



## Menstruation is a workplace and a trade union issue

At the 27<sup>th</sup> IUF Congress in 2017, a resolution on the need to make menstruation a workplace and trade union issue was adopted (see below).

In parallel, the IUF has been working to implement a gender approach to occupational health and safety (OHS). Our reference document is [Making women visible in occupational health and safety](#).

This note aims at giving IUF affiliates some implementation guidance on the resolution and at reinforcing *Making women visible in occupational health and safety* on the specific issue of menstruation.

### ***What can we, as IUF affiliate trade unions, do to organize around menstruation equality in the workplace?***

Menstruation is a natural bodily function which is experienced by women in different ways. Menstruation must not be used as an excuse to exclude women workers from the workplace or to prevent girls from attending school during their period.

We need to build a supportive and well-informed working environment where menstruation does not cause embarrassment or stigma for anyone (women, girls, people with disabilities, transgender people).

Bear in mind there is no single solution that is applicable to all contexts, all countries and all workplaces. But what is certain is that unions can do many things to make menstruation a workplace issue and to improve working conditions including developing joint policies, negotiating practical solutions and ensuring that women workers are always involved in the discussions.

It is essential for women's health, welfare and dignity that women workers have access to appropriate sanitary and washing facilities – referred to as “bathrooms” in this document – during their working day, especially when menstruating. Lack of access to bathrooms when needed can have serious effects on workers' health. This may be very challenging in the agriculture sector, and even more so in the informal sector, as there is little or no access to water and sanitation for workers. It is also critical to remember that across the world, over 663 million people lack access to drinkable water and over 2.4 billion people lack access to toilets.

What can we, as trade unions, do:

1. **Educate, because knowledge is key.** Organize “menstruation awareness” related discussions with our members and awareness training with local Occupational Health and Safety (OHS) representatives on menstruation, as a way of promoting and normalizing menstrual health, destigmatising menstruation and breaking taboos. Educate employers. The goal is to change attitudes towards menstruation.
2. **Review workplace policies.** Include menstruation and women's reproductive health in workplace OHS policies and in OHS procedures as well as in any risk assessments, and in violence

and harassment and anti-discrimination policies. Include the issue on a regular basis in OHS related discussions and training.

3. **Make clear that menstruation is not an illness.** Ensure that company sick leave policies do not discriminate against women workers who are menstruating.
4. **Involve women workers and their trade union representatives** in all discussions about menstrual health in the workplace.
5. **Negotiate safe access to appropriate bathrooms for women workers** and ensure that they have time during their working day to use them when necessary and without stigma. This includes:
  - Separate, private and secure bathrooms for women workers which are easily accessible from the place where they work and are located in safe areas. Let's remember that in the context of preventing violence, including sexual harassment in the workplace, the definition of the workplace in [ILO Convention 190 on violence and harassment in the world of work](#) includes sanitary facilities.
  - Bathrooms which are kept clean, ventilated and lit, and equipped with washing facilities including a reliable supply of clean hot and cold running water, soap, toilet paper and towels or other means of drying.
  - Bins for disposal of used sanitary products which are maintained and emptied regularly.
  - Sanitary products dispensers at the workplace which should not be located in areas shared with men.
  - Sanitary products free of charge, to be negotiated with employers.
  - Fair working hours so workers have the right and the time to go to toilets when necessary, especially in the agriculture and manufacturing sectors where there is significant pressure on workers to reach production targets.
  - Rest room or "wellbeing" rooms with tea-making facilities, comfortable seats and hot pads which are located conveniently for access to bathrooms.

#### 6. **Negotiate a Period Leave Policy**

Discuss with our members the possibility of negotiating "period leave" with the employer (for example 1-2 days off), especially for women suffering painful menstrual disorders (such as endometriosis and dysmenorrhea). It is crucial first to educate union members and employers so they understand that menstruation is a natural body function in women's lives.

The period leave policy should be drafted carefully. We should make sure this will not lead to discrimination in hiring or the promotion of women; it must also not perpetuate the assumption that women are unfit for the workplace or foster any other gender-based stereotypes such as "women are fragile and less productive."

If our members think period leave is not appropriate, discuss the possibility of negotiating "flexible working" when menstruation is painful, for example, paid time off, working from home or a personalised work schedule, though it is acknowledged that flexible working may not be possible in most of the IUF sectors.

7. **At the national level,** engage with other women's organizations and other coalitions to:

- a. **Oppose the “tampon tax”**, i.e. the value-added tax charged on menstruation products while other products considered as basic necessities are exempted from this tax;
- b. **Combat period poverty** which affects women, girls and people who menstruate all over the world to ensure that they can afford to pay for the safe, hygienic menstrual products they need.

