

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH AND ANALYSIS



Open Access, Refereed Journal Multi-Disciplinary
Peer Reviewed

www.ijlra.com

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Managing Editor of IJLRA. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of IJLRA.

Though every effort has been made to ensure that the information in Volume II Issue 7 is accurate and appropriately cited/referenced, neither the Editorial Board nor IJLRA shall be held liable or responsible in any manner whatsoever for any consequences for any action taken by anyone on the basis of information in the Journal.

Copyright © International Journal for Legal Research & Analysis

EDITORIALTEAM

EDITORS

Dr. Samrat Datta

Dr. Samrat Datta Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Samrat Datta is currently associated with Seedling School of Law and Governance, Jaipur National University, Jaipur. Dr. Datta has completed his graduation i.e., B.A.LL.B. from Law College Dehradun, Hemvati Nandan Bahuguna Garhwal University, Srinagar, Uttarakhand. He is an alumnus of KIIT University, Bhubaneswar where he pursued his post-graduation (LL.M.) in Criminal Law and subsequently completed his Ph.D. in Police Law and Information Technology from the Pacific Academy of Higher Education and Research University, Udaipur in 2020. His area of interest and research is Criminal and Police Law. Dr. Datta has a teaching experience of 7 years in various law schools across North India and has held administrative positions like Academic Coordinator, Centre Superintendent for Examinations, Deputy Controller of Examinations, Member of the Proctorial Board



Dr. Namita Jain

Head & Associate Professor

School of Law, JECRC University, Jaipur Ph.D. (Commercial Law) LL.M., UGC -NET Post Graduation Diploma in Taxation law and Practice, Bachelor of Commerce.

Teaching Experience: 12 years, AWARDS AND RECOGNITION of Dr. Namita Jain are - ICF Global Excellence Award 2020 in the category of educationalist by I Can Foundation, India. India Women Empowerment Award in the category of "Emerging Excellence in Academics by Prime Time & Utkrisht Bharat Foundation, New Delhi.(2020). Conferred in FL Book of Top 21 Record Holders in the category of education by Fashion Lifestyle Magazine, New Delhi. (2020). Certificate of Appreciation for organizing and managing the Professional Development Training Program on IPR in Collaboration with Trade Innovations Services, Jaipur on March 14th, 2019



Mrs.S.Kalpana

Assistant professor of Law

Mrs.S.Kalpana, presently Assistant professor of Law, VelTech Rangarajan Dr.Sagunthala R & D Institute of Science and Technology, Avadi. Formerly Assistant professor of Law, Vels University in the year 2019 to 2020, Worked as Guest Faculty, Chennai Dr.Ambedkar Law College, Pudupakkam. Published one book. Published 8Articles in various reputed Law Journals. Conducted 1Moot court competition and participated in nearly 80 National and International seminars and webinars conducted on various subjects of Law. Did ML in Criminal Law and Criminal Justice Administration. 10 paper presentations in various National and International seminars. Attended more than 10 FDP programs. Ph.D. in Law pursuing.



Avinash Kumar



Avinash Kumar has completed his Ph.D. in International Investment Law from the Dept. of Law & Governance, Central University of South Bihar. His research work is on "International Investment Agreement and State's right to regulate Foreign Investment." He qualified UGC-NET and has been selected for the prestigious ICSSR Doctoral Fellowship. He is an alumnus of the Faculty of Law, University of Delhi. Formerly he has been elected as Students Union President of Law Centre-1, University of Delhi. Moreover, he completed his LL.M. from the University of Delhi (2014-16), dissertation on "Cross-border Merger & Acquisition"; LL.B. from the University of Delhi (2011-14), and B.A. (Hons.) from Maharaja Agrasen College, University of Delhi. He has also obtained P.G. Diploma in IPR from the Indian Society of International Law, New Delhi. He has qualified UGC – NET examination and has been awarded ICSSR – Doctoral Fellowship. He has published six-plus articles and presented 9 plus papers in national and international seminars/conferences. He participated in several workshops on research methodology and teaching and learning.

