



ALMA MATER STUDIORUM
UNIVERSITÀ DI BOLOGNA

AREA
BENESSERE,
SALUTE E SICUREZZA

MATERNITY PROTECTION GUIDELINES FOR UNIVERSITY STUDENTS AND OTHER EQUIVALENT WORKERS

Aim

This document seeks to provide guidance on the conditions for participating in learning and research activities that may pose a risk for pregnant students and equivalent workers. For maternity protection purposes, pregnancy should be notified as soon as possible (disclosure is mandatory in the event of exposure to ionising radiation pursuant to Article 8 of Legislative Decree 151/2001), without prejudice to the provisions of Article 20 of Legislative Decree 196/2003 (Personal data protection code).

Failure to disclose, or delayed or incomplete disclosure of such information, may prevent the timely and appropriate implementation of the protection measures provided for by law.

These guidelines align with the legal prohibition for pregnant workers, and for workers who have given birth within the previous seven months, to carry out tasks that expose them to chemical, physical, including radioactive, and biological agents which are hazardous and harmful to the mother and child.

This means that, at the University of Bologna, access to laboratories/premises/environments where those risks exist is restricted for pregnant workers and for workers who have given birth within the previous seven months.

Definitions

Students, for the purposes of these guidelines, are female students of the University of Bologna enrolled in first and second cycle degree programmes, specialisation schools (other than medical specialisation schools, for which specific guidelines are provided), further scientific education and postgraduate lifelong learning programmes, and PhD programmes, who attend laboratories/clinics/teaching, learning, research or service environments, and, due to their tasks, are specifically exposed to risks to their pregnancy as identified in Legislative Decree 151/2001.

Equivalent workers are female research fellows and grant holders, attending graduates, contract workers, and State examination candidates, who attend laboratories/clinics/teaching, research or service environments, and, due to their tasks, are specifically exposed to risks to their pregnancy as identified in Legislative Decree 151/2001.

Laboratories are places or environments where teaching, research, learning, assistance and/or service activities are carried out, which involve the use of machinery, instruments, work equipment, installations, prototypes or other technical means, or of hazardous chemicals or physical or biological agents (both potential and deliberate ones, including zoonotic agents). Laboratories also include places or environments where teaching, research, assistance and/or service activities are carried out outside the University buildings, including locations where archaeological, geological, maritime campaigns are carried out, experimental crop fields, nurseries and pre-schools.

Head of Teaching and Research (RDRL) is the person who, individually or as coordinator of a group, carries out teaching or research in a laboratory.

General prohibition to attend laboratories

Having regard to the provisions of Articles 7 and 11 of Legislative Decree 151/2001, also in view of the possible risks arising from accidental exposure, from the moment when pregnancy is notified and for seven months

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after giving birth, students and other equivalent workers who carry out their tasks in the presence of risks associated with physical agents, chemical agents, carcinogens, mutagens, teratogens, anaesthetic gases, hazardous and unhealthy work, biological agents (for both deliberate use and potential exposure, including zoonotic agents), prolonged standing for more than half of one's working hours, manual handling of loads and anything else provided for by the decree, as identified in the Document for the protection of the health and safety of pregnant workers (pursuant to Article 18 of Legislative Decree 81/2008), may not attend and will therefore be removed from laboratories, as defined in these guidelines.

Special cases

- A) The prohibition applies for seven months after giving birth also in the event of tasks posing a risk of radionuclide contamination.
- B) Nighttime work (from midnight to 6 a.m.) is restricted from the time when pregnancy is confirmed until one year after giving birth. Students and equivalent workers who have children under the age of three are not obliged to work at night.

Maternity protection during physiological pregnancy

Pregnancy must be notified by submitting the form attached to these guidelines as Annex 1 together with a medical certificate issued by a gynaecologist. The above must be submitted to:

- The Head of the Department responsible for the laboratory, for students
- The competent Head of Structure (Head of Department) or RDRL, for equivalent workers.

The student or worker concerned must be immediately removed from laboratories pursuant to Legislative Decree 151/2001, or, if possible, should be assigned to an alternative, risk-free research task or teaching/learning programme.

Where alternative teaching/learning and/or research activities that do not pose risks to pregnant and breastfeeding workers are available, these must be reported in the relevant Risk Assessment Document. In special cases where specific considerations are required, the RDRL may bring such activities to the attention of the Occupational Health Physician and of the SPP for a joint assessment (Annex 3).

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Protection upon returning to work after maternity leave, for seven months after giving birth and while breastfeeding

Virtually the same restrictions in force during pregnancy apply in the seven months after giving birth, when students/equivalent workers may not attend laboratories, unless alternative research tasks or teaching/learning programmes are available.

