

INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 5 | Issue 6

2022

© 2022 *International Journal of Law Management & Humanities*

Follow this and additional works at: <https://www.ijlmh.com/>

Under the aegis of VidhiAagaz – Inking Your Brain (<https://www.vidhiaagaz.com/>)

This article is brought to you for “free” and “open access” by the International Journal of Law Management & Humanities at VidhiAagaz. It has been accepted for inclusion in the International Journal of Law Management & Humanities after due review.

In case of **any suggestions or complaints**, kindly contact Gyan@vidhiaagaz.com.

To submit your Manuscript for Publication in the **International Journal of Law Management & Humanities**, kindly email your Manuscript to submission@ijlmh.com.

Menstrual Leave Dissent and Stigma Labelling: A Comparative Legal Discourse

SAYED QUDRAT HASHIMY¹

ABSTRACT

The menstrual cycle is sensitive in some countries and is still a stigma and imperious practice. Most legal systems do not grant menstruation leave, which has been taken as little credence with narrow contours. There is a conundrum to the issue; for instance, one of the significant difficulties in attempting a contextual analysis of menstruation is the stigmatized terrain of the subject; the study elaborates on it brick by brick in the different segments to pave the connection between law and women and also it will outline the prospects and challenges of menstrual leave. The article is a “Magnum opus,” emphasizing the importance of perceiving both sides of an argument as convergence and divergence. The study establishes that most countries have not enacted “Menstrual Leave”-related laws. The current work is limited to working women in organized sectors. The present discourse is based on the following research questions: whether the menstrual leave is regressive or progressive. What difficulties do women face when they are menstruating? How is menstrual leave incorporated into a few legal systems? This study employs a doctrinal method with a comparative legal analysis, and it reviews some of the literature to collect the necessary data. This paper sheds light on and compares those countries which have granted menstrual leave policies.

Keywords: *Periods, Menstrual Leave, Paid Leave, Maternity leave, Period stigma.*

I. INTRODUCTION

Menstruation leave must be made available to increase the female workforce participation rate and to accept the physiological distinctions between men and women. The equal treatment principle would be challenging to apply to menstrual leave because there is no male counterpart for menstruation like a woman getting pregnant. On the other hand, man does not. For this reason, it is essential to go past the formal approach to equality, which emphasizes gender neutrality or gender discrimination and adopts the substantive approach, which takes into account the unique needs of women. Additionally, it falls under the exception of the anti-stereotyping principle that allows classifications to be made based on fundamental differences between men and women for justifiable goals like evolving women’s equal opportunities;

¹ Author is a LL.M. student at NALSAR University of Law, Hyderabad, India.

menstrual leave does not violate the gender discrimination law or anti-stereotyping principle.

The present study makes clear that when it refers to “people who menstruate,” it is using the terms “women,” “individuals,” and “menstruators” in place of “people who are biologically menstruating women,” as well as “cisgender women.” These phrases will be used interchangeably for language economy and straightforward communication because not all menstruators are women, and not all women menstruate. This work uses these terms to refer to the entire menstrual population. When adopting leave policies, it is essential to keep in mind whether or not they apply to all people who menstruate. The disagreement about whether menstruation leave regulations achieve their varied objectives and whether they do more harm than good has caused the division in opinion on these legislative measures. Primary goals include supporting nations’ population and reproductive goals, allowing people better care for their health without facing repercussions at work, and giving women reproductive rights protection.² This study aims to shed light on the enormous complexity that underlies the menstrual leave debate rather than to argue for or against it.³ Each country has its own culture, values, and degree. Women and girls worldwide struggle to control their periods, particularly those who work in settings that do not promote effective menstrual hygiene management (MHM).⁴ Henceforth, the World Health Organization (WHO), UNICEF, and others define adequate menstrual hygiene management (MHM) as taking place when women and girls have the following:⁵

- (i) awareness, information, and self-confidence on menstrual hygiene;*
- (ii) having access to clean, sanitary, and absorbent items and supplies;*
- (iii) having access to sanitary facilities with water and soap available for personal hygiene, cleaning, and material disposal; and*
- (iv) a welcoming environment where women and girls can manage their periods without worrying about being judged or embarrassed.*

Every woman has menstruation at some point in her life due to a physiological process. Menstruation does not typically render a woman incompetent, yet painful periods (dysmenorrhea) are a prevalent condition that is not directly tied to a paid job or any particular

² ‘Menstruation and Human Rights - Frequently Asked Questions | United Nations Population Fund’ <<https://www.unfpa.org/menstruationfaq>> accessed 19 November 2022.

³Hilary H Price, ‘Periodic Leave: An Analysis of Menstrual Leave as a Legal Workplace Benefit’ (2022) 74 OKLAHOMA LAW REVIEW 38, 4.

⁴HANNAH MOSHER, *MENSTRUAL HYGIENE MANAGEMENT AND WOMEN’S ECONOMIC EMPOWERMENT*, 25 (2019).

⁵ibid 9.

work.⁶ Periodic variations in mood and temperament, sometimes known as premenstrual tension, affect certain women.⁷ The substances or procedures women may be exposed to at work can affect menstrual cycles. These procedures and their effects must be stopped or managed at the beginning.⁸ When a woman enters menopause, some experience intense sweating and flushing, but for most women, the change to a post-reproductive existence appears to be trauma-free and unconnected to work. The reality of the “double shift” is an essential element affecting working women’s health. Working women frequently hold down two jobs, one paid at work and the other unpaid at home, placing a double strain on them as employees, housekeepers, and parents. Women under these circumstances deal with various pressures, such as anxiety, weariness, and exhaustion. In addition, a lack of time and access to good healthcare causes many women to disregard their health.⁹ However, the associated beliefs, meanings, and behaviors are not. Although menstruation has sure physiological consistency within and across cultures, its symbolic voicings and valences are remarkably diverse. Menstruation is perceived and handled differently depending on the culture.¹⁰ These taboos are frequently put on women’s life to protect others. These taboos have been seen as unfair to women. But this does not imply that all communities view menstruation as harmful to others and a source of pollution. A generalization is that menstrual “taboos” may present issues for particular cultural groups.

II. INTERNATIONAL CONFERENCE ON POPULATION AND MILLENNIUM DECLARATION

The denial of human rights and increased gender inequality are the results of the obstacles that women, girls, and other persons who menstruate continue to confront around the world in realizing their menstrual health.¹¹ These obstacles are rooted in stigma and negative preconceptions about menstruation. For instance, the stigmatization of menstruation as something shameful and needing to be concealed frequently hurts how women and girls experience menstruation, which affects their capacity to make informed decisions about aspects

⁶Lidia Casas and Tania Herrera, ‘Maternity Protection vs. Maternity Rights for Working Women in Chile: A Historical Review (2012) 20 *Reproductive Health Matters* 139, 86.

⁷*ibid* 87.