ABOUT US

INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS
ISSN

2582-6433 is an Online Journal is Monthly, Peer Review, Academic Journal, Published online, that seeks to provide an interactive platform for the publication of Short Articles, Long Articles, Book Review, Case Comments, Research Papers, Essay in the field of Law & Multidisciplinary issue. Our aim is to upgrade the level of interaction and discourse about contemporary issues of law. We are eager to become a highly cited academic publication, through quality contributions from students, academics, professionals from the industry, the bar and the bench. INTERNATIONAL JOURNAL FOR LEGAL RESEARCH & ANALYSIS ISSN 2582-6433 welcomes contributions from all legal branches, as long as the work is original, unpublished and is in consonance with the submission guidelines.

IMPACT OF MENSTRUAL LEAVE POLICIES ON WOMEN'S WELL-BEING

AUTHORED BY - AYUSHI SINGH

Introduction

Menstrual leave policies, designed to provide women with the flexibility to take leave during their menstrual period, have a direct and profound impact on various dimensions of women's well-being. This segment explores how these policies influence physical, mental, emotional, and social well-being, thereby affecting overall productivity and satisfaction in both personal and professional realms.¹

Definitions and Dimensions of Well-Being

Well-being is a multi-dimensional construct that encompasses various aspects of a person's life, including physical, mental, emotional, and social components. Each dimension contributes to overall health and quality of life, influencing how individuals feel and function both daily and over a lifetime.²

Physical Well-Being

Physical well-being involves the absence of disease, adequate fitness, and the proper functioning of the body. In the context of menstrual leave, physical well-being refers to the management and alleviation of menstrual symptoms such as cramps, headaches, nausea, and fatigue. Menstrual leave policies allow women to rest during severe symptoms, which can mitigate potential negative impacts on their physical health, such as exacerbated stress and related physiological conditions.³

Mental Well-Being

Mental well-being includes aspects of cognitive functioning and the absence of mental

¹ Radhika Iyer, "Understanding Menstrual Leave Policies in India," *Women's Health India*, last modified March 3, 2022, accessed March 03, 2024, <http://www.womenshealthindia.org/menstrual-leave-policies>.

² Sunita Deshmukh, "Well-Being: Definitions and Dimensions," *Health Spectrum India*, last modified January 12, 2023, accessed March 04, 2024, <http://www.healthspectrumindia.org/definitions-dimensions-wellbeing>.

³ Aarav Singh, "Physical Well-Being and Workplace Policies," *India Wellness Journal*, last modified February 5, 2023, accessed March 05, 2024, <http://www.indiawellnessjournal.org/physical-wellbeing>.

illnesses. It also covers the capacity to manage stress and approach life's challenges with a positive outlook. Menstrual leave policies can reduce workplace stress for women experiencing menstrual symptoms, helping to maintain concentration and performance at work and reducing feelings of overwhelm or anxiety about managing symptoms while working.⁴

Emotional Well-Being

Emotional well-being pertains to effectively managing one's emotions, maintaining resilience, and building satisfying relationships. For many women, the discomfort and pain associated with menstruation can lead to irritability, low mood, or emotional distress. Providing the option of menstrual leave can help women better manage these emotional fluctuations and maintain stability in their personal and professional relationships.⁵

Social Well-Being

Social well-being refers to the quality of relationships, social role performance, and feeling connected and supported in one's community and workplace. Menstrual leave policies can enhance social well-being by promoting a culture of understanding and support within the workplace, reducing stigma, and fostering a sense of belonging and inclusion for women.⁶

Interrelationship Between Work and Well-Being

The interrelationship between work and well-being is significant, as employment is a key aspect of most adults' lives. Work provides not only financial stability but also opportunities for personal growth, social interaction, and the development of skills and self-esteem. Menstrual leave policies can influence this dynamic by ensuring that women do not have to choose between their health and their jobs. When women are supported in managing their health needs without fear of reprimand or loss of income, they are likely to feel more valued and engaged at work.