Remember that any activities or discussions around menstruation are very helpful in strengthening the integration of a gender approach on OHS (for example addressing the menopause as a workplace issue) and in paving the way for further discussion on equality in the workplace!

**"Some working conditions affect women’s reproduction specifically - the menstrual cycle itself can be lengthened, shortened or made irregular or more painful by exposure to solvents, cold or some work schedules". Karen Messing (2021), *Bent out of Shape*, p. 75**

**References:**

**ILO Convention C161 on Occupational Health Services** states that employers have responsibility for the health and safety of its employees including occupational functions and factors “which may affect workers’ health including sanitary installations”.

**ILO Recommendation 115 on Workers’ Housing** highlights the need for housing standards that include the supply of safe water, sewage and garbage systems, drainage and sanitary conveniences.

**ILO Code of Practice Safety and Health in Agriculture (2011)** has a section on toilets at Para 18.1. In addition to setting out some standards para 18.2.6 states: *“The employer or supervisor shall inform workers of the location of the sanitary facilities and allow each worker reasonable opportunities during the workday to use them.”*

**Sustainable Development Goals (SDG) 6** on clean water and sanitation, target 6-2: *“...to achieve access to adequate and equitable sanitation and hygiene for all... paying special attention to the needs of women and girls”;*

**Sustainable Development Goals (SDG) 8** on economic growth, employment and work, target 8-8 to: *“protect labor rights and promote safe and secure working environments for all workers, including migrant workers, in particular woman migrants and those in precarious employment.”*

Australian Federal Court case, Retail and Fast Food Workers Union Incorporated v Tantex Holdings Pty Ltd [2020] FCA12, decided in August 2020, which found that workers (in this instance, restaurant workers) have a legal right, within reason, to take breaks to use the toilet or have a drink of water outside breaks allowed under a workplace agreement. <https://www.judgments.fedcourt.gov.au/judgments/Judgments/fca/single/2020/2020fca1258>

## ***No 18 Menstruation – a workplace and trade union issue***

This 27<sup>th</sup> IUF Congress:

**Notes** that, despite that there are 800 million menstruating every day in the world, this is often subject to taboos and prejudices and we neither talk nor share knowledge about it. Stigmatisation and lack of knowledge help to preserve old customs and prevent people from fully enjoying their human rights such as going to school, working and participating in society. All union representatives and their unions have a large responsibility for addressing this issue.

Menstruation is one of the reasons why women miss out on parts of their education or are unable to participate in working life. This may be because it is considered shameful for a person to be perceptibly menstruating, menstruating people are in some contexts regarded as “unclean”, they are forbidden to attend school or work while menstruating, or the sanitary facilities are insufficient. Furthermore, the exclusion effects are exacerbated by poverty. A third factor that adds to exclusion is ignorance – ignorance about menstruation and health, and also ignorance that contributes to maintaining prejudice and repression.

Existing research must be supplemented with perspectives on how menstruation affects society, working life and individuals. Most of the available information is from non-IUF sectors, such as the textile industry. For these, data indicates that more than half of all menstruating persons have to be absent from work for one or two days every month (some data indicates that in some regions this figure is up to 96 %). The reasons are assumed to be largely the same as for absence from school: lack of safe and private sanitation facilities, shame, fear that someone will notice that the person is menstruating, menstrual pain and other physical discomfort.

Thus, there are no compiled statistics on the prevalence of absence and other problems related to menstruation in workplaces within IUF sectors, but we have reason to believe that the situation there is not significantly different from other parts of the labour market. This leads to considerable losses for workplaces and for the public, but primarily, of course, financially for those who are forced to be absent from work. This often affects those who are already financially worst off. Menstruation impacts on working life and is therefore definitely an important trade union issue. It is thus our task as a trade union to study the issue, identify the problems that exist in our own sectors, and devote resources to solving them.

### **In this context, the members of IUF affiliates have an important role:**

IUF affiliates work for equal employment opportunities and against all forms of discrimination;

IUF affiliates fight for better working conditions, and better health and security in the workplaces;

IUF affiliates share knowledge and work for change in society in general.

When it comes to issues relating to menstruation, gender equality and the right to sexual and reproductive health, the members of IUF affiliates in sectors such as agriculture, food processing and tourism can contribute to sharing knowledge and changing attitudes. It is often also possible for them, however, both as union representatives and professionally, to influence decisions made by government organisations and other agencies, decisions concerning anything from the availability of sanitary products to the design of toilets and sanitary facilities in the workplace.

**Proposes** that the IUF and its affiliates during the next Congress period shall work to raise awareness about issues around menstruation and ensure that there is access to toilets and sanitary facilities in all workplaces. IUF affiliates shall work actively to prevent and counteract exclusion from education, work or society due to menstruation.