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The Need For Menstrual Leave For Working Women In India

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ABSTRACT

In India, menstruation is still considered taboo, despite being a nation with a rich cultural background. Such a taboo exists in both urban and rural settings. Half of the people experience menstruation, a natural, normal biological process, but it is not given the attention it deserves because of unwarranted shame, illiteracy, and poverty. Intense cramping and agony are experienced by more than half of all female employees on the first day of their periods. A workplace policy known as menstrual leave allows employees to take additional paid or unpaid time off while they are menstruating. It has drawn more and more attention from the general public and international media in recent years. It is common for the policy to be promoted with the best of intentions and to be seen as a progressive step forward for women's rights and workplace wellness. Paid menstrual leave is a crucial policy measure to promote a conversation about menstrual health and to encourage women to enter the workforce in order to create an equal and inclusive workplace. Menstrual leave policies could be a sign of, or even a cause of, unwelcome and discriminatory workplace behaviours toward women. Menstrual leave is one instance of how sexist employment practices can easily, even unintentionally, reinforce negative and untrue social stereotypes. The paper comes to the conclusion that it is preferable to focus on the working conditions and rights of every employee, as well as access to high-quality reproductive health information and medical treatment, if necessary, in order to support and enhance menstrual health and gender equality in the workplace. This review study was conducted by searching specific keywords utilizing databases such as Science Direct, Google Scholar, Research

Gate, PubMed and Scopus. Such a policy is far more necessary here than in European countries due to the cultural stigma that exists in India. Additionally, India still has a higher prevalence of the gender pay gap than other countries. Thus, even paid menstrual leave would fall short of making up for their significantly lower pay and yet putting such a policy into place would be a welcome beginning and a step in the right direction. Many of the policy's detractors think it will result in inefficiency and disincentivise hiring of women and treating everyone equally. It makes sense that efficiency will rise with the increased participation of the workers who make up half the workforce.

KEY WORDS

Menstrual Leave, Working Women, Efficiency, Treatment.

INTRODUCTION

In India, there has been a concerning decline in the proportion of women in the labour force. Women in India experience gender roles that persist throughout and social issues with working women still face many obstacles in their quest for independence and employment. Poorer women face many challenges, including lack of access to water and basic sanitation and hygiene. Due to these social constraints, women in India do not have the same level of education as men. As a result, employment opportunities in the future are severely constrained. A woman's family, marital, educational, and social status significantly impact her decision to work. Daily decisions about whether to continue working are rarely made by women alone. This has also contributed to the tremendous pressure working women face to pursue careers that are as robust and comprehensive as those of their male counterparts while continuing to be actively involved in their personal lives. However, managing menstruation at work is one of the most ignored problems that need support and immediate attention because it impairs women's productivity and performance. The word "menstruation" is met with raised eyebrows and disgust in India because of outdated beliefs and traditions that still view it as something filthy or impure. To increase the number of women in the labour force and deter them from leaving their jobs, all relevant parties, including the Government, business community, media, and civil society, must make focused interventions. Menstruation is one issue that specifically impacts women's ability to work. In India, where women were not taught the fundamentals of hygiene and were shunned during that time, the subject of menstruation is still heavily taboo. Menstruation presents a big obstacle for women even in more educated environments. Even though menstruation may be a common and painless natural process for some women, many women deal with debilitating conditions associated with it, including PCOS, PCOD, and ovarian cysts, among others. The current maternity-related benefits and paid leave during pregnancy provisions are present, but they are also insufficient. Women have long kept quiet about this, but that is changing as more women are taking the lead. Women's health needs to be prioritised now more than ever as they advance professionally and climb lofty ladders. One in ten women experiences menstrual cramps so severe that they interfere with their daily lives, according to research there is a condition called "endometriosis" that is linked to menstruation in which tissue that typically lines the inside of the uterus grows outside of it. It's obvious as more studies and accounts receive the attention that menstrual pain is a serious medical problem for many females. Some people struggle greatly because of it, chronic pain, but still, feel ashamed to talk about it in the public work environment. Menstrual cycles in women are one of the few subjects that continue to make people uneasy, particularly in the workplace. This might be the result of the outdated sexist idea that women's feelings are related to their periods, or that women are afraid of being perceived as weak if they ask for a break, and frequently find themselves hiding what can be debilitating monthly pain. The medical term for menstrual cramps is dysmenorrheal, and it affects about 80% of women. Additionally, at least 50% of these women will look for medical care. While anti-inflammatory drugs and exercise can be used to treat dysmenorrheal symptoms, they don't always work. Despite any potential advantages of menstrual leave, this policy already exists (or could exist) in a culture where menstruation is stigmatized, and little is currently known about the effects this policy

may have on society. As a result, it might be problematic to accept the policy without taking into account any potential drawbacks.

