

Care policies and reconciliation of work and family life: experiences of women workers

Ellina Samantroy¹ · Sakshi Khurana^{1,2}

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Abstract *The paper is contextualized within the framework of ILO Convention 156 on Workers with Family Responsibilities (1981). The Convention recognises the problems of workers with family responsibilities and emphasises on the need to create effective equality of opportunity and treatment between men and women workers with family responsibilities and between such workers and other workers. In India, women's normative responsibilities of domestic work and childcare severely affect their work-participation rates, the occupations where they are recruited or concentrated and their own choice of paid employment. This paper is based on primary research conducted amongst women workers in five sectors and discusses the issues regarding the reconciliation of their work and family life. It examines the workplace policies on care across these sectors and explores the implications of such policies on women's choices of work and employment as well as balancing their work and family responsibilities. The contribution of the paper lies in informing policy initiatives that can promote a more sustainable and equitable work-life balance and greater gender equality in care responsibilities, on the basis of the findings of the survey and the recommendations of the ILO Convention 156.*

Keywords Care policies · Work-family reconciliation · Workers with family responsibilities convention, 1981 (ILO No.156) · Unpaid/care work · Time use surveys

✉ Ellina Samantroy
ellinasroy.vvgnli@gov.in
Sakshi Khurana
sakshi_k24@yahoo.com; sakshi.khurana@gov.in

¹ V.V.Giri National Labour Institute, Noida, India

² NITI Aayog, New Delhi, India

1 INTRODUCTION

Work and family life balance are central in understanding the employment dilemmas in the context of a highly segmented labour market and persisting gender inequalities in the world of work. It is generally observed that family responsibilities affect both men and women. However, they affect women more due to gender stereotyping of roles at home, such as caring for children and the elderly. Time-use surveys¹ of 26 OECD (The Organisation for Economic Co-operation and Development) countries and three OECD enhanced engagement countries (China, India and South Africa) indicate that on an average, women devote more than twice as much time to household work as men (OECD 2012). Family constitutes a large part of personal life. The term *reconciliation* reflects the tensions underpinning the relationship between work and family responsibilities.² As traditional care givers, women particularly find themselves under increasing pressure to manage responsibilities of both paid work, unpaid domestic work and care work.

The term “work-life balance” is used in policy debates concerned with the distribution of time and effort between work and other aspects of life.³ Much of the academic literature on care has discussed the conflicting situation experienced while balancing work and family (Bittman and Rice 2002; Glezer and Wolcott 1998; Kaila 2005). Many feminist scholars have talked about the redistribution of unpaid work at home and renegotiation of responsibilities within households, to ensure equitable division of labour between men and women and the role of the state to absorb some of the responsibilities formerly performed by households (Fraser 1996; Bittman 2004; Razavi 2007; Beneria 2010). Much of the feminist legal scholarship has reiterated that recognition of care as a right, distribution of care rights and recognition of social reproduction is equally important as employment relations (Busby 2011; Fudge 2013).

It is generally observed that in most organisations, employee-related workplace policies and practices rest on the age-old assumption of male employees having a dependable support system back home, run presumably by their wives to take care of their familial responsibilities and also personal needs; thereby allowing them time and energy to focus exclusively on their professional contribution and growth (Saxena and Bhatnagar 2009). However, in the present context, as women engage in many professional endeavours, there is also an increase in dual-earner families.

¹ Time use Surveys are detailed description of activities of a person in a 24-hour period. In India, it was conducted only once in 1998-1999 by the Central Statistical Office, India. Time use surveys differ from standard labour force surveys in that they ask respondents to report on all activities carried out in a specified period, such as a day or a week. They tell us how much time an average person from a particular social group (such as male or female, young or old, rich or poor) spends on sleeping, eating, employment-related work, socializing, and unpaid care work such as housework and caring for children, the disabled, elderly, ill and so on, in an average day or week.

² This was also reflected in 312th session of Governing body of ILO in November 2011, (GB.312/POL/4) Policy Development Section on Work-Life Balance (Fagan et al. 2012)

³ As brought out in the 312th session of the Governing body of ILO in November 2011, (GB.312/POL/4) Policy Development Section on Work-Life Balance and in C.Fagan et al: *The Influence of Working Time Arrangements on Work Life Integration or Balance: A Review of the International Evidence* (Geneva, ILO 2012).

Reconciling the demands of paid work and household work and care responsibilities becomes even more challenging for women workers. Such a situation induces increasing pressure on them due to the institutionalisation of gender stereotypical roles which categorise them as traditional care givers. There is no denying that the sustenance of women in the labour market depends largely on effective policies at the workplace on work and family life reconciliation. Women who enter the labour force at an early age and have childcare and family responsibilities bear this double burden and may spend less time on labour market activities due to their domestic household responsibilities. The increasing trend towards informalisation with the increase in contract employment has deprived many workers from access to all social security benefits. As organisational policies have been mostly in favour of permanent employees, most women workers who are in contractual and part-time employment are placed in a disadvantageous position, nor are they eligible for any social security benefits, especially maternity related benefits and childcare.