⁸Marni Sommer and others, ‘Managing Menstruation in the Workplace: An Overlooked Issue in Low- and Middle-Income Countries’ (2016) 15 *International Journal for Equity in Health* 86.

⁹SE Hillier, MC Venables, and RP Craven, ‘The Effects of Changes in Estradiol and Progesterone Concentrations during the Menstrual Cycle on Resting Metabolic Rate (2011) 70 *Proceedings of the Nutrition Society* E125, 8.

¹⁰Pranee Rice Liamputtong, ‘Being a Woman: The Social Construction of Menstruation Among Hmong Women in Australia’ in Nicholas Tapp and Gary Yia Lee (eds), *The Hmong of Australia: Culture and Diaspora* (ANU Press 2010) 154 <<http://press-files.anu.edu.au/downloads/press/p68591/pdf/woman.pdf>> accessed 15 October 2022.

¹¹‘High Commissioner for Human Rights Statement on Menstrual Health’ (*OHCHR*) <<https://www.ohchr.org/en/statements/2022/06/high-commissioner-human-rights-statement-menstrual-health>> accessed 22 October 2022.

of their menstrual health, from seeking information about their periods.

Menstruating women are often stereotyped as excessively unreliable and unsuited for decision-making, leading to lower pay, fewer responsibilities, opportunities, and promotions at work. Menstruation is impacted girls' attendance in school due to a lack of proper water, bathroom facilities, and school cleanliness. The inability and right of women and girls to freely choose whether to participate in cultural, social, economic, and political life continue to be impacted in many circumstances by restrictions on attending religious gatherings and seclusion requirements. There are practices in that if a girl gets her first menstrual cycle, it means she is prepared for marriage, which puts her at risk for early child marriage, forced marriage, sexual violence, and unintended pregnancies, jeopardizing her opportunities for economic advancement and education, also violating her rights and endangering her life. Reproductive and health rights include menstrual health as a fundamental component.¹² It is a significant factor in determining whether or not gender equality, the Sustainable Development Goals, and all of the 'human rights of women and girls in their diversity will be realized.'¹³ Policymakers, practitioners, and other vital actors must adopt a thorough, multi-sectoral, whole-life cycle approach to menstruation health based on human rights to achieve these goals. However, menstrual health has been neglected by the Millennium Declaration and the International Conference on Population and Development. At the same time, they were remarking on Sustainable Development Goals on the agenda of health, gender equality, climate change, and water and sanitation.¹⁴ Therefore, grassroots workers and activists from the global South have brought it up on the agendas of global health, education, human rights, and gender equality/equity.

Further, discussing menstrual leave from the point of the World Health Organization (WHO), the WHO has three recommendations on menstrual health.¹⁵

First, menstruation needs to be understood and framed as a health issue. This issue has physical, psychological, and social elements and needs to be treated from the perspective of a life course, from menarche to postmenopause.

Second, it is essential to understand that menstrual health entails ensuring that women, girls, and other people who menstruate must have access to the menstrual products they require, like, water, sanitation, and disposal facilities, competent and compassionate care when needed,, and

¹²WHO Statement on Menstrual Health and Rights' <<https://www.who.int/news/item/22-06-2022-who-statement-on-menstrual-health-and-rights>> accessed 22 October 2022.

¹³High Commissioner for Human Rights Statement on Menstrual Health' (n 10).

¹⁴WHO Statement on Menstrual Health and Rights' (n 11).

¹⁵ibid.

a setting where menstruation is viewed positively and healthily rather than as a cause for embarrassment. It also means that these individuals can fully participate in work and social activities.

Thirdly, to ensure that these actions are accounted for in the pertinent sectoral work plans and budgets and that their effectiveness is assessed.

III. UNITED NATIONS CONVENTION ON THE ELIMINATION OF DISCRIMINATION (CEDAW)

The question of menstrual leaves is a discussion of equality. According to the CEDAW, equality is stipulated as equal access to political and public life and considering needs such as reproductive rights. Therefore, equality does not make men and women equal. Instead, it promotes equal access and opportunities by acknowledging that everyone's requirements are unique.¹⁶ According to U.N. Women, period stigma has to be ended.¹⁷ Menstrual bleeding occurs three to five days during women's reproductive years, and similarly, menopause begins after the age of 45 for six years after the period is completed. However, the real pain starts when a woman is discriminated against and seen as dirty, untouchable, or disgraced due to social, cultural, and practices in some parts of the world. This myth is misinformed as if you look at people, you make people sick; if you cook food, the food will rot; if you swim, sharks will attack you; if you use a tampon, you will lose your virginity. The pain will be doubled when women are mistreated, and fundamental human rights and dignity is denied, for instance, excluded from physical spaces, forced into solitary confinement, forbade or forced to bathe, and prohibited from cooking or touching food.

IV. THE LEGAL IMPLICATIONS OF STATES THAT HAVE ENACTED MENSTRUAL LEAVE: A GLOBAL PERSPECTIVE DISCOURSE

Girls and women worldwide face obstacles to their ability to get an education and maintain their health due to inadequate information on managing menstrual hygiene, enduring taboos and stigma, restricted access to clean menstruation products, and inefficient sanitation systems. To understand the complexities of such a provision, reference will be made to the legal position in other countries that already have a lawful provision on menstrual leaves in place. Menstruation is a question of compassion and dignity that affects everyone, wherever. Menstrual hygiene

¹⁶OHCHR | Committee on the Elimination of Discrimination against Women' (OHCHR) <<https://www.ohchr.org/en/treaty-bodies/cedaw>> accessed 20 October 2022.

¹⁷Infographic: End the Stigma. Period.' (UN Women – Headquarters) <<https://www.unwomen.org/en/digital-library/multimedia/2019/10/infographic-periods>> accessed 22 October 2022.

issues must be addressed for the sake of girls and women and the nation's general socio-economic development and growth. Women have today genuinely shown their value in every aspect of life. The standing of women in contemporary society has improved overall for several reasons, including education, participation in the political, economic, and job fields, as well as sports and recreation. The argument for menstrual leave has gained momentum recently all around the world. Menstrual leave is a topic of discussion among policymakers all around the world. To better understand the complexities of such a provision, reference will be made to the legal position in other countries that already have a lawful provision on menstrual leaves. For instance, To safeguard the reproductive health of menstruation women, Russia (then the Soviet Union)relieved them during the 1920s¹⁸ and 1930s. Zambia (one day leave), Taiwan (three days leave but not counted toward 30 days as sick leave), Indonesia in 1948 (for two days off per month), Japan¹⁹ in 1947 (one day off per month for severe pain, where the employer may provide half or a few hours' breaks), Women in China are only entitled to menstruation leave with the production of a Menstrual Certificate from the Legal, Medical Institute, while South Korea (one-day unpaid leave and employed women will be paid from any unused menstrual leave. This section will present a comparative legal examination of the menstrual leave laws now in place worldwide, including both successful and unsuccessful ones.