Menstruation has social and cultural repercussions, including the stigma attached to it, its medicalization of it, and its politicization of it. It's important to comprehend the complexity of the menstrual stigmatization problem. Menstruation is no longer regarded as a normal bodily process, but rather as a sign of uncleanliness, shame, and taboo by both those who have it and those who don't. The media actively promotes the stereotype of menstruating women as "hormonal monsters" who are moody, irritable, and less productive. Menstruating people are also exposed to political messages that imply they are unfit for society (like when Trump referred to Megyn Kelly as having "blood coming out of her wherever"; Yan, 2015). People with higher levels of ambivalent sexism may have more negative feelings toward menstruators who take menstrual leave, which could alter how menstruators are perceived. The findings of earlier research indicate that it is socially and culturally acceptable for menstruators to conceal their menstrual status. If a woman were to openly take a menstrual leave day, this cultural "rule" would be broken. This hypothesis is supported by cultural ideals (Stein Deluca, 2017). The stigma associated with menstruation has many detrimental effects on menstruators. They have been socialized to hide any menstrual-related problems, which can result in negative attitudes toward menstruation, self-objectification, risky sexual behaviour, disgust and shame toward one's body, and feelings of disgust and shame toward menstruation. Due to ambivalent sexist attitudes and beliefs, menstruating women may be perceived more negatively than non-menstruating women, according to Forbes et al (2003). The belief that menstruators are irrational and moody as well as an outward dislike for the period are both predicted by unfriendly misogyny and sexism, it is also discovered. As a result of the low birth rate, women menstruate 400 times on average during their lifetimes, which is significantly more than women did in the past (Women's Center working to remove the stigma surrounding menstruation, 2000). According to studies (Latha, Jyothsna, and Belliappa, 2018), there is an increasing need for workplaces to provide enough WASH (Water, Sanitation, and Hygiene) facilities and bathroom breaks. Another contributing factor is a rise in presentism brought on by menstrual symptoms. Menstruating women reported experiencing a lot of discomforts while at work (Schoep et al., 2019). Investing in menstrual hygiene facilities, according to studies, has a fourfold return on investment. Menstruation policies must take equal consideration of work-related hazards to ensure safety and address the physical needs of menstruating women. Because there was a significantly higher correlation between women's absences and the overall number of sick days, they accrued than men, they displayed absenteeism in a pattern of 28 days that was related to their menstrual cycles. Another viewpoint claimed that in a survey of Italian bankers and American teachers, very few women took time off for menstruation-related reasons, making up a very small portion of the total amount of time taken by women (Herrmann & Rockoff, 2012). A study revealed that the majority of women complained of pain that interfered with their ability to function and live their daily lives (La Rose, 2016). Studies have shown that men are willing to overlook a woman's unfavourable behaviour if it is related to her period. According to some men's perceptions of the symptoms' deterioration relative to women's perceptions (Ruble et al., 1982), (Ruble & Brooks-Gunn, 1979). But the majority of men demonstrated a negative attitude toward menstruation (Clarke & Ruble, 1978). Men showed menstruating women compassion and support as well (Mason et al., 2017). Men also gave menstruation's effect on irritability a lower rating than women did, and they believed menstrual symptoms have a greater influence on a woman than PMS symptoms do. International Management Review Vol. 16 No. 1 2020 91 (Brooks-Gunn & Ruble, 1986). Concerns were raised about male superiors giving priority to women who don't take such leaves and viewing them as tough (Crocker, 2016)

There are many symptoms that menstruating women commonly experience, so it is important to provide enough breaks while they are at work to lower their levels of stress and anxiety (Nishikitani et al., 2017). High-stress occupations also affected the length of the menstrual cycle and were linked to other menstrual abnormalities (Fenster et al., 1999). The presence of additional symptoms like migraines, headaches, and bloating before, during, or after periods can also cause stress (Weiss et al., 2008). According to a divergent

viewpoint, women claimed that their ability to perform mental tasks was unaffected by their period. Understanding that menstruation is a uniquely female experience that necessitates special care is the first step in effectively addressing this problem. To de-stigmatize it, proactive measures are required (Johnston-Robledo & Chrisler, 2013).