It thus becomes important to examine state and organisational policies that would encourage more women to take up paid work and simultaneously ensure greater gender equality in sharing of domestic and care roles. After stating the research methodology, this article begins by examining international developments on the recognition of the right to care and 'Workers with Family Responsibilities Convention,' 1981 (ILO No. 156). The article discusses the main findings of the study with respect to the organisational policies in the five sectors in which the respondents were working. The focus is to understand women's experiences and how organisational policies affect their ability to reconcile work and family responsibilities. In the end, the paper puts forth policy recommendations for effective organisational policies that enable women to balance their professional and family responsibilities as well as promote greater gender equality in taking up care and domestic roles.

2 METHODOLOGY AND SAMPLE

The paper is based on both primary and secondary data. For secondary data, various reports of the ILO, NSSO (National Sample Survey Organisation) and other governmental reports have been analysed. The primary data was collected through a survey of 200 women respondents in Delhi and the National Capital Region (NCR). Women workers in the age group of 18-45 years⁴ were selected from five sectors viz. education, health and social work activities, IT/ITES/BPO, manufacturing, retail and trade. These sectors have been identified by employment and unemployment surveys conducted by the NSSO as those with a higher concentration of women workers. Case studies of women respondents were compiled through in-depth interviews. Apart from the survey interviews, women respondents were given time-use charts to note down their various activities on two days in the week. This

⁴ 18-45 years was selected as the age group of the sample, since women in this age group are believed to have larger responsibilities in terms of managing household, childcare, and paid work due to the presence of smaller children in the household.

included a time-use chart for a working day and another one for a day-off from work. The 24-hour time-use chart, with time slots of 30 minutes each, captures all the activities in the day. The time diaries enabled an understanding of the differential time allocation patterns of women engaged in different sectors, specifically with regard to time spent on unpaid and care work and the conflicting situations experienced while reconciling work and family.

The primary survey has covered women professionals from different levels in the organisational hierarchy. Educational qualifications of respondents ranged from secondary level (Class 10) to post-graduates and above. Their demographic profile showed mostly women in the younger age group with small children. A significant proportion of women i.e. 36 per cent were in the age group of 26-30 years, 25.5 per cent in the age group of 31-35 years, 15 per cent in 36-40 years and 12.5 per cent of the respondents were in the age group of 21-25 years. A smaller proportion of women i.e. 9 per cent were in the age group of 41-45 years and just 2 per cent women were 20 years or below. With regard to marital status, 94 per cent of women were married and were living as couples, 2.5 per cent were separated, 2.5 per cent were widows and only 1 per cent women were divorcees. With regard to the number of children, 71.5 per cent of the married women had children while 28.5 per cent of the respondents did not have children. Further, 48.25 per cent women had 2 children and 46.15 per cent women had one child. One of the respondents engaged in garment manufacturing had 6 children. With regard to the age of children, it was revealed that most of the respondents had children below 5 years i.e. 24.5 per cent women had a child in the age group of 3-5 years and 18.8 per cent had a child below the age of 2 years.

3 INTERNATIONAL DEVELOPMENTS IN WORK-FAMILY RECONCILIATION –WORKERS WITH FAMILY RESPONSIBILITIES CONVENTION, 1981 (ILO NO. 156)

The Beijing Declaration 1995 was one of the first significant international developments that recognised the importance of work-family reconciliation in promoting gender equality. A major development has also been the adoption of the Convention 156 ‘Workers with Family Responsibilities’, which was taken up by the governing body of the International Labour Office in its 67th session on 3 June 1981 and came into force on 11 August 1983. The Convention recognises the problems of workers with family responsibilities and stresses on the need to create effective equality of opportunity and treatment between men and women workers with family responsibilities and between such workers and other workers. It requires signatories to ensure through national policy that all workers with family responsibilities – both women and men – can engage in employment without discrimination or, as far as possible, conflict between work and family obligations. It also follows Recommendation no. 165 ‘Workers with Family Responsibilities’, adopted on 23 June 1981 that provides appropriate directions for national policy formulation on workers’ right to vocational training and free choice of employment, social security, developing and promoting child care, family and other community services. The

Convention and its recommendations apply to all categories of workers who have the responsibilities of caring and supporting other members of their immediate family, where such responsibilities restrict their possibilities of preparing for, entering, participating or advancing in economic activity. So far, 43 countries have ratified ILO Convention 156, but India and many other South Asian countries have still not done so.

