L.N. 184 of 1996

OCCUPATIONAL HEALTH AND SAFETY (PROMOTION) ACT, 1994 (ACT NO. VII OF 1994)

Work Place (Protection of Maternity) (Amendment) Regulations, 1996

IN exercise of the powers conferred by sections 6 and 16 of the Occupational Health and Safety (Promotion) Act, 1994, the Minister of Education and Human Resources, in consultation with the Commission for the Promotion of Occupational Health and Safety, has made the following regulations:—

Citation.

1. These regulations may be cited as the Work Place (Protection of Maternity) (Amendment) Regulations, 1996, and shall be read and construed as one with the Work Place (Protection of Maternity) Regulations, 1996, hereinafter referred to as "the principal regulations". L.N. 72 of 1996.

Amends regulation 2 of the principal regulations.

2. In paragraph (1) of regulation 2 of the principal regulations, the following definition shall be inserted immediately after the definition of "conditions of employment":—

""Director" means the Director responsible for the Department of Labour;".

Substitutes regulation 3 of the principal regulations.

3. For regulation 3 of the principal regulations there shall be substituted the following:—

"3. (1) A female employee who becomes pregnant shall inform her employer of her condition as soon as she becomes aware of it.

(2) No pregnant woman or mother shall be required by any employer to perform any work which may endanger her health and safety of her child.".

Amends regulation 6 of the principal regulations.

4. In paragraph (1) of regulation 6 of the principal regulations for the words "to another job under conditions of employment that are not less favourable than those already enjoyed by her." there shall be substituted the words "to another suitable job under such conditions of employment applicable to the particular job to which she has been assigned.".

Amends regulation 7 of the principal regulations.

5. Regulation 7 of the principal regulations shall be amended as follows:—

(a) for the proviso to paragraph (1) there shall be substituted the following:

"Provided that the employer may require his own medical officer to verify the certificate; and in the case of any conflict of opinion, this shall be determined exclusively by the Director in the sole interests of health and safety."; and

(b) in paragraph (2) thereof, for the words "to daytime work under conditions of employment that are not less favourable to her." there shall be substituted the words "to another suitable job under such conditions of employment applicable to daytime workers.".

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