(A) Japan

Japan is a mixture of different races as people belonging to Mongolodi, Caucasic, and Negroid races live there. Nevertheless, it is a nation with a common language, culture, and way of living. The position of women in the Japanese labor market is different. Japan has one of the oldest legal systems. The first landmarks in Japanese law appear in the *Taika* era, which began in 646 A.D. During Tokugawa Shoguns (1603-1868), Confucianism was made the official religion as a reaction against European influences. During this period, there was a strict separation of social classes (warriors, peasants, merchants) and their arrangement into a hierarchy. A Japanese's whole way of life was determined based on the course to which he belonged; the type of house inhabited, the kind of color of clothes worn, and the type of food consumed were all predetermined. After the westernization of Japanese law started in 1868, the nation's public institutions were reformed. The law of Japan based on various texts changed considerably after

¹⁸Menstrual Leave the New "woke" Workplace Right' <<https://www.smh.com.au/business/workplace/menstrual-leave-the-new-woke-workplace-right-20190815-p52hlc.html>> accessed 20 October 2022.

¹⁹Julia Hollingsworth, 'Should Women Be Entitled to Period Leave? These Countries Think so | CNN Business' (CNN, 21 November 2020) <<https://www.cnn.com/2020/11/20/business/period-leave-asia-intl-hnk-dst/index.html>> accessed 16 October 2022.

1945.²⁰

Menstrual leave regulations date back to post-World War II Japan. Japan finally approved a policy allowing women with paid leave for period-related issues in 1947, following nearly twenty years of discussion.²¹ The position of women in the Japanese labor market is different. In Japan, menstrual leaves are provided only when the woman suffers ‘heavily’ from menstruation or “is employed on a job injurious to menstruation.” The Tokyo Municipal Bus Company’s female conductors did not have access to bathrooms in 1928.²² The right to a paid menstrual leave law was pushed for and gained by labor union lobbyists for women.²³ It allowed women to take *seirikyuka* (Menstrual leave) if they were experiencing menstruation pain or whose occupations could worsen it.²⁴ Thus, it is a good illustration of how menstrual leave can develop through time. The results are disquieting because opponents have used them to argue against female workers receiving equal chances and pay. On the other hand, employers accept that they are less likely to hire women since paid leave increases administrative costs. According to some companies in Japan, it will be challenging to determine whether female employees genuinely need the time off or are merely “cashing in” on their gender. The experience of Japan highlights why these regulations are so challenging to implement and many of the common objections to menstruation leave that this Comment addresses.²⁵ Famous international cooperation like Nike considered menstrual leave part of their Code of Conduct in 2007; by agreeing to a memorandum of understanding, Nike permits business partners to abide by the code. The Australian Manufacturing Workers Union (AMWU) started a menstruation leave campaign for females working as Toyota workers.²⁶

(B) Russia

Russian legal system, since 1917, protects mothers and their children and provides equal opportunity rights.²⁷ Still, it questions the practicality of women’s employment in industrial

²⁰ Mark A. Chinen, ‘Article 9 of the Constitution of Japan and Procedural and Substantive Heuristics for Consensus’ (2005) 55 *MICH. J. INT’L L* 56 <<https://digitalcommons.law.seattleu.edu/faculty/423>>.

²¹ Linda J Harvey and others, ‘Impact of Menstrual Blood Loss and Diet on Iron Deficiency among Women in the UK’ (2005) 94 *British Journal of Nutrition* 557 <https://www.cambridge.org/core/product/identifier/S0007114505002175/type/journal_article> accessed 15 October 2022.

²²*ibid* 190.

²³*ibid*.

²⁴*ibid*.

²⁵ ‘Go with the Flow: Indonesian Women Divided over Menstrual Leave - Health - The Jakarta Post’ <<https://www.thejakartapost.com/life/2021/03/11/go-with-the-flow-indonesian-women-divided-over-menstrual-leave.html>> accessed 6 November 2022.

²⁶Hannah Mosher (n 3) 159.

²⁷Melanie Ilic, ‘Soviet Women Workers and Menstruation: A Research Note on Labour Protection in the 1920s and 1930s’ (1994) 46 *Europe-Asia Studies* 1409, 115 <<http://www.tandfonline.com/doi/full/10.1080/09668139408412236>> accessed 15 October 2022.

work, first because of women's alleged lower physical capacity and, secondly, because of the expense incurred in training workers who are likely to need time off for their reproductive capability.²⁸ First of all, a woman's productivity varies throughout the month. Still, even more crucially, every woman is susceptible to becoming pregnant, which forces her to delegate her work to someone who will need to undergo costly training. Nevertheless, the Bolsheviks believed that sexual equality required enlisting women in the workforce. Gordon contends that the law should consider and respect women's biological functions and constitutions. Her menstruation needs to be treated like an illness and requires special care.²⁹ Exciting insights into Bolshevik debates on the female body and women's position in the new Soviet society can also be found in discussions of menstruation. The phrase "physical characteristics of the female organism" (*fiziologicheskie osobennosti zhenskogo organizma*) is frequently used in Russian writing about this subject, and it is always assumed that women are more fragile and susceptible to occupational disorders than males. Comparative sickness studies have frequently found that women experience more disease than males. Early in the 1930s, the proposal to grant women paid leave during menstruation received parliamentary support, despite past retractions in the rules controlling menstrual leave. The labor protection institutes were already researching the seating arrangements for female tractor drivers. On presentation of a certificate from a doctor or assistant, women tractor drivers who operate wheel tractors without soft spring seats must be moved to easier jobs for three days during menstruation with retention of average pay; if they are unable to work at all, they are entitled to temporary disability benefits. The results of this study make it evident that the choice to grant certain kinds of women employees paid time off for two or three days during menstruation was a contentious issue in discussions on labor protection in the 1920s and even in the early 1930s. As a result, the Soviet Union offers a unique illustration of implementing this technique and incorporating the initiative into protective labor legislation. The number of women able or willing to request a leave from paid work during menstruation and the extent to which such a provision was operational cannot be ascertained.³⁰ In 1922 and 1931, specific protective labor laws were enacted, outlining the conditions for "menstrual leave." Throughout the interwar years, studying menstruation and its effects on women's work capacity remained a crucial area of scientific research and a source of worry for employees. The more in-depth results of scientific studies on the effects of physical labor and

²⁸ibid 1409.

²⁹ibid 410.

