

Alparmashastra National Law University, Jabalpur



Organises

Training/Awareness
Programme on
Menstruation &
Human Rights

In collaboration with

The National Human Rights
Commission (NHRC)

17TH FEBRUARY 2024

DNLU came to be the flag-bearing University in the country to officially implement the Menstrual Leave Policy in September 2023. Other Universities have followed since...



About

DHARMASHASTRA NATIONAL LAW UNIVERSITY (DNLU)

Dharmashastra National Law University, Jabalpur was established by the Madhya Pradesh Dharmashastra National Law University Act, 2018 (24 of 2018). The university is dedicated to becoming a distinguished institution in the field of legal education and research, committed to delivering high-quality education and training. We are committed to achieving the goal of reforming the legal education system, establishing advanced research and study centers that promote the rule of law and uphold the principles enshrined in the Indian Constitution. Furthermore, we aim to conduct intensive training programs and workshops for the judiciary, legislative, administrative, and academic sectors, and create a range of centers to raise legal awareness among the public and aid in achieving social and economic justice.

About

THE NATIONAL HUMAN RIGHTS COMMISSION (NHRC)

The National Human Rights Commission (NHRC) of India was established on 12 October, 1993. The statute under which it is established is the Protection of Human Rights Act (PHRA), 1993 as amended by the Protection of Human Rights (Amendment) Act, 2006. The NHRC is an embodiment of India's concern for the promotion and protection of human rights. The National Human Rights Commission, India has been set up by an Act of Parliament under the Protection of Human Rights Act, 1993 for the protection and promotion of human rights. The functions of the Commission as stated in Section 12 of the Act and apart from enquiry into complaints of violation of human rights or negligence in the prevention of such violation by a public servant, the Commission also studies treatie...

About

THE PROGRAMME ON MENSTRUATION AND HUMAN RIGHTS

The overarching aim of this seminar is to have a comprehensive deliberation on the topic of Menstruation from the perspective of legal system. We will delve into the roots of misogyny surrounding menstruation, highlighting its detrimental effects on gender equality. Simultaneously, we'll emphasize the crucial link between menstrual health, hygiene, and overall well-being. By addressing these interrelated issues, we aim to empower participants with knowledge that promotes a more inclusive and informed society, where menstrual leave is recognized as a fundamental aspect of upholding human rights and achieving gender



Sub-Themes

- Breaking the Silence: Menstrual Cycles and the Taboos We Must Unravel.
- Menstrual Fairness: Human Rights in relation to Health Hygiene and Economy.
- Redefining Inclusivity: Menstrual leave policy at workplaces.
- Redefining Inclusivity: Menstrual leave policy in educational institutions.

Aims, objective and methodology of the proposed Training Programme:

- To engage with policymakers, government representatives, and employers to encourage their active participation in discussions and actions related to menstrual awareness, aiming to influence policy changes and workplace practices.
- To actively advocate for policy changes and legal reforms at local, national, and international levels that recognize menstrual leave as a human rights issue, ensuring its inclusion in labor laws and workplace policies.
- To address and combat discrimination, taboos, and stigma associated with menstruation, promoting a cultural shift towards greater acceptance, understanding, and empathy.

IGNORANCE

Dec 22- Shreem (B.A.LL.B student) sought approval for menstrual leave. Request denied- absence of formal University policy.

DNLU'S REVOLUTIONARY JOURNEY

RESOLUTION

Jan 23- Kartik, Sanskriti, Shreem, Pragati, Saurabh and Agrimamission for menstrual leave as a fundamental right for all female students.

CHALLENGING THE SOCIETAL TABOO

Feb 23- Menstrual awareness week- Open dialogue and debate (open house, art competition, red ribbon programme and plantation drive)

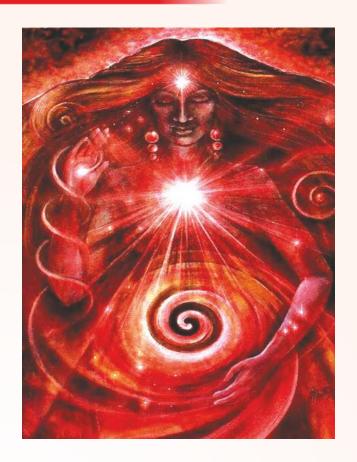
ACCEPTANCE

Sept 23- With the efforts of Dr. Praveen Tripathi (DSW), the Vice Chancellor agreed to grant **menstrual** leave to female students.

This momentous achievement stands as a testament to the power of collective action and the unwavering commitment to effecting positive change within our community.