It is observed that countries that have introduced work and family reconciliation policies in line with the ILO Convention 156 have witnessed higher female employment rates and enabled women with younger children to participate in paid employment, thereby reducing the gender gaps in the labour market. More recently, the International Labour Conference (ILC), through the 2009 Conclusions concerning 'Gender Equality at The Heart Of Decent Work' and the 2011 Conclusions concerning social protection (social security), have called for measures to facilitate reconciliation of work and family responsibilities for women and men, effective access to comprehensive social care services for dependants and maternity protection. In India, policy measures that recognise the care responsibilities of working citizens are restricted to maternity and childcare leave for women workers. The ratification of the ILO Convention 156 and the implementation of its various recommendations could thus be significant in introducing policies that can enhance the quality of work and life of the various sections of workers in the country. Drawing from recommendations of the ILO Convention 156 and based on research findings of a survey of 200 women workers in five different sectors, this paper contributes to policy initiatives that can promote a more sustainable and equitable work-life balance and greater gender equality in care responsibilities.

4 RECONCILING RESPONSIBILITIES OF DOMESTIC AND PAID WORK

Some studies have identified how events, experiences, and processes like instability in male-female relationships, perceived pressures on the family economy, dissatisfaction with domesticity, and expanded workplace opportunities have led some women prioritise their paid work and career over their care roles and domestic responsibilities. At the same time, some women also changed from being more committed to work to valuing children and domesticity above their career ambitions (Gerson 1985). Feminist Marxist analysis considers that household structure and familial ideology play an indirect part in limiting women's participation in wage labour (Barret 1980). An analysis of household gender relations through activities carried out in the household uncovered the *double burden* on women, which further affected their overall wellbeing.

The time-use survey carried out as part of this study found that on a regular working day, women spent an average 7.29 hours on System of National Accounts (SNA) activities (Table 1). They spent an average of 2.69 hours on extended-SNA activities and 11.5 hours on Non-SNA activities. In contrast, on an off day, women spent longer hours on both Extended SNA and Non-SNA activities. While the average time spent on Extended SNA activities was 4.74 hours, 16.67 hours were

Table 1 Average hours spent by women on SNA, extended SNA and non-SNA activities on a working day and on an off day

Activity	Average time spent on working day (in hrs.)	Average time spent on off day (in hrs.)
SNA	7.29	NIL
Extended-SNA	2.69	4.74
Non-SNA	11.5	16.67
Total	21.48	21.41

Source: Primary Survey 2015

* Note: Average Number of hours spent on different activities was calculated based on the Time use survey (primary survey) carried out as part of this study. SNA (System of National Accounts) activities include all paid activities carried out by respondents. Extended-SNA activities include household work including making purchase of necessities for the household, childcare and elderly care. Non-SNA activities include pursuing vocational/educational activities, leisure and family time, personal care and miscellaneous activities viz. time spent on commuting to workplace, children's school etc. (GOI 2001)

spent on Non-SNA activities on an off day. The time-use survey and interviews with women workers revealed that the responsibility of domestic and care work fell almost entirely on them. A significant aspect was revealed where 2 per cent of the respondents reported that they spent as much as 6-10 hours every day on housework even on a working day. These women were employed in the education and health/social work sectors. It was evident that these women had shorter working hours, but whenever they were at home, they were engaged in unpaid domestic responsibilities, which were even longer than their working hours. The highest proportion of respondents (28.5 per cent) spent 60-90 minutes doing housework on working days, 26 per cent spent 30-60 minutes and 14 per cent women spent 90-120 minutes on housework on a working day (Table 1).

On a day-off from work, 0.5 per cent of the respondents spent 10-12 hours and 12-14 hours on housework. It was striking that for some women employed in the education sector, the time spent on housework was as high as 14 hours. 11.5 per cent of the respondents each spent 3-3.5 hours and 5-6 hours on housework. While 8 per cent of the respondents spent 7-8 hours on housework, 11 per cent of the respondents spent 1-1.5 hours, 10.5 per cent of the respondents spent 2-2.5 hours on housework on a day-off from work. Very few women received assistance from other family members and some employed domestic workers, but all these women were under pressure to manage their responsibilities of both paid work and domestic work. A large proportion of women (79.72 per cent) were taking care of preparing and serving food to their children, all by themselves. On the contrary, only 6.99 per cent of the respondents were assisted by their husbands in this task. It was also found that none of the husbands were doing this task on their own.

Similarly, with regard to time spent in childcare activities such as preparing and serving food to children, dropping and picking up children from school and coaching classes, assisting with homework etc., it was revealed that among 143 (71.5 per cent) women who had children, a significant proportion (23.7 per cent) spent 60-90 minutes on childcare on a working day. While 18.8 per cent women spent 90-120 minutes, 16.78 per cent spent 30-60 minutes, 5.59 per cent spent 2-2.5

hours and a smaller proportion, 2.79 per cent spent 3-4 hours in childcare. In contrast, on a day-off from work, 4.89 per cent women spent 3.5-6 hours on childcare, 6.29 per cent women spent 3-3.5 hours, 10.48 per cent women spent 2-2.5 hours, 15.38 per cent spent 90-120 minutes and 16.78 per cent women spent 30-60 minutes. It was evident that husbands did not provide any assistance in preparing and serving food to children, and the assistance was limited to tasks like dropping and picking up children from school and coaching classes, assisting with homework and visiting the child's school for Parent- Teachers' meeting. The case study discussed below explores the challenges experienced by women in managing time to be devoted to both work and family.