³⁰ OBA van den Akker and others, 'Genetic and Environmental Variation in Menstrual Cycle: Histories of Two British Twin Samples' (1987) 36 *Acta geneticae medicae et gemellologiae: twin research* 541 <https://www.cambridge.org/core/product/identifier/S000156600006929/type/journal_article> accessed 15 October 2022.

industrial activity on the menstrual cycle, as well as discussions regarding the types of women workers whom these laws should cover, may be found in the journals and archives of the present-day. According to these sources, it was customary to give female workers a few days off from paid work during menstruation in the 1920s and 1930s; therefore, the Soviet Union stands out as a unique example in the history of women's labor protection.³¹ However, she continued to be uncertain about the viability of employing women in the industrial labor force, first because of the female sex's alleged inferior physical structure and then because of the cost of training employees who need time off work due to their reproductive capabilities.³² It was proposed that particular kinds of artistic employees should be granted three days of menstrual leave due to their profession's physically and emotionally demanding nature.³³ When Russian politician Mikhail Degtyaryov suggested a law giving women better employment protection regarding menstruation in 2013, supporters of women's rights condemned him as sexist. The policy was so ridiculous in the eyes of human rights activists that they never took it seriously.

(C) South Korea

South Korea is another state that enacted a long-standing menstruation policy. The Labor Standard Act ("LSA"), which created safeguards for working adult females, was passed in 1953.³⁴ The "maternity protection" clause in these safeguards "grant[ed] one day's menstrual leave with pay per month to females for maternity protection." However, a 2003 amendment to the LSA changed menstrual leave from paid to unpaid. "the request for menstrual leave by the female concerned would be an essential prerequisite." There has been a significant discrepancy between law and practice, which renders this policy mostly ineffectual because few businesses uphold the rights the LSA affords to female employees. In other words, the law gives employees broad protections, yet few companies enforce the law.

(D) Australia

The British government first occupied Australian continents. Later brought a party of 1450 passengers, i.e., soldiers, sailors, and convicts, to eastern Australia on January 1788. From 1855 onwards, the British Parliament passed many Acts which permitted the Australian legislature to take action on matters previously thought incidental to imperial policy. The Parliament may make a law fixing an age that is less than seventy years as the maximum age for Parliament to amend or make law, but such repeal does not affect the labor law to have a menstrual leave

³¹ibid 96.

³²ibid 97.

³³ibid 100.

³⁴ 'Menstruation: Science and Society - ScienceDirect' <<https://www.sciencedirect.com/science/article/pii/S0002937820306190>> accessed 19 November 2022.

policy. Australia does not have a national policy on the subject. However, a small business implementing a paid menstruation leave program in 2017 attracted media attention.³⁵ Twelve paid days off per year are provided to employees by the women's advocacy organization Victorian Women's Trust ("VWT") "for employees experiencing symptoms of menstruation and menopause." The policy, distinct from the business's sick leave policy, allows employees to work from home or relax in a welcoming office. In a blog post, VWT outlined the justification for its decision to implement the policy and urged other businesses to do the same. Even a "menstrual policy template" is offered for readers to use in their places of employment. According to a VWT poll, 58% of participants said a day.³⁶

- **The Hmong of Australia**

The Hmong in Australia is originally from Laos, where they were highland hill tribes. The Hmong were compelled to leave their mountain home and flee to Thailand due to combat between American forces and the Pathet Lao (the communist side in the Lao civil war). The majority were welcomed as immigrants by the United States.³⁷ The Hmong are aware of how vital menstruation is to be a woman. To menstruate is to be a woman. The Hmong typically refer to menstruation as "Ua Poj Niam," meaning "becoming a woman." It will come to you if you are a woman. You must menstruate if you are a woman. (Mai). A Hmong god who oversees the Hmong universe determines this "woman nature." Menstruation is consequently necessary for a typical woman. The Hmong consider it unhealthy for women whose periods stop for whatever reason. Women with this sickness may grow pale, emaciated, and ultimately pass away. For women, the "period" is a regular occurrence. It is a gift from God, and only women can receive it. (Blia) The Hmong consider menarche to be the beginning of womanhood. This is known as to nkauj no niam, which denotes that women have completed their childhood and are now women or mothers. When a young girl starts menstruating, it is thought that she is ready to become pregnant. When a girl begins to experience menstruation, it indicates that she is prepared to become a mother since she will be married and able to have children after she has this.³⁸ It is healthy for a girl to have her period. However, according to genetic studies, the clotting of menstrual blood poses the greatest threat to women's health. Menstruation is thought

³⁵Lesley Dean-Jones, 'Menstrual Bleeding According to the Hippocratics and Aristotle' (1989) 119 *Transactions of the American Philological Association* (1974-) 177 <<https://www.jstor.org/stable/284268>> accessed 19 November 2022.

³⁶ibid 268.

³⁷Tanisha Chakraborty and Dr Mukesh Kumar Mishra, 'MANAGING MENSES: AN ANALYSIS OF WORKPLACE INCLUSIVITY AND REPRESENTATION' (2021) 11 9.

³⁸A Ambelas, 'Cyclic Psychosis, Menstrual Cycle and Adolescence' (1994) 164 *British Journal of Psychiatry* 709 <https://www.cambridge.org/core/product/identifier/S0007125000034723/type/journal_article> accessed 15 October 2022.

to be closely related to reproduction.³⁹ Women are unable to have children without menstruation. Menstruation is beneficial to women's health and essential for reproduction, but most women still find it embarrassing.⁴⁰ Employers can, over time, learn more about their employees' innate productivity by looking at their absenteeism records, which can affect their compensation proposals. Employers may therefore provide workers more (significant) incentives to reduce absences, and by enticing low-absentee workers to stay with more excellent compensation offers, they may also improve the demographics of their workforce.⁴¹

(E) Zambia

The Zambian statute code contains a clause that permits female employees to take one day off each month for their periods. Employers who refuse to give their employees this entitlement on "mother's day" may face legal action. Because of the patriarchal nature of Zambian culture, it is widely accepted that having children and raising them are significant roles for women. Mother's Day is vital in Zambia because it acknowledges that women—married or not—are the primary caregivers in Zambian culture. According to Zambian lawyer *Linda Kasonde*,⁴² While the existing quo for women in Zambia may be that they are "primary carers," opponents of menstruation leave in less patriarchal nations may argue that this mindset is evidence that menstrual leave is incompatible with actual caregiving. Women in Zambia have a constitutional right to a day off each month thanks to their "Mother's Day" menstrual leave program, which was implemented in 2015.⁴³ A female employee can sue her employer if she rejects this policy.⁴⁴ Section 54 (2) of the Zambian Employment Act, 1971 stipulates one day off for mothers and grants one day "Mother's Day."

(F) China

Women have the right to one or two days of paid menstrual leave each month in at least three Chinese provinces if they can receive a certificate from a hospital or medical facility.⁴⁵ The policy is unfriendly, just like in other nations. The policy's detractors claimed several issues,

³⁹'Premenstrual Dysphoric Disorder: Symptoms & Treatment' <<https://my.clevelandclinic.org/health/articles/9132-premenstrual-dysphoric-disorder-pmdd>> accessed 19 November 2022.

⁴⁰Harvey and others (n 20) 555.

