Well-being through work
The Finnish policy on workplace reproductive risks and practical experiences

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Contents of the lecture

• Legislation
• Special maternity leave
• Role of occupational health services
• Experiences
Background

- The legislative basis for workplace safety and health in Finland is the Occupational Safety and Health Act.

- The practical basis rests on the obligatory analysis and identification of workplace hazards and risk factors.

- The assessment of reproductive risks is integrated in this process.
Occupational Safety and Health Act 738/2002, 10 §

• The employer shall... systematically and adequately analyse and identify the hazards and risk factors caused by the work, the working premises, other aspects of the working environment and the working conditions ...

• ... if the hazards and risk factors cannot be eliminated, assess their consequences to the employees’ safety and health ...

the potential risks to reproductive health

Both female and male reproductive health!
Occupational Safety and Health Act 738/2002, 10 §

• If the employer does not have adequate expertise for the action he or she shall use *external experts*

• The employer shall make sure that the *experts have adequate competence* and other qualifications needed for carrying out the task properly

• Provisions on the use of occupational health care experts and professionals and on workplace surveys are laid down in the Occupational Health Care Act
• If work or working conditions may cause a particular risk to a pregnant employee or the unborn child and the hazard cannot be eliminated, the employer shall aim to transfer the employee to suitable work tasks for the time of pregnancy.
Employees’ exposure to

- chemical agents
- thermal conditions, noise, pressure, vibration, radiation or other physical agents
- biological agents

that cause hazards or risks to safety or health shall be reduced to such a level that *no hazard or risk* from these agents is caused to the employees’ safety or health or *reproductive health*
Employment Contracts Act 55/2001, 2. chapter, 3 §

Occupational safety and health

... 

• If the working duties or conditions of a pregnant employee endanger the health of the employee or the foetus and if the hazard cannot be eliminated

=> the employee shall if possible be transferred to other duties suitable in terms of her working capacity and skills for the period of pregnancy
Government Decree on controlling the hazard at workplaces to foetus, reproduction and heredity 1044/1991

- Chemical, physical and biologic hazards
- The employer shall inform the employees of hazards
- Primary solutions: structural and other technical means to control the exposure
- Secondary: personal protective devices
- When choosing working practises for pregnant workers you have to take into account the weight of loads to carry, postures and work movements
- In a hazardous work the employee has to notify her employer in order to start protective measures
Decision of the Ministry of Labour on the hazards at workplaces to foetus, reproduction and heredity 1043/1991

Lists

- 7 chemicals hazardous to the heredity
- 9 chemicals hazardous to reproduction
- chemicals labelled R45, R46, R47
- carcinogenic agents, listed in a separate decree
- 6 other chemicals
- 8 biologic agents
- 1 physical agent

Needs updating
Employment Contracts Act 55/2001, 4. chapter, 1 §

Maternity, special maternity, paternity and parental leave

- Employees are entitled to take leave from work during maternity, *special maternity*, paternity and parental benefit periods as referred to in the Sickness Insurance Act.
Health Insurance Act
(1224/2004) 9th chapter, 4 §
Special maternity allowance

• An insured who is pregnant and engaged in gainful employment or own work, with the exception of tasks carried out in one’s own household, is entitled to special maternity allowance if
  • a chemical substance
  • radiation
  • infectious disease
  • other similar matter related to her duties or working conditions could endanger her own or the foetus’ health
Health Insurance Act (1224/2004) 9th chapter, 4 § Special maternity allowance

Further provisions on

- when duties or conditions at the workplace can be considered to endanger the insured’s own or the foetus’ health
- further clarifications required to provide when claiming special maternity allowance

are given by government decree
• Payment of special maternity allowance requires that the insured is *capable of work* and that *other duties cannot be assigned* to her and the insured has to be absent from work because of this.

• A further requirement is that the insured is *not engaged in other gainful employment or own work*, with the exception of tasks carried out in one’s own household.
• The following chemical agents in the workplace can be assessed to endanger the health of the pregnant worker or the foetus
  
  1) anaesthetic
  2) lead or derivate
  3) mercury or derivate
  4) cytostatic
  5) carbon monoxide
  6) pesticide assessed to be hazardous to the pregnant worker or the foetus
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7) organic solvent assessed to be hazardous to the pregnant worker or the foetus

8) substance classified hazardous to the reproduction, to be carcinogenic or to damage the genotype
   • Agents that statutory are labelled with R 40, R 45, R 46, R 49, R 61, R 63, R 64 or R68
   • carcinogenic agents mentioned in decrees 838/1993 and 1232/2000

9) environmental tobacco smoke
Goverment decree 1335/2004

- **ionizing radiation** incl. radionuclides and other objectively harmful radiation
  Radiation decree 1143/1998: max. 1 mSv after detection of pregnancy

- Some **infectious diseases**:
  - toxoplasmosis
  - listeriosis
  - rubella
  - herpes
  - chickenpox
  - hepatitis B and C
  - cytomegalic infection
  - HIV infection
  - other comparable diseases
Govermental Decree 1335/2004 IV

• Other similar workplace exposure
  • underground mining work
  • working in pressurised room
  • diving
Role of the Occupational Health Services
(Goverment decree 1335/2004) V

- Evaluation of the hazard when planning the work environment
- Identifying hazardous exposure and work in workplace surveys and finding out the quantity of the exposure
- Risk evaluation: medical knowledge, exposure (intensity, amount, periodical nature, duration)
- Informing the employer and employee about the hazard
- Suggestions for eliminating the hazard or for protection from it
Means

- Replacement of hazardous substance and methods with harmless ones
- Minimise amount and duration of exposure
- Structural and other protective means
- Personal protective equipment
- Transfer to other work duties
- Special maternity leave
Physical risks

• The employer shall evaluate these according to the Occupational Safety and Health Act
  • the weight of loads to carry, postures and work movements
• Night work
• Work noise currently under evaluation
• Ergonomic risks do not constitute grounds for special maternity leave
Reasons for special maternity leave

- Organic solvents: 22%
- Toxoplasmosis: 19%
- Other chemicals: 15%
- Enviromental tobacco smoke: 2%
- Carcinogenic substances: 16%
- Carbon monoxid: 3%
- Other harmful radiation: 5%
- Ionising radiation: 4%
- Other infections: 4%
- Chickenpox: 1%
- Listeriosis: 2%
- Anesthesics: 5%
- Lead: 1%
- Mercury: 0%
Special maternity leave

Special maternity leave 1998-2012

Women

- 100
- 200
- 300
- 400
- 500
- 600
- 700
- 800

Consultation services

Both for experts and citizens

• Pregnancy and work – information service at FIOH
  • Both telephone and internet inquiry service

• Helsinki university hospital/ Teratology Information Service
  • Drugs and pregnancy

• Radiation and Nuclear Safety Authority
  • Radiation
Labour inspection 2009 project, use of CMR agents

- Spot checks
- The proportion of CMR agents of the chemicals used in the enterprises was small
- Usually few chemicals and the amount used small
- On the other hand there were enterprises which used thousands of kgs
- Of the CMR chemicals used
  - carcinogenic 51%
  - hazardous to reproduction 24%
  - and to heredity 9%
In an eggshell

• Focus on prevention as an integral part of the preventive work at the workplace
• Major players:
  • the employer: responsibility
  • occupational health service: expertise
• Both female and male reproduction in theory, but *mostly female in practice*
• Challenges: female workers in traditionally male dominated, physically demanding professions
Thank You!
Questions, please!