

TOP TIPS FOR SUPPORTING EMPLOYEES GOING THROUGH THE MENOPAUSE

EMMA CLARK, PARTNER

BY 2022, IT IS ESTIMATED THAT ONE IN SIX OF THE BRITISH WORKFORCE WILL BE WOMEN OVER THE AGE OF 50. THESE WOMEN WILL (IF THEY HAVE NOT ALREADY) GO THROUGH THE MENOPAUSE ON AVERAGE BETWEEN THE AGES OF 45 TO 51. THE MENOPAUSE CAN ALSO AFFECT BOTH TRANS AND NON-BINARY PEOPLE WHO MAY NOT IDENTIFY AS FEMALE.

For those experiencing symptoms, it can be a difficult and stressful time. Symptoms often include sleeplessness, hot flushes, memory loss, poor concentration, headaches, muscle and joint pains, depression and anxiety. The pre-menopause stage called peri-menopausal or transition occurs several years before the menopause and can also cause physical and psychological challenges for women.

The challenges and how to overcome them are not openly discussed and this is a major issue. It has been estimated in research by Bupa in 2019 that 900,000 women in the UK left their jobs because of menopausal symptoms. From a financial perspective, time taken off work in the UK for menopausal symptoms has caused the productivity loss of 14 million working days annually.

It is more important than ever that employers and employees begin to talk openly about this last taboo in the workplace so that the stigma can be broken.

WHAT CAN EMPLOYERS DO TO SUPPORT EMPLOYEES GOING THROUGH TRANSITION?

Whilst we await any government mandate on the topic, employers can voluntarily make a great deal of progress on this key issue.

1. VOLUNTARY MENOPAUSE POLICIES

This could include the definitions of menopause and the symptoms, focus on how managers can assist, and suggest different websites that may prove to be helpful.

2. UPDATING EXISTING POLICIES

Menopause could be incorporated into an employer's existing policies: this would entail adapting equal opportunities, flexible working and sickness absence policies.

3. TRAINING

Employers can educate their staff as part of their training programmes. This should not solely focus on the physical symptoms and how to make the workplace more comfortable but also on trying to make this change positive for both the individual and for the workforce. This should also expressly mention transition in diversity and equality training sessions. It needs to become common language in the workplace.

The training programmes for employees should not be limited to mid-aged women, although some tailored training for small support groups can also be very helpful. Younger women need to see the menopause in a positive light and

not with fear. Men need to understand what colleagues and family members may be going through and it should not be forgotten that trans men may go through the menopause.

Company doctors and Occupational Health experts should also be encouraged to attend the [Menopause Charity's training](#) for medical professionals.

4. GENERAL SUPPORT

Employers could investigate how to improve the working environment, e.g. ensure access to fans and good ventilation, clean and comfortable toilet facilities with appropriate sanitary disposal bins and feminine hygiene products – and ideally provide access to female-only showers.

5. SICKNESS ABSENCE TRACKING SYSTEMS

Employers should ensure that sickness absence tracking systems records absence for menopause-related symptoms separately as such absence could be disability-related and therefore should not be allowed to impact on performance management processes or form part of a selection for redundancy.

These are several ways that employers can be proactive and support their employees' health at different stages of their working life. This should create a better work environment, hopefully retain women at a time that we need to close the gender pay gap, and significantly minimise the employer's legal and reputational risk of women successfully suing for discrimination because of the menopause.

FOR FURTHER INFORMATION



EMMA CLARK

Partner

M: 07458 087 683

T: 020 3319 3700

E: emma.clark@keystonelaw.co.uk

Emma Clark is an employment and partnership lawyer at Keystone Law with extensive expertise in employment litigation, corporate transactions, and advisory work. She has advised organisations and senior individuals for over 20 years and works with clients across a range of sectors and jurisdictions.

Her employment specialisms include advising on strategic HR projects, redundancy-related issues, employment contracts and handbooks, sensitive terminations, team moves and restrictive covenants, performance management, unfair dismissals, discrimination law and regularly advises on complex whistleblowing cases. She is also an expert on maternity law and family-friendly rights.

Emma delivers tailored training sessions to organisations on the menopause, covering both legal and practical matters.

Emma has written numerous articles on the menopause in the workplace, is regularly asked to comment on the topic and is increasingly advising clients on this important area.

Emma was elected to the Management Committee of the Employment Lawyers Association (ELA) in 2020 and has been an active member of ELA's training committee for over 12 years.