Workplaces must provide easy access to menstrual hygiene items like sanitary napkins. Due to the stigma surrounding periods, women find it difficult to discuss them openly (Bailey, 2017). As the study on the stigma attached to menstruation emphasizes, it is crucial to take menstrual leave into account. A menstrual leave policy may, on the one hand, lessen stigma by promoting more discussion about menstruation in the workplace. On the other hand, those beneficial results might not materialize due to the cultural context. Instead of conveying the idea that menstruation is a disorder in and of itself, such education should emphasize the normalcy and functionality of the menstrual cycle. The percentage of menstruators who experience menstrualrelated disorders should be mentioned, as well as how those experiences may impact day-to-day life. Nevertheless, it's crucial to remember that many women and some men regard their periods as intimate and private affairs and do not want to disclose their status, especially to men. Additionally, the policy appears to imply that menstruating women shouldn't or are unable to work. Despite the possibility, not all menstruators will certainly experience this. This issue can be resolved by using longitudinal studies that compare stigma before and after menstrual leave was implemented. Furthermore, the existence of unfavorable attitudes before implementation suggests that policymakers may want to address some of these attitudes at the time the policy is first introduced. Paid menstrual leave must be implemented along with institutional support reform for maternity-related issues if we are to encourage women to work in the formal economy. Additionally, companies need to be urged to hire women through these initiatives. In India, paid menstrual leave has sparked some debate and disagreement. Menstruators who reveal their menstrual status and utilize the leave may experience negative feedback because those with strong negative attitudes toward menstruation may be too resistant to the idea of opening up that communication. Menstruction is viewed negatively, which could lead to negative perceptions of the policy and those who follow it. If policy results in workplace prejudice and unfavorable assessments rather than enhancing menstruators' health and wellbeing, its intended effects will not be realized. It might be possible to increase public awareness of menstruation and the illnesses connected to it to support the policy and allay this concern. However, it is important to prevent the medicalization of menstruation in how this education is delivered. The initiative of a menstruation leave policy would lend a helping hand to women who experience extremely painful and uncomfortable menstruation and require a day or two off work to recover at home and return to the office with a fresh outlook to contribute to the productivity of the organization. A bill known as the Menstruation Benefits Bill of 2017 has been introduced in Parliament to give working women in the public and private sectors paid menstrual leave for two days each month in addition to sick leave. However, ignoring the fundamental stigma, gender discrimination, sexist attitudes, or menstruation leave could hurt women. Menstruation Benefit Bill would not be simple to implement, but it would represent a much-needed change for the better. A lawmaker from Arunachal Pradesh introduced the Menstruation Benefit Bill, but it hasn't led to any results that can be seen or sparked further discussion about how to implement it.

Policy Evaluation for Menstrual Leave

When they have "menstrual flexibility," women can skip work during their period and make up the time later. Owens claims that the law allows women to schedule their workdays around the natural rhythms of their bodies. Men are less likely to become enraged by it, and women are less likely to be turned away from their jobs. Even more broadly inclusive options include granting wellness leave to all workers.

All workers may need time off even if they are not qualified for sick leave, which is why the term "wellness leave" has been coined. For instance, a man may experience acute stress and accompanying physical symptoms like headaches, muscle aches, or fatigue while a woman may experience uncomfortable cramps or diarrhea during one of her monthly periods. There may be medical procedures that employees undergo that

they do not want their coworkers or managers to be aware of. For example, male or female employees who are having an intimate medical procedure may not want to disclose this information on their sick leave forms or doctor's certifications. By allowing a predetermined number of wellnesses leaves each year, employers can respect their workers' right to privacy as well as their right to leave. Due to their greater concerns regarding their reproductive health, women are only permitted a certain number of additional wellness days per year. The type of work an employee does and their job cannot only be taken into consideration when determining their eligibility for wellness leave. One could make the case that physically demanding jobs (like manual labour or blue-collar work) call for more paid time off than white collar work done in the comparatively cost setting of an office. This calls into question whether different roles within an organization require customized leave policies, a difficult but crucial question.