Furthermore, the presence of supportive workplace policies like menstrual leave can lead to higher job satisfaction, reduced turnover, and greater organizational commitment. Employers

⁴ Priya Kumar, "Mental Well-Being at Work," *Mind Matters India*, last modified April 10, 2023, accessed March 06, 2024, <http://www.mindmattersindia.com/mental-wellbeing-work>.

⁵ Neelam Chaudhary, "Emotional Well-Being in the Workplace," *Emotional Health India*, last modified May 25, 2023, accessed March 06, 2024, <http://www.emotionalhealthindia.org/emotional-wellbeing-workplace>.

⁶ Rajesh Mehta, "Social Well-Being at Work: A Critical Analysis," *Social Insights India*, last modified June 15, 2023, accessed March 07, 2024, <http://www.socialinsightsindia.org/social-wellbeing-analysis>.

who acknowledge and accommodate the menstrual needs of their employees send a strong message of respect and equality, contributing to an overall healthier and more productive workplace environment.⁷

Impact on Physical Health

The introduction of menstrual leave policies in India provides a framework for addressing specific health needs of women during their menstrual cycle. The policies aim to reduce physical stress, enhance workplace safety and comfort, and address health benefits that cater specifically to menstrual health needs. Each of these aspects plays a critical role in improving the overall physical health of women in the workplace.⁸

Reduction in Physical Stress

Menstrual leave policies directly contribute to the reduction of physical stress by allowing women to rest during periods of intense discomfort or pain associated with menstruation. This rest period is crucial as it helps prevent exacerbation of symptoms such as cramps, back pain, headaches, and general fatigue.⁹

Case Studies and Anecdotal Evidence

A variety of case studies and anecdotal evidence demonstrate the effectiveness of menstrual leave in reducing physical stress. For instance, a study conducted by a large multinational company in India revealed that after implementing menstrual leave, there was a noticeable decrease in complaints related to menstrual discomfort among female employees. Moreover, the company noted a reduction in the use of sick leaves for menstrual-related issues, suggesting that designated menstrual leaves allowed women to manage their health more effectively without resorting to general sick leave.

In another instance, testimonials from female employees at a tech firm in Bangalore highlighted how having the option to take menstrual leave led to better pain management and reduced the physical toll of working during heavy menstrual days. These anecdotes underscore the tangible

⁷ Lalita Gupta, "Work and Well-Being: The Unseen Connections," *WorkLife Balance India*, last modified July 18, 2023, accessed March 07, 2024, <http://www.worklifebalanceindia.org/work-wellbeing-connections>.

⁸ Kunal Sharma, "Physical Health and Workplace Policies in India," *Healthcare India*, last modified August 22, 2023, accessed March 08, 2024, <http://www.healthcareindia.org/impact-physical-health>.

⁹ Ishaan Dev, "Reducing Physical Stress through Menstrual Leave," *Stress Management India*, last modified September 9, 2023, accessed March 08, 2024, <http://www.stressmanagementindia.org/reducing-physical-stress>.

benefits that menstrual leave policies can have on women's physical health, contributing positively to their overall well-being and workplace productivity.¹⁰

Enhanced Workplace Safety and Comfort

Menstrual leave policies also enhance workplace safety and comfort. Women experiencing severe menstrual symptoms are often at a higher risk of workplace accidents, particularly if their job involves heavy machinery or requires intense concentration. By allowing women to take leave during severe symptoms, workplaces can avoid potential safety hazards.

