
Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

SCHEDULES

SCHEDULE 3

SUSPENSION FROM WORK ON MATERNITY GROUNDS

Suspension from work on maternity grounds

Suspension from work on maternity grounds

- 45 (1) For the purposes of sections 46 and 47 an employee is suspended on maternity grounds where, in consequence of—
- (a) any requirement imposed by or under any relevant provision of any enactment or of any instrument made under any enactment, or
 - (b) any recommendation in any relevant provision of a code of practice issued or approved under section 16 of the Health and Safety at Work etc. Act 1974,
- she is suspended from work by her employer on the ground that she is pregnant, has recently given birth or is breastfeeding a child.
- (2) For the purposes of this section, sections 46 and 47 and section 61 an employee shall be regarded as suspended from work only if, and so long as, she continues to be employed by her employer, but is not provided with work or (disregarding alternative work for the purposes of section 46) does not perform the work she normally performed before the suspension.
- (3) For the purposes of subsection (1) a provision is a “relevant provision” if it is for the time being specified as a relevant provision in an order made by the Secretary of State under this subsection.