

Menstruation Leave in India: Still a Point of Contention?

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Executive Summary

Even though it's the 21st century, in India, talking about menstruation is still frowned upon. Despite repeated period awareness campaigns and various education initiatives throughout the years, the corporate workplace culture and attitude toward periods do not support period sensitivity. Therefore, it is difficult and contentious to have an open conversation regarding menstruation leave in India.

In order to speak up and create room for more empowering topics like period leaves in Indian companies, we need empowered people. According to the Clinical Evidence Handbook, 20% of women have symptoms like cramps, nausea, etc. that are severe enough to interfere with everyday activities.

The Menstruation Benefits bill was submitted in the Indian parliament in 2018 and mandated that businesses.

The Menstruation Benefit Act,2017

The Menstruation Benefit Act,2017. Ninong Ering, an Arunachal Pradesh Lok Sabha member, made the idea for four days of paid period leave for every woman in the public and commercial sectors in 2017. She submitted it in the Parliament. According to the proposed legislation, any woman who chooses to work during menstruation will receive overtime pay and will also receive two 30-minute breaks each day for a maximum of four days. Along with a fine, it also suggested a sentence of certain time in jail. Since 1992, Bihar has been the first state in India to grant its female employees two days of paid period time. Companies that offer period leaves in India include Byju's, Zomato, Culture magazine, and a few other names. A period regulation in Indian businesses that benefits women in the workplace and in educational institutions was the driving force for the bill's introduction. On the opening day of the budget session in 2022, this bill was brought up once more, but the Legislative Assembly ignored it because it was a "unclean" subject.

Need of the Bill

This measure, which was submitted in the parliament after realising the extreme complexity of a woman's biological system and the physical suffering she experiences during her period, is urgently needed. According to research conducted in 2017 by University College London, a woman's menstrual discomfort is comparable to the pain a person feels after a heart attack. Additionally, the pain makes an employee less productive, which has an impact on their work.

A Pipe Dream: Period Leaves in the Unorganized Sector According to a Firstpost article, 94% of Indian women work in the unorganised sector. Since many years ago, menstruation has been a taboo subject in casual settings. It will take time to introduce period leaves to the unorganised sector. It is believed that if these large firms take the initiative to implement paid time off, they will undoubtedly have an effect on rural areas as well. The state of the unorganised sector is worse than we realise. Many males aren't even aware that they have periods. The fundamental issue is that these people must be educated about it. Many women in this industry manage their households while working daily jobs, making it impossible for them to leave. The Madhya Pradesh government and Sky Social NGO have collaborated closely to establish good menstrual hygiene measures in rural areas. Sky Social's founder and chairman, Srishti Pragat, said: "In this nation, the informal economy employs over 94% of women. Many women have daily jobs and do not have the luxury of taking even one day off. Because these women are unable to discuss their periods, it has become a personal matter. These ladies cannot even use the restrooms on the building sites, let alone be in a setting that is secure and sanitary." She recommended that the government get involved, propose regulations, and make the necessary changes to the current labour laws.

Argument

There is constant discussion about the issue of menstrual leave in India.

Corporate entities must understand that offering menstruation leave does not imply a loss of productivity on the part of women. Menstrual leave also provides a number of advantages for women collectively. If she feels okay on the inside, she will clearly feel ready to start working after taking a day off for her period. Many businesses allow women to use the "work from home" option while they are on their period.

The COVID-19 situation has led to a substantial adoption of it by several Indian businesses. She receives a flexible structure and begins working during her preferred lunchtime hours. If she gets excruciating period cramps, she can take the entire day off. The premise here is that if the woman is well, she will feel more liberated, respected, and inspired to work. With such actions, production now dramatically rises rather than falls.

There should be support groups for outstanding women to raise awareness within the organisations. It also covers the fundamental conversation points regarding how to normalise menstruation, cease avoiding it, and the necessity of menstrual leave in India. People with the correct mindset are what bring about positive changes in society. First, we must instil proper menstruation in the foundations of our culture. The open debate on menstruation discomfort, cramps, and their negative repercussions should then take place. Any man, woman, or kid should take part in this dialogue, regardless of their age, nationality, or caste.

The days of women hiding their menstruation and speaking openly about such aspects of their lives are long gone. Now, without feeling guilty, we must all work together to modify our society's long-standing norms.

Men should accept menstruation as normal, and taking extended leaves shouldn't be viewed as discriminatory against women. It's time for people to act educated by enacting the appropriate policies to encourage an increasing number of female employees, rather than only by obtaining degrees. The entire society needs to speak up about this issue; it is not the aim of just one organisation.

Companies giving period leave in India:-

Many businesses, including Dwight, Swiggy, Zomato, etc., offer their staff members menstruation leave. Many people still do not get the challenges a woman has during the menstrual cycle, though. However, recent innovations have made it easier for many businesses to comprehend time-related issues, making the recent actions done by certain businesses relatively believable.

India is not the first nation to offer period leave or vacation time to its female employees. Menstrual leave is now a requirement for all female employees in countries like Japan, South Korea, and Italy as part of national policies. Similar behaviours and business practises can be observed in India.

Below is the list of Companies:-

1. iVIPANAN
2. Zomato
3. Byju's
4. Swiggy
5. Mathrubhumi
6. Magzter
7. IndustryARC
8. FlyMyBiz
9. Gozoop

Analysis and interpretation:-

Period leave policies have long been a contentious topic in the country. It has long been debated whether such leaves are fairly distributed. Many people think that workplace policies regarding period leaves are unfair. Period leaves are typically considered to violate Article 15 of the Constitution's guarantee of equality (1). However, the state is able to establish unique arrangements for women and children under Article 15(3)

of the Constitution. "This unfairness issue would go away if we stopped thinking about a woman's problem. Everyone reacts to it differently, thus it needs to be understood as a human issue. Many women experience severe agony and sometimes administer drugs intravenously to themselves. About 50% of Indian women have irregular menstrual periods, and over 68% experience severe cramps, exhaustion, or bloating issues, according to a 2017 poll by Maya (women's fertility and health tracker), The Indian Express reported. The usage of these leaves has been the subject of discussions. Deepinder Goyal, the founder and CEO of Zomato, also stated that the period leaves should not be misused in any way, according to News Minute. Women think that the attitude around taking time off for menstruation also matters. Period leaves should not be given merely for the sake of giving them; rather, they should be offered to empower women. It is crucial that people recognise this. People need to understand what equality truly means. Men should participate in this discussion to reassure them that it is not directed at them. However, some people do have different opinions. While some corporations and business owners do not provide such a benefit to their employees, they are still allowed to take time off whenever they like. They believe that the fact that men and older women cannot take these leaves constitutes discrimination, although this is untrue. There is a lot of discrimination out there, so why not have it if it benefits someone?

Conclusion:-

Every woman employee is working on whether the private organizations, public organizations or start-ups hold the right to get the menstrual leaves. No work gets accomplished by compromising somebody's health! We all are humans before business workers, after all. Help the women by showing such small gestures of concern. It will bring extraordinary changes ahead.

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