



Feidhmeannacht na Seirbhíse Sláinte  
Health Service Executive

Oifig an Stiúirthóra Náisiúnta, Acmhainní Daonna  
Feidhmeannacht na Seirbhíse Sláinte  
Ospidéal Dr. Steevens'  
Baile Átha Cliath 8

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Deputy Sean Fleming  
Dail Eireann

17/06/2020

**PQ 8456/20**

To ask the Minister for Health the arrangements in place between the HSE and section 38 and 39 organisations in respect of an organisation and its staff that are pregnant; the special arrangements in place for these non-HSE staff that are full-time workers in the health sector; and if he will make a statement on the matter. -Sean Fleming

Dear Deputy,

I refer to your recent parliamentary question as above, which was sent to the HSE for reply.

To advise that the HSE are not the employers of staff in Section 38 and Section 39 Agencies and do not have direct input into internal HR policies of the Section 38 and 39 Agencies.

The organisation is not identified. In order to respond to the HR issue raised, this should be addressed to the HR department of the organisation.

Section 38 and Section 39 agencies are bound by Pregnancy and Work legislation. The legislation laws covering this leave are the Maternity Protection Acts 1994 and 2004. The Health & Safety Authority provides legislation/guidance under the - The Safety, Health and Welfare at Work Act, 2005 and the Pregnancy Regulations, 2007.

Yours sincerely

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Office of the National Director for Human Resources