⁴¹Simen Markussen, 'The Individual Cost of Sick Leave' (2012) 25 *Journal of Population Economics* 1287, 1289 <<http://link.springer.com/10.1007/s00148-011-0390-8>> accessed 15 October 2022.

⁴² 'Linda Kasonde' (*IE Law School*) <<https://www.ie.edu/law-school/the-experience/stories/linda-kasonde/>> accessed 19 November 2022.

⁴³'Menstruation in Girls and Adolescents: Using the Menstrual Cycle as a Vital Sign | ACOG' 118 <<https://www.acog.org/clinical/clinical-guidance/committee-opinion/articles/2015/12/menstruation-in-girls-and-adolescents-using-the-menstrual-cycle-as-a-vital-sign>> accessed 20 October 2022.

⁴⁴Chakraborty and Mishra (n 36) 43861.

⁴⁵ 'Chinese Women Allowed to Take Leave for Menstrual Pain | CNN' <<https://edition.cnn.com/2016/02/16/asia/china-menstruation-leave/index.html>> accessed 19 November 2022.

such as increased operational expenditures to account for the absences of female employees and the worry of upsetting bosses. Additionally, skeptics in China expressed similar concerns to those in Japan regarding the ambiguity around whether “the employee is actually sick or is simply taking advantage of her gender.”⁴⁶ According to legislator Zhang Xiaomi, “more than 85% of females were negatively impacted by menstruation, and 78.5 percent of them did not receive sufficient care during their periods,” as justification for a general, mandatory paid menstrual leave policy. It is hardly surprising that the proposed bill in Italy failed to get parliamentary approval, given the myriad problems that menstrual leave raises and how different cultures differ in their reasons for establishing menstrual leave legislation. Italy could have been the first nation in Europe to adopt a menstrual leave policy, but it was unable to do so for the same reasons other countries have resisted doing so.

(G) Italy

Italy (Italia) is a republic in South Europe. Rome Empire Political system established by Rome that lasted for nearly five centuries. During the period of the Roman Empire, the Romans relied on civil laws to address various issues. Roman Laws in the republic were often based on customs. During the Roman empire, the emperor became the definitive source of direction. Roman Civil law allowed great flexibility in adopting legal principles in the empire’s complex environment without replacing the Romans’ older laws. It developed alternative procedures that allowed greater fairness. Every Roman law derived from custom and statutes, but the emperor asserted his authority as the ultimate source of law. When Commodus became emperor in A.D. 180, the age of the excellent emperor came to an end. Many rulers ruled over Italy after the collapse of the Roman Political structures in 476 A.D. From 476 to 1946. Present-day Italy has been a democratic republic since June 2, 1946, when the popular referendum abolished the monarchy.

The republic recognizes and guarantees the inviolable rights of men and women as members of a social group and as individuals. The constitution provides social rights such as health, maternity, education, and teaching. The issue of menstrual policy was most recently discussed in Italy⁴⁷ when four female lawmakers proposed passing a bill granting women one paid three-day “period leave” per month. Despite much criticism, the statement for women with the illness known as dysmenorrhea—which causes severe stomach and back discomfort during periods,

⁴⁶ ‘Menstruation: Science and Society - ScienceDirect’ (n 33).

⁴⁷ ‘Italy Debates Paid “Menstrual Leave” but Experts Warn It Could Increase Gender Bias at Work - National | Globalnews.ca’ <<https://globalnews.ca/news/3343102/menstrual-leave-women-gender-bias-workplace/>> accessed 21 October 2022.

was passed in November 2017. Some saw this as a victory for women, while others saw it as a setback. Italy's news outlets were buzzing with controversy in March 2017. Major worldwide media sites quickly caught up on the ruckus, starting a global dialogue. A proposed legislative measure giving Italian residents paid menstruation leave was being discussed in the Italian Parliament. "Wake" feminists hailed the legislation as a potential victory in addressing the unique health requirements of the other half of the population. It was created to provide employees who menstruate with extra paid time off each month during their period.⁴⁸ Others, both men, and women denounced the measure and warned of potential negative consequences, such as fewer firms hiring women, lower earnings for women, or fewer prospects for promotion. Italy is not the only nation to advocate for such legislation.⁴⁹

(H)Indonesia

Indonesia is a constitutional republic with an appointed judiciary and elected parliamentarians. The president and his (or their) ministers have much more authority than the legislature and the court system.⁵⁰ A constitution governs the government from 1945 based on the Pancasila (five) principles, defined as "belief in the one Supreme God; just and civilized humanity; the unity of Indonesia; social justice for the Indonesian people."⁵¹ In Indonesia, maternity protection currently consists of cash maternity benefits that are an employer's responsibility under Government Regulation 21 of 1954 and health care during pregnancy and delivery provided under the Minister of Manpower Regulation - No. PER-05/MEN/1993 (made under the provisions of the social security law: Law No. 3 of 1992).⁵² The Indonesian Labour Law is unique because it grants female employees two days of paid leave for the first and second days of their menstrual cycle and monetary maternity benefits.⁵³ During the employee's pregnancy, this clause spares the company sixteen to eighteen days of pay. Some employer groups claimed that these labor law provisions benefited female employees and caused some of them to work ten months in a year while earning thirteen months' worth of compensation. Employers are required to offer 12 days of annual leave each year and up to 24 days of menstrual leave.⁵⁴ Many

⁴⁸ Annalisa Rosselli, 'The Policy on Gender Equality in Italy' (DIRECTORATE GENERAL FOR INTERNAL POLICIES).

⁴⁹ Paola Adamo and others, 'Gender Equality in Soil Science in Italy: Wishful Thinking or Reality?' (2022) 0 Spanish Journal of Soil Science <<https://www.frontierspartnerships.org/articles/10.3389/sjss.2022.10560/full>> accessed 19 November 2022.

⁵⁰ Doddy Kridasaksana and others, 'Menstrual Leave from a Health Law Perspective in Indonesia' 3, 56.

⁵¹ Kuntala Lahiri-Dutt and Kathryn Robinson, "'Period Problems" at the Coalface' (2008) 89 *Feminist Review* 102, 85 <<http://journals.sagepub.com/doi/10.1057/fr.2008.5>> accessed 15 October 2022.

⁵² Kridasaksana and others (n 50).

⁵³ Jyothsna Latha Belliappa, 'Menstrual Leave Debate: Opportunity to Address Inclusivity in Indian Organizations' (2018) 53 *Indian Journal of Industrial Relations* 604, 609.

