

Menopause at Work: A Simple Guide for Employees

What Is Menopause?

Menopause is a natural stage in life that many women will experience, along with some transgender and non-binary people. It happens when the body's hormone levels change, typically around the ages of 45 to 55.

What Are the Symptoms?

Menopause can bring a range of symptoms, such as:

- Hot flushes and night sweats
- Sleep disturbances
- Headaches and migraines
- Low mood, anxiety, or stress
- Lack of concentration and memory issues
- Joint pain and fatigue

How Can the Menopause Affect Your Work?

Menopause can bring a range of symptoms that may affect your work. For example, you might find yourself:

- Needing to take time off at short notice due to poor sleep or migraines
- Taking extended or regular time off because of ongoing symptoms
- Finding it difficult to arrive on time
- Needing more or longer breaks
- Struggling to follow strict work shifts or patterns
- Having trouble concentrating or forgetting things
- Feeling less patient with others, or becoming irritated more easily

- Feeling uncomfortable in the work environment, especially if you're experiencing hot flushes or headaches
- Lacking self-confidence
- Experiencing low mood, anxiety, or stress

If you're concerned about how menopause is affecting your performance at work, it's important to talk to your employer as soon as possible.

What Should You Do If You're Struggling at Work?

If you find yourself struggling at work due to menopause, it's best to have an open and honest conversation with your manager. Even though it might feel awkward or embarrassing, addressing the issue early can make things easier for you.

Your employer might be able to help you by:

- Sharing the organisation's menopause policy, if one exists. This will outline how your employer supports menopausal employees. More employers are introducing these policies.
- Discussing flexible working arrangements that could ease your workload
- Making reasonable adjustments, such as moving your desk to a cooler area, providing a fan, or allowing more frequent breaks
- Informing you of any employee benefits you might not be aware of, such as Employee Assistance Programmes (EAPs)
- Arranging regular check-ins to talk about how you're doing and how they can support you

Your Employment Rights During Menopause

Several laws protect your rights at work:

The Equality Act 2010

The Equality Act prevents discrimination based on characteristics such as age, sex, and disability. While menopause isn't directly protected under this law, you are still protected against discrimination because of your:

- **Age:** You cannot be discriminated against or harassed because of your age.
- **Disability:** In some cases, severe menopausal symptoms may be considered a disability. Your employer should make reasonable adjustments to support you.
- **Sex:** Your employer cannot treat you unfairly due to your sex. If there are any policies or practices that are harder for you to follow because of your sex, your employer must have a valid reason and reduce any negative impact.

The Health and Safety at Work Act 1974

Your employer has a legal duty to protect your health, safety, and wellbeing. They should conduct a risk assessment to ensure menopausal staff are supported. This may include:

- Allowing more frequent breaks
- Providing access to cool drinking water
- Moving your workstation closer to the toilets if needed
- Offering a quiet space to rest
- Improving access to natural light or ventilation, or providing a fan

If you haven't had a recent workstation assessment, it's worth speaking to HR, health and safety, or occupational health.

Right to Request Flexible Working

UK employees have the right to request flexible working after 26 weeks of service, although many employers will consider such requests earlier. Flexible working can be particularly helpful if you're going through menopause. You can ask to:

- Adjust your start or finish time
- Work from home part-time or full-time if practical
- Reduce your hours or explore job-sharing options

When making a flexible working request, it's helpful to mention that it relates to your menopause symptoms. While your employer doesn't have to agree to the request, they must consider it reasonably and take care not to be discriminatory in their response.

Can You Be Signed Off Work for Menopause?

You may need to take time off for symptoms related to menopause, such as anxiety, depression, joint pain, or sleeplessness. When talking to your GP, explain your symptoms fully and ask if they can be linked to menopause on your fit note.

GPs may not always have in-depth knowledge of menopause, so be persistent if needed. You can track your symptoms using free apps, which may help in discussions with your doctor. If you prefer to see a specialist, the British Menopause Society website has a tool to help you find one near you.

It's important to be open with your employer about time off due to menopause. While you might worry about how it looks, honesty can lead to better support.

Reasonable Adjustments for Menopause

Employers should offer reasonable adjustments for employees experiencing menopause. These adjustments might include:

- Logging menopause-related absences separately
- Allowing flexible working, such as starting later or working from home
- Offering more time to improve performance or attendance

What Can You Do If You're Dismissed or Forced to Leave?

If you've been dismissed or forced to resign, you may be able to take legal action through an Employment Tribunal for unfair dismissal, constructive dismissal, or discrimination.

Unfair or Constructive Dismissal Claims

If you've been dismissed for reasons like poor attendance, misconduct, or performance, you might be able to challenge the dismissal if:

- Your employer didn't properly consider how your menopause symptoms were affecting you
- They didn't follow a fair procedure in dismissing you

You have three months minus one day from the end of your employment to make an unfair dismissal claim. If you were forced out due to lack of support, you may also have a case for constructive dismissal. Legal advice is recommended in these cases.

Discrimination Claims

Menopause is not specifically protected under the Equality Act, but you may still be protected under disability, sex, or age discrimination laws. Most menopause-related claims focus on disability, where symptoms have a substantial impact on daily activities for 12 months or more.

Even if you haven't told your employer about your menopause, you can still make a claim if they didn't investigate the underlying reasons for poor performance before taking action against you. Time limits for discrimination claims are also three months minus one day, so it's important to get advice early if you think you've been discriminated against.

By being open about your menopause, seeking support from your employer, and understanding your rights, you can navigate any challenges at work during this time.

Need help?

If you would benefit from our support, please email us to book your free consultation:

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