Global Menstrual Leave Policy Scenario

Menstrual leave was finally reinstated in Communist Russia following the First World War. In the 1920s, female employees demanded that the Russian system be abandoned because it was unnecessary, which led employers to prefer 'less' and more dependable male staff (occasionally firing female specialists and replacing them with men). Japan made menstrual leave a public strategy following World War II. The necessary action was taken in the middle of the 1950s by Indonesia and South Korea (at the time, a colony of Japan). The justification for the argument that some jobs were unsuitable for women or that women needed a few days off during their period, "for public wealth," was based on the fact that hard work occasionally causes a missed or delayed monthly cycle. Therefore, menstrual leave was a form of nurturing "parenthood." Instead of emphasizing public fertility, Since the 1970s, proponents of East Asian menstruation leave policies have argued that these laws benefit women who suffer from severe menstrual pain or heavy bleeding. In some countries, women were also prohibited from working night shifts or jobs that were deemed to be excessively dangerous or unsuitable for them until they reached the age of marriage. The Gender Employment Act, passed in Taiwan in 2002, made it possible for women to request one day of leave each month if they were experiencing severe menstrual symptoms. Some nations offer unpaid menstrual leave or have laws in place to make up for it. Menstrual leave policies for employees have been implemented in several nations. In Japan, a law was passed in 1947 allowing women to take time off if they are having a painful period. 2018 (Prasad). Similar to this, since 2001, South Korean women have been able to take time off for their periods. Similar rules have been implemented by Nike and other companies. Similar laws are in place in Taiwan, South Korea, and Indonesia (Prasad, 2018). Even though neither Europe nor the United States has such policies, efforts to implement them have not been sufficiently successful.

Scenario in India

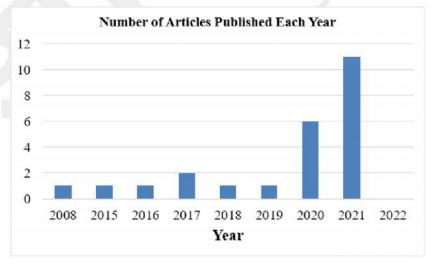
Since 1992, the Bihar Government has provided two days of paid time off for women's periods each year. Women are free to choose which two days of the month they want to work, and they are not required to explain. Menstrual leave is only recently being provided by some private businesses, like the Mumbai-based media outlet Culture Machine. Cultural Machine Media Pvt. In recognition of the discomfort and the stigma associated with menstruation, Ltd. has implemented a leave policy known as First Day of Period (FOP) Leave, allowing women to take a day off on the first day of their period when the pain is usually the worst. The idea of menstrual leave undercuts the idea of workplace equality. Devlina Mazumdar, the HR director at Culture Machine, told India Today that it's past time for society to acknowledge how differently built men and women are, and that it's okay to admit when one is menstruating. This optional policy will make the workplace more welcoming to women.

Menstrual leave will undermine the efforts of women who are trying to level the playing field for leave, and since periods are private and personal, women may not want to go public, claims Dr Jyaanti Dutta, a clinical and socio analyst. If some women feel they need it, they can always take sick time.

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The Menstruation Benefits Bill was introduced in 2017 as a private members' bill by Ninong Ering, an Arunachal Pradesh-based Lok Sabha member. By this bill, female employees would have access to facilities at work for menstrual needs and other related concerns. A gender-responsive employment policy is outlined in the bill. The Bill would have granted women the right to two days of menstrual leave every month, for a total of 24 days of leave per year, whether they work for public or private companies that are registered with the federal or state Governments. The most important section of the Bill is Section 4. According to this section, women may take a paid leave of absence during their periods if they work in a licensed establishment or are enrolled in a class that is at least eighth-grade level. Women have the option of taking a four-day paid leave or a break from school while they are menstruating. However, a woman is free to choose to continue working rather than take paid time off and will be entitled to overtime pay at the established rate if she does so. Women who choose not to take the leave are entitled to overtime pay at the established rate. The act stipulates that women must take two 30-minute breaks each day when they are menstruating. Every woman has the right to understand her menstrual cycle and the necessity of using the benefits made available by this proposed law. Let's say she has trouble utilizing the advantages of these provisions. Menstrual leave or rest period provisions may be denied or interfered with, which is punishable by a fine of INR 10,000 to INR 50,000 and a jail sentence of 1 to 3 months. She can then speak with the establishment's POSH committee, which is required by the Act of 2013 for the Prevention, Prohibition, and Redress of Sexual Harassment of Women at Work. Gender-specific leaves can reinforce the notion that women are less capable than men and, as a result, are unable to work in a society that is still largely patriarchal, less supportive of women in the workplace, and where women are still viewed as less capable than men despite having comparable academic and professional achievements. The introduction of period leave has raised concerns among women about workplace discrimination and created an uncomfortable situation for them when disclosing such private information. This could cause issues for them during performance reviews, appraisals, and promotions of an individual.