⁵⁴ *ibid* 610.

firms opt to discriminate against women in their employment practices due to the paid leave and the responsibility to offer maternity benefits should the need arise.⁵⁵

(I) Taiwan

According to the 2018 amendments to the Taiwan Act of Gender Equality in Employment, female employees who find it challenging to fulfill their duties during their period may seek one day of menstrual leave each month.⁵⁶ If the total number of menstrual leaves taken in a year does not exceed three days, the leaves mentioned above will not be considered against sick leave days; nevertheless, any more menstrual leaves will be included in the calculation. Similar changes could be made to Indian law, mainly because menstrual leave is covered by pay at half the ordinary income. So, even though the ladies are on vacation, this law makes their leave pay.⁵⁷

(J) Spain

The administration of Spain improved after the Roman Republic gave way to the Roman empire in 27. B.C., the Romanization of Spain proceeded rapidly under the Rome empire. A code of law was established, and the economy and trade of Spain flourished. Spain has a long history from the 5th century. However, in 1977 Spain held its first democratic parliamentary elections in 1936. In 1978 the Parliament approved the constitution, which was endorsed in a referendum. The Spain parliament enacted several Acts for the welfare of the people. Spain is the first European state to enact a menstrual leave policy.⁵⁸ The topic of menstrual leave has been widely discussed in European Union since May 17, 2022,⁵⁹ when a bill in Spain was adopted (E.U.).⁶⁰ Women who work for public and private businesses registered with the federal and state governments are given the right to two menstrual leave days per month or 24 days per year.⁶¹ There is also a suggestion for a three-day per month optional medical leave, with an additional two days allowed in exceptional circumstances. They would offer the first such leave in the

⁵⁵ 'Go with the Flow: Indonesian Women Divided over Menstrual Leave - Health - The Jakarta Post' (n 24).

⁵⁶ Belliappa (n 53).

⁵⁷ 'A Preliminary Study on Menstrual Health and Menstrual Leave in the Workplace in Taiwan | NTU Scholars' <<https://scholars.lib.ntu.edu.tw/handle/123456789/361888?&locale=en>> accessed 19 November 2022.

⁵⁸ Natalie Huet, 'Spain Unveils Plans to Be First in Europe for Paid "Menstrual Leave"' (*euronews*, 17 May 2022) <<https://www.euronews.com/next/2022/05/17/spain-set-to-become-the-first-european-country-to-introduce-a-3-day-menstrual-leave-for-wo>> accessed 19 November 2022.

⁵⁹ 'Spain's Menstrual Leave: The Countries That Have Already Tried and Tested Days off for Period Pain | Euronews' <<https://www.euronews.com/next/2022/05/13/spain-s-menstrual-leave-the-countries-that-have-already-tried-and-tested-days-off-for-peri>> accessed 19 November 2022.

⁶⁰ Raphael Minder, 'Spain Considers Bill to Give Period Leave to Women With Menstrual Pain' *The New York Times* (17 May 2022) <<https://www.nytimes.com/2022/05/17/world/europe/spain-period-paid-leave.html>> accessed 19 November 2022.

⁶¹ 'Spain Plans Menstrual Leave in New Law for Those with Severe Pain - BBC News' <<https://www.bbc.com/news/world-europe-61429022>> accessed 19 October 2022.

E.U.⁶²

V. MENSTRUAL CYCLE DEBATES AND AREAS OF LEGAL EVOLUTION

Employers are required to provide women who are employed with menstrual leave. Entrepreneurs find it challenging to implement this issue because it is thought that women's presence is tainted. The status of women who have period pains on the first day of their period and find it difficult to function at work conflicts with this condition. Therefore, it is crucial to investigate menstruation leave from the standpoint of the health law. For nearly half the world's population, menstruation is a fundamental aspect of life, at least for years. "eight hundred million people who menstruate are on earth at any given time." However, menstruation is also surrounded by stigma, shame, and secrecy. Menstruation is virtually wholly absent from public discourse and can make both men and women feel embarrassed or even disgusted. The stigma associated with menstruation has existed for a long time and is not a recent social construct. Menstrual blood, which Aristotle believed to be inferior and less pure than semen in men,⁶³ is mainly linked to the notion that women are inferior to men. When she dropped the tampon rather than the hair clip, she was perceived as less competent and likable and tended to be both psychologically and physically avoided." This perception did not differ statistically significantly between men and women; women shared men's perception that women are less competent and likable. Toilets, hand-washing stations, and water fountains are everywhere, "frequently wet, damp, icky-smelling, dimly lighted, unsanitary areas where one can slip, fall, damage themselves, or fall ill." Even worse, sanitization practices heavily privilege men and women worldwide to express apprehension about being followed, observed, groped, or raped. These illnesses are uncommon, which is good news for women in the U.S. Generally speaking, menstruation is not as problematic as it might be in economically underdeveloped nations like Uganda, India, and Nepal. Americans have better access to menstruation care supplies and, in comparison, less societal stigma attached to the process.⁶⁴ Women and men alike can avoid the difficulty of naming menstruation and its accompanying symptoms thanks to a well-known idiomatic "code" such as "that time of the month," "Aunt Flow," and "the red tide," to mention a few examples. Unfortunately, the embarrassment we continue to feel when discussing periods has adverse effects. Women learn early on that it is expected that no matter how severe their physical suffering may be, they have to endure it. They might decide against getting medical

⁶²ibid.

⁶³ Dean-Jones (n 34) 13.

⁶⁴ Huma Farid MD, 'Period Equity: What It Is and Why It Matters' (*Harvard Health*, 1 June 2021) 14 <<https://www.health.harvard.edu/blog/period-equity-what-is-it-why-does-it-matter-202106012473>> accessed 19 November 2022.

help since they think their condition does not require or warrant further research. According to one study, 71.5 percent of participants thought dysmenorrhea was expected and that their menstrual symptoms had a minimal impact on their day-to-day activities. Menstrual discomfort is widely seen as usual, but open discussion of it is not, so women may overlook the possibility that they are dealing with natural medical disorders that call for a professional diagnosis and continuing care. Support for women's reproductive rights is further hampered by a lack of knowledge of (or empathy for) the severity of the pain some women experience during their menstrual cycle. Hormonal conditions, including polycystic ovarian syndrome ("PCOS"), dysmenorrhea, and endometriosis, have recently garnered increased recognition outside the medical community.⁶⁵ Premenstrual dysphoric disorder (PMDD) is one such instance.⁶⁶ In essence, PMDD is a much more extreme version of the symptoms that women experience during premenstrual syndrome (PMS), notably the psychological ones.⁶⁷

In the U.K., there is no longer any tax on women's period care items as of January 1, 2021.⁶⁸ Even more extensive law is derived from Scotland. A measure granting a legal right to free menstrual products in schools, universities, and other public facilities was unanimously approved by the Parliament in November 2020. The objectives of Scotland for menstruation equity go beyond the bill and include other things like educational programs. Menstrual concerns are complex and slow to develop, raising essential questions about what the United States should do next in governing menstrual problems and the new issues that will emerge. Women's reproductive rights and workplace equality campaigners will focus on other areas of the tampon tax being abolished in all fifty states. Menstruation distinguishes women from men, yet anthropological study demonstrates that this universal and physiological phenomenon is subject to various cultural interpretations.⁶⁹ There is still no scientific proof of women's ability to work while menstruating. There are more myths and culturally ingrained notions about menstruation than facts, particularly concerning women's employment.⁷⁰ The nineteenth century saw the emergence of demands for statutory worker protection in response to criticisms of the unfavorable effects of laissez-faire capitalism on workers and worries that the long industrial working hours and conditions would destroy working-class morals and family life.