Case study 1: Dr. A works as an Assistant Professor in a reputed central university in Delhi. She is married and has an 8-year-old daughter. She earlier lived in a joint family where it was very difficult for her to manage her work along with all her domestic and care responsibilities. She had to do the cooking and other household work before leaving for work and she cooked for her family after reaching home in the evening. She described her difficulties in balancing work and family. She mentioned the stress created due to multi-tasking as she would simultaneously look after her daughter, give her meals and cook in the kitchen. Later on, she shifted to a nuclear family where the challenges were no less in trying to integrate her work and family responsibilities. Presently, she stays with her parents (since her husband has moved to Amritsar for work), and feels relatively relaxed in managing household responsibilities. Dr. A's parents take care of her daughter's meals and picking up and dropping the child to the school bus and her homework, hence she is able to give more time to work and feels mentally relaxed. However, as she had been going through such a tough time for many years in balancing her work and taking care of her daughter, she did not think of a second child.

Thus, it is evident that the transition from a joint to nuclear family did not reduce her domestic and caring responsibilities which had been only her prerogative. She could only ensure a better balance between work and family responsibilities when her parents supported her in sharing these responsibilities.

The above-mentioned case and time-use patterns of women respondents reveal that the burden of housework and child care responsibilities primarily fall on women. With little or no assistance available from family members, women engaged in regular paid work often experience grave difficulties in balancing work and family responsibilities. As the case illustrated above and interviews with several other women respondents indicate, inequalities prevalent in household division of labour have implications for women's choices of paid employment, continuity in employment, contribution to paid work and subsequent career growth.

5 EMPLOYMENT AND CAREER MOBILITY

The majority of women workers (across all sectors) in this study (34.5 per cent) had taken up employment at an early age of 21-23 years. While 27.5 per cent of them had taken up employment at the age of 24-26 years, 17.5 per cent joined

employment at the age of 18-20 years and 11 per cent at the age of 27-29 years. A relatively smaller percentage i.e. 6.5 per cent said that they took up employment between the age of 30-32 and 3 per cent at the age of 33 years and more. It was important to understand how workplace policies impacted women's abilities to continue their jobs and whether increasing demands of family and childcare affected their long-term employment prospects due to intermittent breaks in their career for maternity and childcare. It was also important to analyse whether such women could upgrade their skills for further advancement in their careers.

Most women workers across all sectors were permanently employed (64 per cent). However, a significant proportion worked as temporary (26.5 per cent) and contract workers (9.5 per cent) respectively. The differences in the conditions of work and employment of workers in contract and permanent employment were decisive in providing employment and social security to women and were hence significant in the choice of their maternity, child-birth and break in employment. This is evident from the case below and the narratives of several other women.

Case study 2: Mrs. B worked as a computer operator on a contractual basis at one of the central universities located in New Delhi. She had been working in sales for many years where she had a good salary and prospects for upward mobility. Due to her daughter's birth, she had to give up her career in sales and shift to other alternatives. After the birth of her daughter, she worked in a school for some years before joining work as a computer operator in the University. Whereas her earnings in sales were Rs. 45,000 a month, now she manages to earn only around Rs. 15,000 per month. Her work hours are from 10 to 5 pm. Since she stays very far from her place of work, she spends three hours in commuting from home to office and back. As her employment at the university is on a contractual basis, she does not have any security of employment and lacks all entitlements due to permanent employees. "We are like daily wagers. There is no mechanism for contract employees becoming permanent even after being employed for a certain number of years. There are employees who have been working for some 15 years, but they have not been made permanent. There is no increase in the salary except for a few hundred rupees. For instance, if someone is earning Rs. 519 per month, the raise would be just to Rs. 538, an increase of 10-20 rupees. The contract employees do not get any paid leave. They do not have an off on Saturday or Sunday. Even on days of festivals such as Diwali, they do not get a paid leave." She further stated that there are two communities at the University – one of permanent employees and the other of contract employees. "The permanent employees consider themselves to be in a position of power and privilege and exercise authority over contract employees. They might even comment on the dress of a female employee. They also resort to things such as fiddling with the salary." The contract employees are hence very vulnerable, and she further added, "There is insecurity of employment, so we cannot easily question or protest any decision or action at the workplace."