People are also concerned that if such a policy is implemented, employers may become less willing to hire women and assign them to demanding and complex jobs, denying them opportunities for professional advancement. The criteria for such leaves' applicability are also challenging to define. To determine whether a woman qualifies for the leave, she may be questioned or asked for personal information if she experiences early menopause, or sex change, or identifies as a transwoman. Moreover, not all women experience their periods the same way; rather, the duration of the period and the intensity of the pain and discomfort vary from person to person. Many women want their employers to priorities a secure, comfortable, and hygienic workplace before enacting such policies. When basic needs aren't being met, implementing menstrual leaves seems like a far-off fantasy. For the advantages of these policies to be realized, both menstruators and non-menstruators must adopt a different mindset.



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Discussion

A policy of this kind is especially necessary given the prevailing cultural stigma, which is much more pronounced in India than in western countries. The gender pay gap is still pervasive, more so in India than anywhere else. Not even paid menstrual leave could make up for their significantly lower pay for them. In the "Global Gender Gap Report," India is ranked a depressing 136 out of 144 nations for wage equality between men and women (Belliappa, 2018).

But putting such a policy into place would be a much-needed start and a step in the right direction. Many of the policy's detractors think it will result in inefficiency, stop women from getting jobs, and undermine fair treatment (Belliappa, 2018)

It follows logically that greater participation from 50% of the workforce will increase efficiency. Severe menstrual pain can have a significant negative impact on participation in academic and employment activities (Maguire et al, n.d). Pre-Menstrual Syndrome causes up to 50% of young women to miss at least one day of school or work per cycle, according to studies (Maguire et al., n.d.). Pain can make it difficult to focus, even when attending classes or working, which results in mediocre output. Women who experience uncomfortable menstrual symptoms assert that their quality of life is significantly lower than that of other women. Heavy Menstrual Bleeding and dysmenorrhea that interfere with daily activities are considered to have a significant negative effect on the quality of life, according to studies (Maguire et al, n.d). When productivity and academic performance are lost, more than just personal expenses are involved. Workplaces incur significant costs as a result of the reported absenteeism rates and performance declines brought on by menstrual symptoms. Even though presenteeism costs were not taken into account in the calculations, it is estimated that HMB-related absenteeism costs US\$12 billion annually (Maguire et al, n.d). A woman's productivity declines during her period, according to numerous studies. Given this, taking a leave of absence during a woman's period wouldn't affect the productivity of the company or the nation. Attention must be given to both labour productivity and output quality rather than just measuring productivity based on the number of hours worked (Chaitra V, 2019). Menstrual flexibility is a useful and affordable alternative, according to Australian research (Chaitra V, 2019). According to studies, women who can take time off during their periods are more productive and make up the time on other days, which balances and boosts efficiency because they have had time to recover (Chaitra V, 2019). Implementing strategies to increase female labour force participation in India and other developing nations is essential. Dysmenorrhea, or menstrual cramps, has been compared by medical experts from around the world to heart attacks in terms of pain (Chaitra V, 2019). It is inappropriate for these women who report less painful periods to generalize the experience of other women because some women do experience very little or no pain during their periods. Due to their biological differences, this does not advance the cause of gender equality for all women. Although each woman has different sleep needs, many symptoms can be alleviated by resting or avoiding physically demanding activities (Belliappa, 2018). It's interesting to note that not all women without chronic illnesses experience painful periods every month (Belliappa, 2018). Because of various factors, including stress, hormonal changes, and dietary changes, some cycles may be more painful than others.

CONCLUSION

Menstrual health's effects on various policy areas, including education, economic growth, justice and equality, and public health. Future policy initiatives will unavoidably centre on adding paid menstrual leave to exist maternity leave. In India, where menstruation is still stigmatized regardless of a woman's socioeconomic status or level of education, this is crucial if we want to see a significant change in how women participate in the formal economy. The discussion surrounding menstrual leave presents a unique opportunity in this regard because it raises crucial ethical issues regarding how to treat women's bodies at work while also promoting a more engaged and productive workforce. However, a menstruation policy should only be implemented after careful thought and planning, as part of an employer's commitment to diversity and inclusivity. The Government

can also help by promoting the creation of policies, initiatives, and procedures that support women in lowering their risk of menstrual disorders, recognizing unusual symptoms, and promptly seeking medical attention (Maguire et al, n.d). In light of the negative effects of menstrual symptoms on women's employment prospects and the debate surrounding menstrual leave policies. There is a chance to raise awareness of this issue and address the issues.

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