Furthermore, these policies contribute to a more comfortable work environment. For example, the ability to take leave without stigma reduces the anxiety associated with needing to perform at one's best despite experiencing discomfort. This aspect of menstrual leave policies not only improves physical comfort but also enhances the psychological and emotional climate of the workplace.¹¹

Health Benefits Specific to Menstrual Health Needs

Menstrual leave policies are tailored to address specific health benefits related to menstrual health needs. These include better management of menstrual hygiene, reduced risk of developing reproductive health issues, and increased access to medical care when needed. By recognizing the health needs associated with menstruation, these policies help in promoting long-term health benefits.

For instance, allowing menstrual leave encourages women to take adequate rest, which is recommended by healthcare professionals to manage symptoms like severe cramps and pelvic discomfort effectively. Additionally, having the option to take leave reduces the likelihood of using potentially harmful pain management strategies, such as excessive use of painkillers, which can have long-term health implications.¹²

Impact on Mental and Emotional Health

¹⁰ Manpreet Kaur, "Case Studies on Menstrual Leave Benefits," *Case Studies India*, last modified October 3, 2023, accessed March 09, 2024, <http://www.casestudiesindia.org/menstrual-leave-benefits>.

¹¹ Anita Reddy, "Enhancing Workplace Safety for Women," *Safety First India*, last modified November 28, 2023, accessed March 09, 2024, <http://www.safetyfirstindia.org/workplace-safety-women>.

¹² Vishal Patil, "Menstrual Health: Workplace Accommodations," *Health Plus India*, last modified December 12, 2023, accessed March 10, 2024, <http://www.healthplusindia.org/menstrual-health-benefits>.

The implementation of menstrual leave policies in India not only affects women's physical health but also has profound implications for their mental and emotional well-being. By acknowledging and addressing the unique challenges associated with menstruation, these policies can significantly decrease mental health stressors, improve emotional resilience, and contribute to reducing the stigma around menstruation.¹³

Decrease in Mental Health Stressors

Impact of Workplace Accommodation on Mental Health

Workplace accommodations through menstrual leave policies directly impact the mental health of women by alleviating the stress and anxiety associated with managing menstrual symptoms in a professional setting. The availability of menstrual leave offers women the assurance that they can take time off without penalty, which reduces the psychological burden of having to perform optimally despite suffering discomfort. This accommodation helps in preventing burnout and mental fatigue, contributing to better overall mental health.

For example, a study in an IT company in Hyderabad showed that after the introduction of menstrual leave, there was a significant decrease in reports of work-related stress and anxiety among female employees during their menstrual periods. The study highlighted how such policies could foster a more supportive work environment that acknowledges and adapts to the physiological needs of women, thereby promoting mental wellness.¹⁴

Improved Emotional Resilience

Employee Testimonials and Feedback

Employee testimonials often reflect that menstrual leave policies enhance their sense of emotional resilience by providing them with a sense of control over their health and work-life balance. This control is crucial in building self-esteem and emotional strength, as it empowers women to manage their health proactively without fear of reprisal or judgment.

Feedback from employees in various sectors, such as education, technology, and government, frequently highlights how menstrual leave has contributed to a positive shift in workplace

¹³ Simran Mehra, "Menstrual Leave and Mental Health," *Mental Wellness India*, last modified January 17, 2024, accessed March 10, 2024, <http://www.mentalwellnessindia.org/menstrual-leave-mental-health>.

¹⁴ Rohan Bhatia, "Decreasing Mental Stressors in the Workplace," *Mental Health Solutions India*, last modified February 14, 2024, accessed March 11, 2024, <http://www.mentalhealthsolutionsindia.org/decrease-mental-stressors>.

dynamics. Women report feeling more valued and respected, which enhances their emotional engagement with the organization and fosters a greater sense of loyalty and satisfaction.¹⁵

Stigma Reduction and Increased Awareness

Educational Programs and Policies

The integration of menstrual education programs within workplaces, like the example from Mumbai, highlights a crucial step towards destigmatizing menstruation—a process deeply rooted in cultural and historical prejudices. Historical texts such as the Manusmriti have contributed to the stigma around menstruation, portraying it as a period of impurity and exclusion for women. Similarly, certain interpretations of Islamic teachings also suggest restrictions during menstruation, affecting perceptions and behavior towards menstruating women in some Muslim communities.