⁶⁵ 'Premenstrual Dysphoric Disorder: Symptoms & Treatment' (n 38).

⁶⁶ Inger Sundström-Poromaa and others, 'Progesterone – Friend or Foe?' (2020) 59 *Frontiers in Neuroendocrinology* 100856 <<https://www.sciencedirect.com/science/article/pii/S0091302220300479>> accessed 19 November 2022.

⁶⁷ 'Premenstrual Dysphoric Disorder: Symptoms & Treatment' (n 38).

⁶⁸ "'Tampon Tax' Abolished on Menstrual Products in UK | CNN' <<https://edition.cnn.com/2021/01/02/uk/tampon-tax-abolished-intl-scli-gbr/index.html>> accessed 19 November 2022.

⁶⁹ Lahiri-Dutt and Robinson (n 51) 103.

⁷⁰ *ibid* 104.

Protective maternal, linked to the prevalent definition of women's citizenship in terms of maternal, was born out of the associated issues of high infant mortality and low birth rates. This strategy also mirrored growing liberal tendencies that advocated government intervention to defend individual rights (as opposed to the laissez-faire attitude). Support for maternal protection also came from the expanding women's rights movement. A ban on night labor for women was one of the first international conventions of the International Labour Organization (ILO), published in 1919, due to concerns about moral protection.⁷¹ The most persistent and pervasive legacy of this movement is paid maternity leave, which is currently mandated in some form in more than 120 countries.⁷² Paid menstrual leave was designed to combine the emphasis on women's parenthood and related tasks with productive activities in the workplace. Its goal is to prevent childbirth from being used to justify discrimination in the job market.

VI. CONCLUSION

To conclude, with the quotes of Gloria Steinem, he says that "*the world would change if men were suddenly and magically able to menstruate.*" and "Justifications for everything in the world would change, from free sanitary supplies to research being done on cramps rather than heart attacks protecting monthly loss of work to only men being qualified to hold high political positions due to their menstrual cycles. The language used in this text is satirical. It is a classic insofar as it causes one to reevaluate their position on male supremacy in a patriarchal culture that oppresses women for having a XX chromosome. Women have today genuinely shown their value in every aspect of life. The standing of women in contemporary society has improved overall for several reasons, including education, participation in the political, economic, and job fields, as well as sports and recreation. The argument for menstrual leave has gained momentum recently all around the world. Menstrual leave is a topic of discussion among policymakers worldwide, except in the following countries, and the whole world is silent in answering the question of menstrual leave. A few countries have made provision for menstrual leave policy, including Russia (then the Soviet Union), which relieved them during the 1920⁷³s and 1930s. Zambia (one day leave), Taiwan (three days leave but not counted toward 30 days as sick leave), Indonesia in 1948 (for two days off per month), Japan⁷⁴ in 1947 (one day off per month for severe pain, where the employer may provide half or a few hours' breaks), Women in China are only entitled to menstruation leave with the production of a Menstrual Certificate from the

⁷¹ibid 106.

⁷²van den Akker et al., *supra* note 48 at 56.

⁷³'Menstrual Leave the New "woke" Workplace Right' (n 17).

⁷⁴Hollingsworth (n 18).

Legal, Medical Institute, while South Korea (one-day unpaid leave and employed women will be paid from any unused menstrual leave.

VII. REFERENCES

- ‘A Preliminary Study on Menstrual Health and Menstrual Leave in the Workplace in Taiwan | NTU Scholars’ <<https://scholars.lib.ntu.edu.tw/handle/123456789/361888?&locale=en>> accessed 19 November 2022
- Adamo P and others, ‘Gender Equality in Soil Science in Italy: Wishful Thinking or Reality?’ (2022) 0 Spanish Journal of Soil Science <<https://www.frontierspartnerships.org/articles/10.3389/sjss.2022.10560/full>> accessed 19 November 2022
- Ambelas A, ‘Cyclic Psychosis, Menstrual Cycle and Adolescence’ (1994) 164 British Journal of Psychiatry 709 <https://www.cambridge.org/core/product/identifier/S0007125000034723/type/journal_article> accessed 15 October 2022
- Belliappa JL, ‘Menstrual Leave Debate: Opportunity to Address Inclusivity in Indian Organizations’ (2018) 53 Indian Journal of Industrial Relations 604
- Casas L and Herrera T, ‘Maternity Protection vs. Maternity Rights for Working Women in Chile: A Historical Review’ (2012) 20 Reproductive Health Matters 139 <<https://www.tandfonline.com/doi/full/10.1016/S0968-8080%2812%2940666-8>> accessed 15 October 2022
- Chakraborty T and Mishra DMK, ‘MANAGING MENSES: AN ANALYSIS OF WORKPLACE INCLUSIVITY AND REPRESENTATION’ (2021) 11 9
- ‘Chinese Women Allowed to Take Leave for Menstrual Pain | CNN’ <<https://edition.cnn.com/2016/02/16/asia/china-menstruation-leave/index.html>> accessed 19 November 2022
- Dean-Jones L, ‘Menstrual Bleeding According to the Hippocratics and Aristotle’ (1989) 119 Transactions of the American Philological Association (1974-) 177 <<https://www.jstor.org/stable/284268>> accessed 19 November 2022
- ‘Go with the Flow: Indonesian Women Divided over Menstrual Leave - Health - The Jakarta Post’ <<https://www.thejakartapost.com/life/2021/03/11/go-with-the-flow-indonesian-women-divided-over-menstrual-leave.html>> accessed 6 November 2022
- Hannah Mosher, ‘MENSTRUAL HYGIENE MANAGEMENT AND WOMEN’S ECONOMIC EMPOWERMENT’ (United States Agency for International Development 2019) A Review of Existing Evidence