Mrs. B also pointed out that the contract employees are not entitled to maternity benefit. The only facility offered to contract employees is the facility for child delivery at the ESI hospital. She said, "In fact, many female employees postponed pregnancy and avoided expanding their families for the fear of losing their jobs. There have been cases of women losing their jobs due to taking leave for

childbirth. So they repent their decisions of going ahead with child birth.” Mrs. B mentioned that all employees, however, had access to the crèche facility in the university by paying a monthly fee of Rs. 500.

The above case highlights the vulnerability of contract workers and indicates the need for strengthening policy measures that aim at equal protection for both permanent and contract/part-time workers. The latter, who form a large part of the unorganised sector, have limited access to social security provisions. Part time or contractual employment is often considered suitable for women with younger children or those in need of a maternity break. Such work is not duly recognised and given the additional responsibilities at home, women often fail to negotiate with the gendered roles in the household and end up non-performing in their work spheres. Thus, the idea of an ‘upwardly mobile’ career woman does not hold true for many women who remain in the same positions even after many years of service. Moreover, with lack of effective workplace policies aimed at balancing gender relations in the household, women remain focussed more on household domestic work and care work, thereby limiting future possibilities for career advancement. Keeping in view the problems identified for these workers, the Government of India (GOI) established the National Commission for Enterprises in the Unorganised Sector (NCEUS) under the chairmanship of Dr. Arjun Sengupta in 2004 to promote inclusive growth and extend social security provisions to all workers. Following the recommendations of this report, subsequent steps were undertaken to safeguard the interests of unorganised workers. Significant among them is the Unorganised Workers’ Social Security Act 2008 that ensures provision of social security benefits to all unorganised workers. Even though the act was welcomed, it was critiqued for focusing more on welfare schemes than on rights of workers. There are no specific provisions in the act regarding women workers, especially about equal remuneration, decent work conditions, and protection from sexual harassment at the workplace. Therefore, there is a need to contextualize the provisions of the law with the changing labour market trends and subsequently introduce amendments. ILO Recommendation no. 165 of Convention 156, Section IV, para 21 also states that “The terms and conditions of employment, including social security coverage of part-time and temporary workers should be, to the extent possible, equivalent to those of full-time and permanent workers respectively; in appropriate cases, the entitlement may be calculated on a pro-rata basis. Part-time workers should be given the option to return to full-time employment when a vacancy exists and the circumstances which determined assignment to part-time employment no longer exists.”

An analysis of promotional avenues for women within the organisation (Table 2) revealed that the majority of women, i.e. 85.5 per cent had never been promoted. Out of these respondents, 68.42 per cent had been working at their present place of work for 0-5 years, 21.63 per cent for 6-10 years, 6.43 per cent for 11-15 years and 1.75 per cent each for 16-20 and more than 20 years. 6.5 per cent of the respondents said that they had been promoted once since they joined their present organisation/ employer. Out of these, 38.46 per cent had been employed in their present employment for less than 5 years and another 38.46 per cent for 6-10 years and 23.07 per cent of the respondents had been working in the same organisation for

Table 2 Upward career mobility for women (in all sectors)

		No. of times promoted since joining					Total
		Never	Once	Twice	Three times	More than 3 times	
No. of years in the organisation where employed at present	0-5	117	5	3	0	0	125
	6-10	37	5	2	2	0	46
	11-15	11	3	1	1	0	16
	16-20	3	0	1	1	2	7
	20>	3	0	2	1	0	6
Total		171 (85.5)	13 (6.5)	9 (4.5)	5 (2.5)	2 (1)	200 (100)

Source: Primary Survey 2015

* Figures in parenthesis show percentage, calculated from the total number of respondents

11-15 years. A relatively smaller proportion of women, 4.5 per cent said that they had been promoted twice since they joined work with their present employer. 33.3 per cent of these women had been employed in their present organisation for less than 5 years, 22.2 per cent for 6-10 years and 11.11 per cent each for 11-15 and 16-20 years and another 22.22 per cent for more than 20 years in the organisation in which they worked at present. A further smaller proportion of respondents out of the total sample, 2.5 per cent, said that they had been promoted three times since they joined work at their present organisation. The majority of them, 40 per cent had been employed for 6-10 years in the same organisation. Only 1 per cent of respondents, who had been employed in their organisation for 16-20 years reported that they had been promoted more than three times since they took up work in their organisation. This clearly reveals that women workers had not been receiving promotion at regular intervals. On the contrary, for those workers who received promotion, the number of years spent in employment was not commensurate with the number of times they were promoted. Such a trend reflects on lack of opportunities for women's upward career mobility.