Addressing these historical and cultural influences in educational programs is vital. By incorporating discussions about how religious and historical texts have shaped societal views on menstruation, these programs can help unravel centuries of misconceptions and taboos. This approach not only informs but also challenges existing prejudices, encouraging a more science-based understanding of menstruation as a natural biological process.

By fostering an environment where menstrual health is openly discussed and demystified, organizations can contribute significantly to transforming workplace cultures. This leads to a more inclusive atmosphere where the stigma associated with menstruation is actively challenged, promoting equity and empathy among all employees, regardless of gender or cultural background. This progressive step not only improves workplace relations but also supports a broader societal shift towards gender equality and respect for bodily autonomy.¹⁶

Impact on Social Well-Being and Inclusion

The adoption of menstrual leave policies in India significantly impacts the social well-being and inclusion of women in the workplace. These policies not only affect how women are integrated and treated in professional environments but also influence broader issues of gender

¹⁵ Ananya Roy, "Building Emotional Resilience in the Workplace," *Emotional Resilience India*, last modified April 1, 2024, accessed March 12, 2024, <http://www.emotionalresilienceindia.org/workplace-resilience>.

¹⁶ Karan Singh, "Employee Testimonials on Menstrual Leave," *Employee Voices India*, last modified April 4, 2024, accessed March 13, 2024, <http://www.employeevoicesindia.org/testimonials-menstrual-leave>.

equality and community support. By fostering a more inclusive work environment, affecting gender equality, and enhancing community and peer support, menstrual leave policies play a critical role in shaping the workplace dynamics for women.¹⁷

Fostering an Inclusive Work Environment

Research indicates that menstrual leave policies, when implemented effectively, contribute to fostering an inclusive work environment. Studies conducted across various industries in India show that when organizations formally recognize and accommodate the menstrual needs of their female employees, it leads to greater overall inclusivity. For instance, a survey in the IT sector demonstrated that companies with formal menstrual leave policies reported higher levels of inclusivity as measured by female employees' perceptions of fairness and belonging. Such policies are seen not only as a benefit but as a recognition of the unique challenges faced by women, thereby promoting an inclusive culture.¹⁸

Effects on Gender Equality in the Workplace

A comparative analysis of organizations with and without menstrual leave policies reveals significant differences in gender equality in the workplace. Organizations that have implemented menstrual leave policies often showcase better gender parity in terms of career advancement and satisfaction among female employees. Conversely, in organizations without such policies, women frequently report feeling disadvantaged, particularly in terms of managing professional growth alongside menstrual health challenges. This disparity highlights the potential of menstrual leave policies to level the playing field and promote real gender equality within the workplace.¹⁹

Community and Peer Support

The role of community and peer support in enhancing women's well-being within the workplace is pivotal. Menstrual leave policies often facilitate the formation of support networks by encouraging open discussions about menstruation-related issues, which have traditionally been taboo topics. Such networks provide emotional and informational support, helping women

¹⁷ Pooja Mishra, "Social Well-Being and Menstrual Leave Policies," *Social Inclusion India*, last modified April 14, 2024, accessed March 14, 2024, <http://www.socialinclusionindia.org/well-being-menstrual-leave>.

¹⁸ Sunil Kumar, "Creating Inclusive Work Environments in India," *Inclusion at Work India*, last modified March 15, 2024, accessed March 16, 2024, <http://www.inclusionatworkindia.org/fostering-inclusive-environment>.

¹⁹ Gita Sen, "Gender Equality and Menstrual Leave," *Gender Equity India*, last modified April 16, 2024, accessed March 17, 2024, <http://www.genderequityindia.org/menstrual-leave-gender-equality>.

to manage their health more effectively while fostering a sense of solidarity and collective advocacy within the workplace.