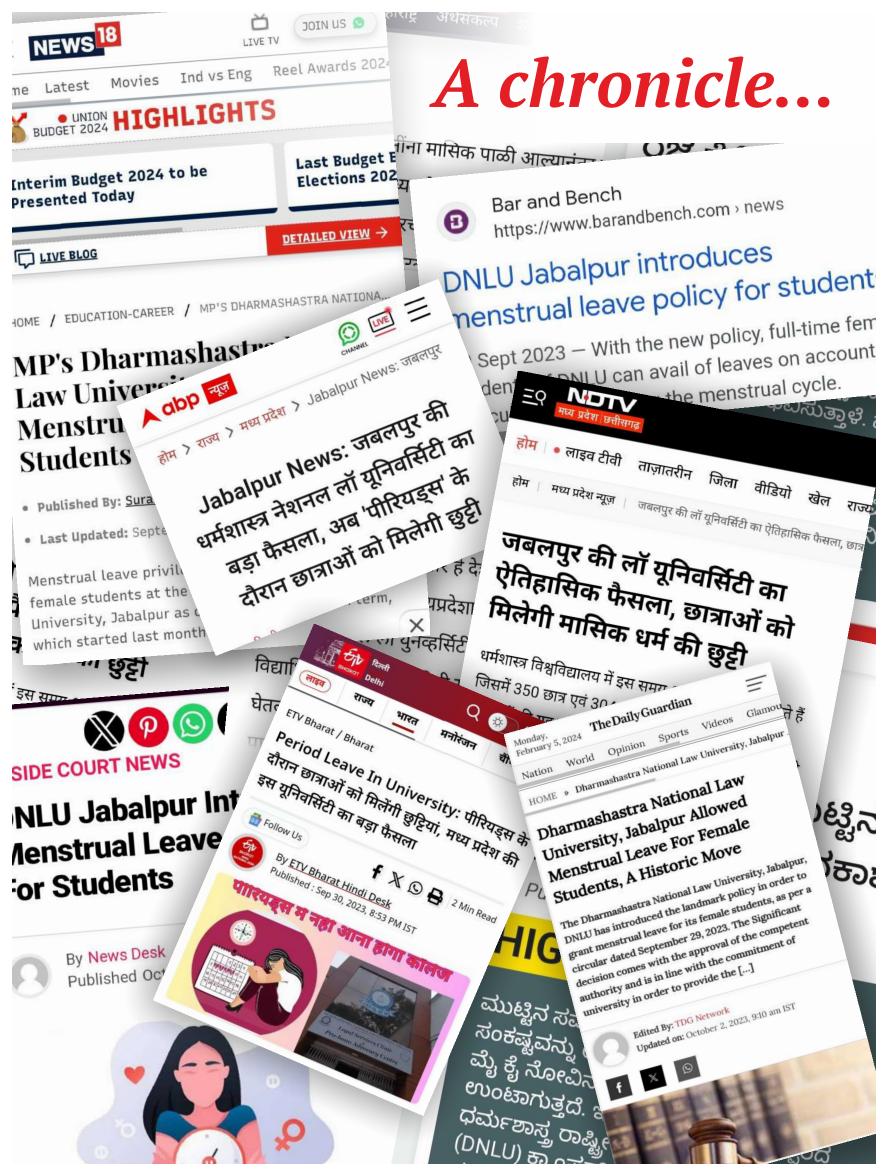
IMPACT OF THE TRAINING PROGRAMME

- **Short Term** To achieve a consensus on the rights of the women in the context of Menstruation and have follow up sessions to refine and move towards drafting of well researched document, which is a culmination of the discussion coming out of this seminar.
- Long Term As we have recognized the right of female's students to claim leave of attendance during their menstruation period. We would engage with the policymakers, government representative and employers to look into this aspect of jurisprudence and advocate for policy changes.



RESOURCE PERSONS

S.No.	Resource Persons	Topic	Schedule
1.	Dr. Sujata, Associate Professor in Hindi at Shyam Lal College, University of Delhi	Breaking the Silence: Menstrual Cycles and the Taboos We Must Unravel.	10:30 AM to 12:00 PM
2.	Dr. Veena Roshan Jose, Assistant Professor in Law at Maharashtra National Law University, Nagpur.	Menstrual Fairness: Human Rights in relation to Health Hygiene and Economy	12:00 PM to 01:30 PM
3.	Mr. Krishna Kumar, Assistant Professor in Law at Dr. Harisingh Gour Vishwavidyalaya, Sagar, M.P.	Redefining Inclusivity: Menstrual Leave Policy at Workplaces.	02:30 PM to 04:00 PM
4.	Dr. Praveen Tripathi, Associate Professor in Law at Dharmashastra National Law University, Jabalpur.	Redefining Inclusivity: Menstrual Leave Policy in Educational Institutions.	04:00 PM to 05:30 PM



MENSTRUAL LEAVE- ITS CONCEPT, NEED AND APPLICATION

• *I wish I could be a man*. 'Chinese tennis player Zheng Quinten stated after losing her French Open title due to menstrual cramps. These words are enough to depict a woman's pain and discomfort experienced during a menstrual cycle.

Our society, which still has strong sexism roots, is unable to comprehend the agony of period cramps. A woman's productivity is disrupted, and she is prevented from doing or achieving things by suffering that has been equated to having your finger cut without anaesthesia. The sad reality is that because our society doesn't recognise the severity of menstruation pain or classify it as true physical pain, women must get up and go to work even while writhing in agony.

The problems associated with menstruation can disrupt the daily routine for the majority of women. It should be kept in mind that the menstrual leave policy is not aimed at encouraging discriminatory behaviour at the workplace; rather, the objective is to be more equitable, fair, and just. Coming up with a policy on menstrual leave and implementing it would be a big milestone in achieving a gender-inclusive society, which would provide working females with a safety net against the vicious society that stigmatises menstruation.

