

The Body in the Workplace

The *life course* edition

April 2022

Welcome to the **4th edition** of the Body in the Workplace Series!

The theme of this issue is the **life course** and how workers at different stages of life navigate the tension between their 'productive' and 'reproductive' activities.

Until recently an overwhelming (and necessary at the time) focus on pregnancy and motherhood has driven most academic debate and policy development in the area of gender, work and care. This means less attention has been paid to other reproductive processes that regulate human sexuality and reproduction across the life course including menstruation, assisted reproduction, pregnancy loss and menopause. However these processes have been linked to gendered disadvantage in the workplace, reflecting their low priority and stigmatization in the male-oriented world of work. This clearly has negative implications for women at work, but also for transgender, gender diverse and non-binary people in the LGBTQ+ community who experience discrimination related to these processes.

But with **growing social awareness** that these processes are linked to a range of workplace inequalities including economic insecurity, unhealthy or unsafe working environments and negative gender stereotypes, there has been an important shift in how we conceive of, and respond to, the reproductive body at work. Pregnancy and childbirth are no longer the exclusive focus of legal and policy development in the area of human reproduction. This is reflected in growing media interest in popular but divisive workplace policies, including corporate 'fertility benefits' and paid menstrual leave. Underlying these policy developments are a host of important issues for academics, industry leaders and policy makers to consider including the impact of such benefits on gender equality at work and their ability to offer protection to people of all ages, genders and sexualities who are engaged in different types of work including formal, informal and gig. These practical considerations also coincide with significant demographic and structural changes that are reshaping our working lives and require attention from governments and organisations including declining fertility rates, increasing female labour force participation rates and the seismic effects of COVID-19 on traditional work/care arrangements.

In this **special edition** of the Body@Work newsletter we share resources that shine a light on these complex issues, with a focus on menstruation, assisted reproduction, pregnancy loss and menopause as important reproductive

processes that shape our engagement in paid work across the life course. These processes are not necessarily linear, and may overlap, but are used to demonstrate the significance of the reproductive body for all workers, at all stages of life. The resources provided below are categorized into Academia, Government & Industry and Media and show why existing work, care and family policies may need to be recalibrated to accommodate the reproductive body and its changing relationship with the labour market over time, and to ensure just outcomes for people of all ages and genders.

Thank you for reading, we look forward to continuing to explore this exciting space with you and invite you to forward us any articles or publications you would like us to include in the next newsletter. Please send all suggestions with links to sydney.colussi@sydney.edu.au

Sydney, Liz and Marian

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New Publication from the Body@Work Convenors

In a new edited volume to be published by Sydney University Press, ***Make or Break: A Life Course Approach to Work, Care and Family Policy in Australia*** (forthcoming 2022), the convenors of the Body@Work Project, Prof Marian Baird, A/Prof Elizabeth Hill and Sydney Colussi (eds) explore the architecture of, and relationship between, work, care and family policies that will set the path for future generations of children, parents and workers. In eight chapters authored by leading scholars in the area of gender, work and care, the book explores the policies that are needed to support workers across all stages of life, from reproductive and parental leave, to early childcare, flexible work and aged care. To this end the book identifies problems in current policy design, the options for policy improvement and the prospects for a better functioning society that promotes gender equality and workplace productivity for all.

Menstruation

For girls, women and all people who menstruate, the menstrual cycle is a reproductive process that overlaps with most years of education and employment. However menstruation is subject to varying degrees of stigma across the world and has only recently attracted attention as an important factor that may shape participation in work. In recent years workers, unions and activists have drawn attention to a range of menstrual inequities in the labour market including the normalisation of period pain, failure to accommodate severe pain related to endometriosis, inadequate hygiene facilities and negative gender stereotypes. There is a growing chorus of voices calling for new policies to address these issues including paid leave or flexible work for menstruation, measures to create 'period friendly' workplaces and free menstrual products to address period poverty at work.