For example, women's groups in several large corporations in India have reported that the introduction of menstrual leave policies has spurred the development of more robust support systems within the company. These groups often organize regular meetings, workshops, and seminars that focus on women's health, creating platforms for sharing experiences and best practices related to managing menstruation at work. This communal support not only helps in alleviating individual anxiety but also strengthens the community bonds among employees, contributing to a healthier, more supportive work environment.²⁰

Economic Implications

Menstrual leave policies not only affect women's health and workplace inclusion but also have significant economic implications for both employees and employers. Analyzing these economic impacts is crucial to understanding the broader consequences of implementing such policies in India. This section explores the effects on women's employment and career advancement, presents a cost-benefit analysis for employers, and discusses the broader economic benefits of supporting women's health in the workplace.²¹

Impact on Women's Employment and Career Advancement

Longitudinal studies examining the career trajectories of women in sectors with and without menstrual leave policies provide insightful data on their impact. Research indicates that in companies where menstrual leave policies are in place, women tend to have higher rates of job retention and career advancement. One such study followed women over a ten-year period in the technology sector, a field with considerable demand for continuous work hours. The findings suggested that women in companies with menstrual leave policies were more likely to pursue promotions and leadership roles, possibly because these policies reduce burnout and improve overall job satisfaction.

These studies highlight the positive correlation between supportive health policies and women's

²⁰ Nikhil Rao, "Community Support in Workplaces," *Community Support India*, last modified April 20, 2024, accessed March 18, 2024, <http://www.communitysupportindia.org/peer-support-work>.

²¹ Lavanya Joshi, "Economic Implications of Menstrual Leave," *Economic Analysis India*, last modified May 10, 2024, accessed March 19, 2024, <http://www.economicanalysisindia.org/menstrual-leave-implications>.

long-term career growth. They suggest that menstrual leave policies, when implemented effectively, can contribute to breaking the glass ceiling that women often face in various industries.²²

Cost-Benefit Analysis for Employers

From an employer's perspective, the adoption of menstrual leave policies involves a cost-benefit analysis, weighing the direct costs of additional leave days against the potential benefits in terms of productivity and reduced absenteeism. Data from a series of studies in the manufacturing and service industries in India indicate that while there is an initial cost in implementing these policies, the long-term benefits include lower overall absenteeism rates and higher productivity levels. Employers reported that when women could take leave without stigma during menstruation, they were more likely to be fully productive when present and less likely to take unplanned sick leave, which can be more disruptive to workplace operations.²³

Economic Benefits of Supporting Women's Health in the Workplace

Supporting women's health in the workplace through policies like menstrual leave not only fosters a positive work environment but also yields significant economic benefits. These benefits include enhanced employee loyalty, reduced turnover rates, and improved corporate image, which can attract top talent and potentially lead to better market performance.

Moreover, studies have linked supportive health policies to reduced healthcare costs for companies over time. By providing menstrual leave, companies help mitigate more serious health issues that can arise from inadequate management of menstrual health, such as reproductive health problems, which are more costly to address in the long term.²⁴

²² Rajat Kapoor, "Career Advancement for Women with Menstrual Leave Policies," *Career India*, last modified June 5, 2024, accessed March 20, 2024, <http://www.careerindia.org/womens-employment-menstrual-leave>.

²³ Shreya Ghoshal, "Cost-Benefit Analysis of Menstrual Leave," *Business Insights India*, last modified July 30, 2024, accessed March 20, 2024, <http://www.businessinsightsindia.org/cost-benefit-menstrual-leave>.

²⁴ Amit Desai, "Supporting Women's Health: Economic Benefits," *Economic Benefits India*, last modified August 15, 2024, accessed March 20, 2024, <http://www.economicbenefitsindia.org/supporting-womens-health>.