- Harvey LJ and others, 'Impact of Menstrual Blood Loss and Diet on Iron Deficiency among Women in the UK' (2005) 94 *British Journal of Nutrition* 557 <https://www.cambridge.org/core/product/identifier/S0007114505002175/type/journal_article> accessed 15 October 2022
- 'High Commissioner for Human Rights Statement on Menstrual Health' (*OHCHR*) <<https://www.ohchr.org/en/statements/2022/06/high-commissioner-human-rights-statement-menstrual-health>> accessed 22 October 2022
- Hillier SE, Venables MC and Craven RP, 'The Effects of Changes in Estradiol and Progesterone Concentrations during the Menstrual Cycle on Resting Metabolic Rate' (2011) 70 *Proceedings of the Nutrition Society* E125 <https://www.cambridge.org/core/product/identifier/S0029665111001765/type/journal_article> accessed 15 October 2022
- Hollingsworth J, 'Should Women Be Entitled to Period Leave? These Countries Think so | CNN Business' (*CNN*, 21 November 2020) <<https://www.cnn.com/2020/11/20/business/period-leave-asia-intl-hnk-dst/index.html>> accessed 16 October 2022
- Huet N, 'Spain Unveils Plans to Be First in Europe for Paid "Menstrual Leave"' (*euronews*, 17 May 2022) <<https://www.euronews.com/next/2022/05/17/spain-set-to-become-the-first-european-country-to-introduce-a-3-day-menstrual-leave-for-women>> accessed 19 November 2022
- Ilic M, 'Soviet Women Workers and Menstruation: A Research Note on Labour Protection in the 1920s and 1930s' (1994) 46 *Europe-Asia Studies* 1409 <<http://www.tandfonline.com/doi/full/10.1080/09668139408412236>> accessed 15 October 2022
- 'Infographic: End the Stigma. Period.' (*UN Women – Headquarters*) <<https://www.unwomen.org/en/digital-library/multimedia/2019/10/infographic-periods>> accessed 22 October 2022
- 'Italy Debates Paid "Menstrual Leave" but Experts Warn It Could Increase Gender Bias at Work - National | Globalnews.ca' <<https://globalnews.ca/news/3343102/menstrual-leave-women-gender-bias-workplace/>> accessed 21 October 2022
- Kridasaksana D and others, 'Menstrual Leave from a Health Law Perspective in Indonesia' 3

- Lahiri-Dutt K and Robinson K, ‘“Period Problems” at the Coalface’ (2008) 89 *Feminist Review* 102 <<http://journals.sagepub.com/doi/10.1057/fr.2008.5>> accessed 15 October 2022
- Liamputtong PR, ‘Being a Woman: The Social Construction of Menstruation Among Hmong Women in Australia’ in Nicholas Tapp and Gary Yia Lee (eds), *The Hmong of Australia: Culture and Diaspora* (ANU Press 2010) <<http://press-files.anu.edu.au/downloads/press/p68591/pdf/woman.pdf>> accessed 15 October 2022
- ‘Linda Kasonde’ (*IE Law School*) <<https://www.ie.edu/law-school/the-experience/stories/linda-kasonde/>> accessed 19 November 2022
- Mark A. Chinen, ‘Article 9 of the Constitution of Japan and Procedural and Substantive Heuristics for Consensus’ (2005) 55 *MICH. J. INT’L L* 56 <<https://digitalcommons.law.seattleu.edu/faculty/423>>
- Markussen S, ‘The Individual Cost of Sick Leave’ (2012) 25 *Journal of Population Economics* 1287 <<http://link.springer.com/10.1007/s00148-011-0390-8>> accessed 15 October 2022
- MD HF, ‘Period Equity: What It Is and Why It Matters’ (*Harvard Health*, 1 June 2021) <<https://www.health.harvard.edu/blog/period-equity-what-is-it-why-does-it-matter-202106012473>> accessed 19 November 2022
- ‘Menstrual Leave the New “woke” Workplace Right’ <https://www.smh.com.au/business/workplace/menstrual-leave-the-new-woke-workplace-right-20190815-p52hlc.html> accessed 20 October 2022
- ‘Menstruation and Human Rights - Frequently Asked Questions | United Nations Population Fund’ <<https://www.unfpa.org/menstruationfaq>> accessed 19 November 2022
- ‘Menstruation in Girls and Adolescents: Using the Menstrual Cycle as a Vital Sign | ACOG’ <https://www.acog.org/clinical/clinical-guidance/committee-opinion/articles/2015/12/menstruation-in-girls-and-adolescents-using-the-menstrual-cycle-as-a-vital-sign> accessed 20 October 2022
- ‘Menstruation: Science and Society - ScienceDirect’ <<https://www.sciencedirect.com/science/article/pii/S0002937820306190>> accessed 19 November 2022

- Minder R, ‘Spain Considers Bill to Give Period Leave to Women With Menstrual Pain’ *The New York Times* (17 May 2022) <<https://www.nytimes.com/2022/05/17/world/europe/spain-period-paid-leave.html>> accessed 19 November 2022
- ‘OHCHR | Committee on the Elimination of Discrimination against Women’ (*OHCHR*) <<https://www.ohchr.org/en/treaty-bodies/cedaw>> accessed 20 October 2022
- ‘Premenstrual Dysphoric Disorder: Symptoms & Treatment’ <<https://my.clevelandclinic.org/health/articles/9132-premenstrual-dysphoric-disorder-pmdd>> accessed 19 November 2022
- Price HH, ‘Periodic Leave: An Analysis of Menstrual Leave as a Legal Workplace Benefit’ (2022) 74 OKLAHOMA LAW REVIEW 38
- Rosselli A, ‘The Policy on Gender Equality in Italy’ (DIRECTORATE GENERAL FOR INTERNAL POLICIES)
- Sommer M and others, ‘Managing Menstruation in the Workplace: An Overlooked Issue in Low- and Middle-Income Countries’ (2016) 15 *International Journal for Equity in Health* 86 <<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4895811/>> accessed 19 November 2022
- ‘Spain Plans Menstrual Leave in New Law for Those with Severe Pain - BBC News’ <<https://www.bbc.com/news/world-europe-61429022>> accessed 19 October 2022
- ‘Spain’s Menstrual Leave: The Countries That Have Already Tried and Tested Days off for Period Pain | Euronews’ <<https://www.euronews.com/next/2022/05/13/spain-s-menstrual-leave-the-countries-that-have-already-tried-and-tested-days-off-for-peri>> accessed 19 November 2022
- Sundström-Poromaa I and others, ‘Progesterone – Friend or Foe?’ (2020) 59 *Frontiers in Neuroendocrinology* 100856 <<https://www.sciencedirect.com/science/article/pii/S0091302220300479>> accessed 19 November 2022
- “‘Tampon Tax’ Abolished on Menstrual Products in UK | CNN’ <<https://edition.cnn.com/2021/01/02/uk/tampon-tax-abolished-intl-scli-gbr/index.html>> accessed 19 November 2022
- van den Akker OBA and others, ‘Genetic and Environmental Variation in Menstrual Cycle: Histories of Two British Twin Samples’ (1987) 36 *Acta geneticae medicae et*

gemellologiae: twin research 541 <https://www.cambridge.org/core/product/identifier/S000156600006929/type/journal_article> accessed 15 October 2022

- ‘WHO Statement on Menstrual Health and Rights’ <<https://www.who.int/news/item/22-06-2022-who-statement-on-menstrual-health-and-rights>> accessed 22 October 2022