On further analysing the upward mobility of women across sectors, it was found that most respondents in the education sector (82 per cent) had never been promoted. The majority of them (63.4 per cent) were working at their present place of work for less than 5 years. 18 per cent reported that they had been promoted at least once. Most of these respondents had been employed at their current place of work for more than 6 years. In health and social work activities too, most women (81 per cent) reported that they had never been promoted. Most of these women (53.8 per cent) had been working in their current place of employment for less than a year. Only a small proportion of women, 18.75 per cent said that they had been promoted at least once. 12.5 per cent of them had been employed at their current place of work for less than 5 years, 4.16 per cent for 11-15 years and one woman respondent had been employed for more than 20 years.

In the retail and the IT sectors, 86.36 per cent and 84.8 per cent women workers, respectively, had never been promoted. The majority of them had worked at their

current place of work for less than a year. Only 13.63 per cent women in the retail sector and 15.15 per cent women in the IT sector said that they had been promoted at least once (Table 3). Most of these women had been employed for 6-15 years in their present organisation. It was significant that in garment manufacturing, none of the women respondents had ever received promotion. The majority of them, 80 per cent, had been employed in the manufacturing unit for less than 5 years. The remaining 20 per cent had been employed for 6-10 years, but had still never received a promotion. These women were basically engaged in the tasks of thread cutting and tailoring. Their inability to upgrade their skills and low educational qualifications could be significant factors that deprived them of opportunities for upward economic mobility. Apart from this, the dearth of organisational policies for skill enhancement and certification could deprive women from moving up the career ladder. Moreover, women's familial responsibilities and burden of housework and childcare had also constrained them from advancing in their careers and enhancing their educational and skill requirements. Although many countries have designed policy initiatives in skill upgradation and certification for employed workers in line with the ILO Recommendation no. 165, (Section III, para 25) that calls for "Equality of opportunity and treatment of workers with family responsibilities with other workers", India has not seen much progress in this direction.

6 LEAVE PROVISIONS

Long working hours without sufficient leave, coupled with the competing demands of work and family life can adversely affect women's health and overall well-being. Many scholars have also pointed out the negative impact on women's health due to the pressure of integrating work and family (Paludi and Neidermeyer 2007). The ILO convention no. 156, Recommendation no. 165, Section IV, para 18 states, "Particular attention should be given to general measures for improving working conditions and the quality of working life, including measures aiming at (a) the progressive reduction of daily hours of work and the reduction of overtime, and (b) more flexible arrangements as regards working schedules, rest periods and holidays, account being taken of the stage of development and the particular needs of the country and of different sectors of activity". In this context, regulation on

Table 3 Women workers eligible for paid leave in the age group of 18-45 in Usual Principal and Subsidiary Status (UPSS)

Sector	2004-05		2009-10		2011-12	
	Yes	No	Yes	No	Yes	No
Garment	16.0	84.0	14.1	85.9	13.0	87.0
Retail	16.5	83.5	17.7	82.3	15.4	84.6
Education	75.2	24.8	71.8	28.2	72.2	27.8
IT & ITES	74.2	25.8	72.2	27.8	81.3	18.7
Health	62.5	37.5	60.3	39.7	62.3	37.7
Total	49.3	50.7	50.2	49.8	49.7	50.3

Source: Computed from NSS Unit level data of Rounds 61st, 66th, and 68th

working hours, overtime and provisions of paid leave are important aspects in improving conditions of work and quality of working life.

Among all the sectors in this study, education and IT sectors had larger proportion of women workers who were eligible for paid leave. According to data of the NSSO, 81.3 per cent women in the IT sector were eligible for paid leave in 2011-12, an increase by 7.1 per cent from 2004-05 and 72.2 per cent women in the education sector were entitled to paid leave. The education sector witnessed a decline in women eligible for paid leave by 3 per cent, as compared to 2004-05. This could be attributed to the increase in contractual and temporary employment in the sector in the past decade. The health sector had 62.3 per cent women eligible for paid leave in 2011-12, the retail sector had 15.4 per cent and the garment sector had only 13.0 per cent women who were entitled to paid leave in 2011-12. While the percentage of women eligible for paid leave had fluctuated slightly in the retail sector – 16.5 per cent in 2004-05 and 17.7 per cent in 2009-10, the garment sector showed a decline of women entitled to paid leave by 3 per cent in 2011-12, as compared to 2004-05.

An analysis of leave provisions from the primary survey revealed that a large proportion of women, 42 per cent, had no paid leave at all, viz. casual leave, earned leave, medical leave etc (Table 4). Only women, who had permanent jobs in central universities, were entitled to casual, medical, earned, maternity, childcare and study

Table 4 Types of paid leave in a year (for women in various sectors)

		Sector					Total
		Education	Health and social work activities	Garment manufacturing	Retail	IT	
Types of Paid Leave in a year	Casual leave	6	6	1	8	0	21 (10.5)
	Earned leave	0	0	1	2	0	3 (1.5)
	Medical leave	0	0	0	0	1	1 (0.5)
	No paid leave	20	23	23	18	0	84 (42)
	All of the above	8	1	0	0	0	9 (4.5)
	Casual, earned, medical and maternity leave	5	6	0	7	6	24 (12)
	Casual and Medical	1	0	0	4	0	5 (2.5)
	Casual, earned, medical, maternity and child care	9	11	0	4	25	49 (24.5)
	Casual, medical, maternity	1	1	0	1	1	4 (2)
Total	50	48	25	44	33	200	