Tasks that expose to ionising radiation are permitted provided that there is no risk of internal contamination (use of radionuclides).

Breastfeeding

Pursuant to the law, the same restrictions and prescriptions in force during pregnancy apply in the seven months after giving birth. If a mother expresses the intention to breastfeed her child after the age of seven months, the competent RDRL may, if possible, allow her to carry out alternative, risk-free tasks (i.e., essentially, free from chemical and biological risks).

Tasks that expose to ionising radiation are permitted provided that there is no risk of internal contamination (use of radionuclides).

Permitted activities

The following activities are permitted during pregnancy and breastfeeding:

1. attend lectures in person (also during compulsory leave), provided it is possible for the person concerned to change position often;
2. carry out bibliographic research, process data and draft texts in the office/library, using DSE on a non-continuous basis, provided it is possible for the person concerned to take breaks and/or manage her own working time.

Final remarks

These guidelines must be made available to students upon enrolling in any programme organised and/or managed by the University of Bologna, as well as to other equivalent workers upon starting work.

Upon enrolment via Studenti Online, the student must read the warnings (Annex 2) regarding the prohibition for pregnant workers, and for workers who have given birth within the previous seven months, to access laboratories/premises/environments in which they are exposed to chemical, physical, including radioactive, and biological agents which are hazardous and harmful to the mother and child.

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Ann. 1 Notification of pregnancy

To the Head of the Department

I, the undersigned _____

born in _____ Province _____ on _____

resident in _____

address _____ no. _____

☐ student/☐ PhD student/☐ research fellow/☐ _____ of the

Department/Centre/School _____

NOTIFY

that I am pregnant (Legislative Decree 151/2001 "Consolidated act on the protection and support of maternity and paternity, pursuant to Article 15 of Law no. 53 dated 08 March 2000").

I undertake to submit a birth certificate or declaration in lieu thereof after giving birth.

☐ I attach/☐ will submit a pregnancy medical certificate as soon as possible.

Date _____ Signature _____

Privacy policy

Pursuant to Article 13 of the Personal data protection code (Legislative Decree 196/2003), please be informed that the personal data (name and surname, address, telephone number) and sensitive data (pregnancy) disclosed by the data subject will be processed in paper and electronic form, for the purposes related to the protection of the health and safety of pregnant workers (Legislative Decree 151/2001, as amended) and in accordance with the University Regulations on the processing of sensitive and judicial data. The data will be processed by specifically appointed staff and by the Occupational Health Physician. The data subject's rights pursuant to Article 7 of Legislative Decree 196/2003 (rectification, update, completion, etc.) may be exercised by submitting a request to that effect to the office to which such data were disclosed.

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Ann. 2

Warnings – Prohibition for pregnant workers, and for workers who have given birth within the previous seven months, to access laboratories/premises/environments in which they are exposed to chemical, physical, including radioactive, and biological agents which are hazardous and harmful to the mother and child.

To STUDENTS WHO ENROL IN ANY PROGRAMME ORGANISED AND/OR MANAGED BY THE UNIVERSITY OF BOLOGNA, as well as to the other EQUIVALENT WORKERS OF THE UNIVERSITY OF BOLOGNA

The current national legislation (Legislative Decree no. 151 dated 26/3/2001) on the protection and support of maternity and paternity establishes the prohibition for pregnant workers, and for workers who have given birth within the previous seven months, to carry out tasks that involve the use of chemical, physical, including radioactive, and biological agents which are hazardous and harmful to the mother and child.

This provision has been confirmed by the national legislation on occupational health and safety (Legislative Decree 81/2008).

The University of Bologna aligns with the aforementioned legal prohibition for pregnant workers, and for workers who have given birth within the previous seven months, to carry out tasks that involve the use of chemical, physical and biological agents which are hazardous and harmful to the mother and child.

Since students in all grades and at all levels are regarded as workers, at the University of Bologna, access to laboratories/premises where hazardous and harmful chemical, physical and biological agents are used is restricted for pregnant workers, and for workers who have given birth within the previous seven months, unless any alternative teaching/learning or research activities which do not pose risks to pregnant and breastfeeding workers are identified by the competent Head of Teaching and Research.

☐ **The student/worker** acknowledges the prohibition for pregnant workers, and for workers who have given birth within the previous seven months, to access laboratories/premises/environments in which they are exposed to chemical, physical, including radioactive, and biological agents which are hazardous and harmful to the mother and child.

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Ann. 3. To be completed by the Head/Tutor/RDRL

Letterhead

To the Occupational Health Physician
Occupational Health Centre
ABESS Wellbeing, Health and Safety Division
Via P. Palagi, 9
40138 Bologna, Italy

Subject: Proposal for alternative work assigned for the protection of a pregnant worker

Signature of the Head/RDRL

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