhaltungen		Bewegungen und Körperhaltungen, die zu vorzeitiger Ermüdung führen, sind unzulässig; ebenso äussere Krafteinwirkungen wie Stösse, Vibrationen und Erschütterungen.									siehe Text links.			
M Art. 10	Mikroorganismen		Es ist sicherzustellen, dass eine solche Exposition zu keiner Schädigung von Mutter und Kind führt. Ausnahme: nachweisbare Immunisierung (z.B. Impfung).									Stillende: siehe Text links.			
M Art. 11	Einwirkung von Lärm		Schalldruckpegel ≥ 85dB(A) (L _{EX} 8 h) ist unzulässig.												
M Art. 12	Ionisierende Strahlung		Schwangere dürfen die Äquivalentdosen gemäss Strahlenschutzverordnung nicht überschreiten.									Stillende: keine Arbeiten mit radioaktiven Stoffen.			
M Art. 13	Chemische Gefahrstoffe		Die Exposition gegenüber chemischen Gefahrstoffen darf zu keinen Schädigungen von Mutter und Kind führen. Für Mutter und Kind besonders gefährliche Stoffe beachten → Risikobeurteilung!									Stillende: siehe Text links.			
M Art. 14	Belastende Arbeitszeitsysteme		Keine Nacht- und Schichtarbeit bei gefährlichen Arbeiten gemäss Art. 7 bis 13; besonders gesundheitsbelastende Schichtsysteme sind untersagt.									Stillende: siehe Text links.			
M Art. 15	Akkord- und taktgebundene Arbeit		Arbeit im Akkord oder taktgebundene Arbeit ist nicht zulässig, falls von Arbeitnehmerin nicht beeinflussbar.												
M Art. 16	Besondere Beschäftigungsverbote	Schwangere: keine Arbeiten bei Überdruck bzw. in Räumen mit sauerstoffreduzierter Atmosphäre.													