Source: Primary Survey 2015

* Figures in parenthesis show percentage, calculated from the total number of respondents

leave. Apart from the education sector, the IT sector guaranteed better provisions for paid leave. 75.75 per cent women in the IT sector said that they were entitled to casual, earned, medical, maternity and child care leave. 18.18 per cent women in this sector said that they were entitled to casual, earned, medical and maternity leave. One respondent in the IT sector was entitled to casual, medical and maternity leave and another one could avail only medical leave. In the health sector, 47.9 per cent were not entitled to any paid leave. 22.9 per cent were entitled to casual, earned, medical, maternity and childcare leave and 12.5 informants could avail of casual, earned, medical and maternity leave. Another 12.5 per cent of the respondents in this sector were entitled to only casual leave. One respondent said that she was entitled to casual, medical and maternity and another said that she was entitled to all kinds of paid leave, viz. casual, earned, medical, maternity, childcare and study leave. In the retail sector, 40.9 per cent were not entitled to any paid leave, while some of them were entitled to casual and medical leave. The majority of women (92 per cent) in the garment sector were not entitled to any paid leave. Thus, it was only women in the education and IT sector who had better provisions for paid leave.

7 CHILDCARE POLICIES AT THE WORKPLACE

The recommendations of the ILO convention no. 156 (Section IV, para 22) states that. “(1) either parent should have the possibility, within a period immediately following maternity leave, of obtaining leave of absence (parental leave), without relinquishing employment and with rights resulting from employment being safeguarded”. It is also mentioned “(1) it should be possible for a worker, man or woman, with family responsibilities in relation to a dependent child to obtain leave of absence in case of its illness. (2) It should be possible for a worker with family responsibilities to obtain leave of absence in the case of the illness of another member of the worker’s immediate family who needs that worker’s care or support. (3) The duration and condition of the leave of absence referred to in sub-paragraphs (1) and (2) of this Paragraph should be determined in each country by one of the means referred to in Paragraph 3 of this Recommendation”. In India, the Maternity Benefit Act 1961 is the most significant of social security provision for working women who opt for motherhood. Significantly, the Maternity Benefit (Amendment) Act 2017 has increased the maternity leave available to women from 18 to 26 weeks. It also extends maternity benefit of 12 weeks (from the date the child is handed over) to the ‘commissioning’ and the ‘adopting’ mother. As per the recommendations of the 7th Central Pay Commission, Child Care Leave (CCL) is granted to women government employees for a maximum period of two years (i.e., 730 days) during their entire service for taking care of their minor children (up to eighteen years of age). The Commission has recommended that CCL should be granted at 100 per cent of the salary for the first 365 days, but at 80 per cent of the salary for the next 365 days. However, various state governments are yet to implement the new amendment. Presently, a male employee with less than two surviving children working with the Central government is granted Paternity Leave

for a period of 15 days during the confinement of his wife, up to 15 days before or six months from the date of delivery of child. Some state governments also provide 15 days of paternity leave to their male employees, at par with the rules for central government employees. However, there is lack of uniformity in the extension of leave benefits for employees working for various state government institutions. The private sector, on the other hand, has its own policies for maternity leave, which vary from one organisation to another. Private organisations in India are rarely found to have any provision for paternity leave.

Most of the respondents (86.5 per cent) across all sectors reported that there was no crèche facility at their workplace. Only 13.5 per cent of the respondents, the majority of whom were employed in the education sector, had this facility. None of the women in the retail and IT sectors and only one respondent engaged in garment manufacturing had crèche facility at her workplace. It was significant that 88 per cent of women respondents reported that no awareness sessions were organised at their workplace to inform them about policies such as maternity benefit or other such entitlements. The Sixth Central Pay Commission of the Government of India mandated the setting up of crèches in offices where the employees, male and female, have children in preschool or primary school. It was recommended that these could be run on contributory basis so that appropriate standard of facilities is maintained.⁵ The amendment to the Maternity Benefit Act lays down mandatory provisions for establishments having fifty or more employees to have a crèche.⁶ Despite these recommendations, many establishments and institutions have not set-up crèche facilities. Appropriate steps for provision of basic childcare facilities need to be taken in all other sectors of employment to ensure work and family reconciliation.

From the majority of respondents, 70 per cent were not entitled to paid maternity leave (Table 5). This was reported in sectors like retail, health and social work and garment manufacturing. Only 30 per cent of the respondents reported that they could avail maternity leave. Most of these women (36.6 per cent) belonged to the education sector. In the IT sector, while 51.15 per cent women reported the lack of this benefit, 48.48 per cent said that they were entitled to paid maternity leave.

