

5-MINUTE MANAGER GUIDE: Menopause and Reasonable Accommodation Practices

Reasonable accommodation (also called reasonable adjustment) is when an employer makes changes to a work environment, conditions, equipment, or working style and practices. These changes are made in order to remove barriers that may be causing an employee to be discriminated against, and thus make it possible for them to fully participate in a productive working life. Reasonable accommodations may be made following a formal risk assessment process.

In some cases, employers may be required to do so by law, as is often enshrined in disability discrimination. Here employers have a legal duty to make adjustments that do not cause the employer significant hardship.

While menopause itself is not a 'protected characteristic', it is unclear whether ongoing significant symptoms that last for more than 12 months may be considered under disability provision.

However, the principles of reasonable adjustment are a good starting point for framing how menopause may be considered as it provides a proactive framework in which menopause is not seen as a hindrance or problem. Enabling minor accommodations can also prevent larger costs relating to absence and turnover in the longer term.

Be collaborative: Reasonable adjustment works best when it is a collaborative process. This means engaging in a productive dialogue with the employee about what would work best for them and what is possible.

Be responsive: Ensure that there is a clear timeline surrounding the implementation of the adjustment/s as agreed by both parties.

Be proactive: Reasonable adjustment should be an ongoing practice, rather than left after a one-off interaction. It is useful to check in periodically to see whether the adjustments are working well to support women's symptomatic experiences in work. Likewise, periodic reviews may identify if they are still required, or if any other accommodations are necessary.

Be strategic: When it is effective, reasonable adjustment can often lead the way towards standard best practice. For this reason, it is useful to have a list of (anonymized) examples of reasonable adjustments made relating to menopause transitions that all employees, line managers and supervisors can access across your organization. While experiences of menopause are unique, building up this repository of good practice means that menopause-related conversations become easier to engage in.

EXAMPLES OF REASONABLE ADJUSTMENTS SURROUNDING MENOPAUSE:

- Workspaces may be re-located to parts of a room/floor/building where temperatures can be locally controlled
- Provide easier access to cold drinking water, and permanent access to washroom facilities (e.g. with available sanitary products) or a rest area
- Working from home options when there are extreme temperatures during summer
- Uniform alterations to ensure employees can wear breathable fabrics
- Staggering a lunch hour over two half-hour breaks to alleviate muscular pains
- Alternative distribution or reallocation of tasks within work teams to accommodate anxiety
- An OHS representative present in review meetings to help facilitate discussions of changes to working environment
- Flexible working options to accommodate disturbed sleeping patterns
- Agreed protected time to get up to date with work
- Provide a quiet space to work, or noise-cancelling headphones
- Agreed time away from work for meditation or relaxation activities (e.g., walking, breathing exercises)