WHAT IS MENSTRUAL LEAVE?

Simply put, menstrual leave is the option to take a leave from work if a person is unable to go to work due to menstruation. Having your period is not a disability, it's a normal body function. However, some people do have debilitating side effects from their periods, such as heavy bleeding, dizziness, nausea, migraines, and/or severe cramps. These symptoms can make accomplishing work tasks difficult or impossible.

WHY MENSTRUAL LEAVE IS REQUIRED:

- Every 3rd girl out of 10 girls has to bear excruciating menstrual pain in the initial days of her menses, which, along with it, causes bodily weakness due to the heavy blood loss that follows. This ultimately results in girls succumbing to poor physical and mental health. The way forward to this problem is "Menstrual Leave".
- Premenstrual syndrome, or PMS, is a group of symptoms that start before the period. It can include emotional and physical symptoms.
- Frequently mentioned problems in school and university include pain (stomach, head, hips, and limbs), fear of staining or smell; losing the cloth or pad in school, feeling unwell, tired, dizzy, and weak. There is also reported reduced mobility and comfort, resulting in problems with sitting, walking, bicycling, and reaching schools and universities.
- Mensural leave for women should be compensated because it is another way for them to be treated fairly and with respect.
- Women who have any kind of menstrual pain or who have illnesses like dysmenorrhea, endometriosis, ovarian cysts, or mood disorders that are linked to menstruation may benefit from menstrual leave.
- A study done in 2012 found that 20% of women have painful cramps that make it hard for them to do normal things.

• A 2017 study on Dutch women also showed that "productivity was below par on more than 23 days of the working year with lost productivity totaling about 9 days every year". This study also found that women experiencing menstrual symptoms were less productive for a third of the time (33%).

The realisation that some women experience side effects that prevent them from carrying out their responsibilities due to hormonal changes during the menstrual cycle led to the need for this change.

WHERE DO WOMEN GET THE BENEFIT OF MENSTRUAL LEAVE?

• Japan:

In Japan, the legislation has been in effect for over 70 years now. Approved in 1947, Article 68 of the Labour Standards Law states, "When a woman for whom work during menstrual periods would be specially difficult, has requested leave, the employer shall not employ such a woman on days of the menstrual period."

• Zambia:

In the African country of Zambia, women are legally entitled to take a day off each month due to their menstrual leave policy, which is known as "Mother's Day".

• Taiwan:

In Taiwan, the Act of Gender Equality in Employment gives women three days of "menstrual leave" per year, which will not be calculated toward the 30 days of "common sick leave".

• Zomato:

Indian-based company Zomato introduced a period leave of up to 10 days per year for women and transgender people in 2020.

• Nike:

A number of companies have also established menstrual leave for women in order to put an end to gender inequality, in addition to countries passing this law.

HOW THIS IS IMPLEMENTED?

- By state legislatures: From as early as 1992, the Bihar government was offering two days of menstrual leave a month. In 2017, Arunachal Pradesh MP Ninong Ering introduced the Menstrual Benefits Bill 2017 in Parliament to provide two days of menstrual leave every month to both public and private employees during menstruation.
- **Private companies**: Gozoop and Culture Machine, both based in Mumbai, were the first private companies in India to offer the First Day of Period (FOP) Leave in 2017.
- Zomato: All women (including transgender people) at Zomato can avail of up to 10 days of period leave in a year.
- BYJU's: Women employees in BYJU'S can now avail themselves up to 12 period leaves (PELs) in a year. Each month, one PEL will be credited; and women employees can either take a day off every month or avail of two half-day leaves.
- Swiggy: Swiggy, an online food delivery service, has launched a novel initiative for its female food delivery partners. Swiggy has announced that its female delivery partners will receive two days of "time off" each month.
- **Kerala state universities**: On January 16, the Kerala government, in a pioneering move, announced menstrual leave for female students studying in all state universities under the Department of Higher

Education. Higher Education Minister R Bindu made the announcement after the Cochin University of Science and Technology (CUSAT) passed a similar provision granting menstrual leaves.

A relaxation of 2% in attendance has been given to all the female students.

CUSAT had decided to grant menstrual leaves after the Students' Federation of India (SFI) students' union made a representation in the regard. CUSAT's order is applicable to female students of all streams, including those pursuing a Ph.D., in the university, and is expected to be implemented with immediate effect.

• Ivipanan: In a bid to combat stigma around menstruation, in 2020, following in Zomato's footsteps, a Surat-based digital marketing company iVIPANAN said it would give 12 days of period leave per year to its female employees.

Hence, its high time that we also become sensitive towards our female students and take a step in the right direction





REGISTRATION INFORMATION

There will be no registration fees.

E-certificate will be given to all the registered participants.

The link for the registration is

https://docs.google.com/forms/d/e/1FAIpQLSfRM9NVQMX7yprqAeXiTCapJd8ReYJAuyuPdZfqfwYV61bp4w/viewform?usp=sf_link



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