As the findings of the survey showed, there was a marked discrepancy with regard to provision of maternity leave and related benefits across sectors. Most of the respondents were deprived of maternity benefits across all the sectors examined. Further, part-time and contract workers were more vulnerable and formed an excluded group in terms of access to policies on maternity and childcare. There is, essentially, a need for an inclusive approach that protects the rights of all workers and brings them within the purview of policy framework. Since family and childcare responsibilities occupy a prominent place in the lives of many working women, recognising their roles both as a care giver and a worker remains an important policy concern to achieve overall equality for women.

⁵ For details, see GOI 2008, Report of the Sixth Central Pay Commission.

⁶ Provisions of the Maternity Benefit Amendment Act 2017 have come into force with effect from 1st April 2017, except those relating to creche facility, which would come into force from 01.07.2017.

Table 5 Entitlement to maternity leave (for women in various sectors)

		Sector					Total
		Education	Health and social work activities	Garment manufacturing	Retail	IT	
Whether entitled to maternity leave	Yes	22	17	0	5	16	60 (30)
	No	28	31	25	39	17	140 (70)
Total		50	48	25	44	33	200 (100)

Source: Primary Survey 2015

* Figures in parenthesis show percentage, calculated from the total number of respondents

8 CONCLUDING REMARKS: PERSPECTIVES AND SUGGESTIONS OF WOMEN WORKERS

It is recognised that effective work and family life reconciliation encourages men and women to participate in labour markets and promotes gender equality. There is criticism of this thesis, where, for example, family policies based on assisting mothers as workers and caretakers reproduce traditional distributions of family gender roles. We need to ask that to what extent have these policies been successful in ensuring effective integration of work and family life and encouraged women to sustain in the labour market? The survey revealed that the reconciliation of work and family life remains a challenge for women due to structural and cultural constraints that are largely ignored by policy makers. The institutionalised patriarchal norms where women are perceived as unpaid workers and the cultural constraints that do not allow women to negotiate with structures of patriarchy can only be overcome when there is balance in gender relations. Such a balance can only be achieved with equitable division of labour within the household and redesigning of policies that promote sharing of responsibilities. Effective workplace policies on family and care in India can contribute immensely to encourage women to opt for paid work. In this context, this study presents various suggestions of women respondents for effective integration of work and family life, improvement in safety measures and for provision of better quality employment. Women across different sectors felt the need for flexibility in their work, demanding flexibility in the time of reporting to work, and the provision for part-time work and work from home. Women in the retail sector asked for shorter work hours and 5 days of work in the week, instead of 6 days. A respondent working in the IT sector said, "There should be a crèche at the workplace. Employees should be given the option to work from home. Women employees should get six months maternity leave and one year sabbatical if required, like government employees get." A woman engaged in the education sector was of the opinion that regular health check-ups should be carried out and medical facilities should be made available at the workplace. The suggestions given by women who formed a part of this study indicated that the entitlements provided to permanent government employees were seen as the benchmark for organisational policies elsewhere. Women working as contract workers, in particular, faced innumerable problems while reconciling paid work and

demands of domestic and care responsibilities. Issues like lack of access to basic provisions i.e. paid leave, periodical increments, promotion and lack of mechanism to provide them the status of permanent workers after working for a considerable period of time in a particular organisation reflected on the vulnerability of contract workers. Employees in sectors characterised by long working hours such as retail, health (particularly in private hospitals) and IT felt the need for a better work-life balance. Women's jobs were particularly insecure in these sectors. Pregnancy and motherhood could often entail a break from employment due to the shorter maternity leave or its absence in some cases. As one of the women respondents in the retail sector argued, "Maternity leave should be increased by at least 4-6 months. Lack of or inadequate maternity leave is the only reason why women leave their career and focus on family. Maternity leave should be made mandatory for at least 6 months." It was also evident that some women felt the need for greater equality in gender relations at home and equal opportunities for men and women in the work sphere. A respondent in the health sector was of the opinion that there should be childcare leave for men. A woman in the education sector argued that for a woman to advance and manage her work and family, husbands needed to be more understanding.

Many women respondents stressed that employers should ensure their safety. This was a concern particularly with women employees in the IT sector who worked longer hours, stretching to night shifts and travelled long distances for work. Many of them said that working women should be provided with a special cab or vehicle for commuting. The perspectives from the field thus highlighted many important policy changes that need to be undertaken for ensuring effective work-life balance based on the principle of gender equality.

Authors' Note This paper is based on a study 'Reconciling Work and Family Life: A Study of Women's Time Use Patterns, Unpaid Work and Workplace Policies' undertaken at V.V. Giri National Labour Institute and was also presented at the 57th Annual Conference of the Indian Society of Labour Economics held at Srinagar in 2015.

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