Academia

- Marian Baird, Elizabeth Hill & Sydney Colussi, [Mapping Menstrual Leave Legislation and Policy Historically and Globally: A Labor Entitlement to Reinforce, Remedy or Revolutionize Gender Equality at Work?](#) (2021) 42(1) *Comparative Labor Law & Policy Journal*
- Bridget J. Crawford & Emily Gold Waldman, [Menstruation Matters: Challenging the Law's Silence on Periods](#) (NYU Press, forthcoming June 2022)
- Gabrielle Golding & Tom Hvala, [Paid Period Leave for Australian Women: A Prerogative Not A Pain](#) (2021) 43(3) *Sydney Law Review*
- Alana Munro, Melanie Keep & Erin C Hunter, [Confidence to Manage Menstruation among University Students in Australia: Evidence from A Cross-sectional Survey](#) (2022) 18 *Women's Health*

Government & Industry

- Jane Bennett, Cas Melican & Mary Crooks AO, [Ourselves At Work: Creating Positive Menstrual Culture in Your Workplace](#) (Victorian Women's Trust, 2021)
- Alison Green, [How Do I Ask for Monthly Time Off to Deal with My Period?](#) (Ask A Manager, 28 February 2022)
- Alana Munro, [Periods Impact Potential: Findings from the Australian Department of Health 2021 Menstrual Health Survey](#) (Australian Department of Health, March 2022)

Media

- Hannah Filmer, [Auckland Woman Takes Her Managers to Human Rights Tribunal over Period Stigma](#) (Re News, 26 February 2022)
- Hilary Harper on Life Matters, [The Case for Menstrual and Menopause Leave](#) (ABC News, 8 March 2022)
- Madeline Hislop, [Toilets for Female Tradies 'Overlooked' on Construction Sites](#) (Women's Agenda, 19 August 2021)
- Julie Landry, [Trans, Gender-diverse People with Endometriosis Fight 'Double Battle' against Pain and Lack of Recognition](#) (CBC News, 31 March 2021)
- Geeta Pandey, [India Teachers' Fight for Period Leave Gathers Steam](#) (BBC News, 8 August 2021)
- Maddy Savage, [How to Create a Period-Friendly Workplace](#) (BBC News, 27 March 2019)
- Maja Zonjić, Caitlin Baker-Wanhalla, Serena Cooper, Olivia Dobbs, Romy Gellen & Charlotte Hawkins, [Period Poverty and Pedagogy of Care](#) (PPE, 22 February 2022)

Assisted Reproduction and Fertility Treatments

For workers who are trying to conceive, or who wish to delay pregnancy and childrearing until later in life, assisted reproduction and fertility treatments are important processes that shape their experiences in paid work. In the context of declining fertility rates and fertility postponement, some governments and workplaces are adapting their policies to include egg freezing payments, paid IVF leave, and fertility packages that include these benefits and other work/care policies such as paid parental leave and flexible work arrangements. This is a particularly complex policy area that raises several concerns including the risk of deepening race and class inequalities around human reproduction. As corporate policies such as egg freezing benefits are only available to those in formal (and often highly paid) jobs, it is important to recognise that people in insecure, informal or unpaid work arrangements are unlikely to receive support for assisted reproduction, which is both time and cost prohibitive.

Academia

- Naomi Gershoni & Corinne Low, [The Power of Time: The Impact of Free IVF on Women's Human Capital Investments](#) (2021) 133 *European Economic Review*
- Janne Rothmar Herrmann, [Applying the Right to Health to Reproductive Rights – The Case of Elective Egg Freezing](#) (2021)

Media

- Sophie Aubrey, [IVF on Us: Spotify Leads the Way with Family Benefits for Australian Staff](#) (The Sydney Morning Herald, 10 October 2021)
- Marian Baird, Elizabeth Hill & Sydney Colussi, [Balancing Work and Fertility Demands is Not Easy – But Reproductive Leave Can Help](#) (The Conversation, 25 November 2021)
- Katie Bishop, [How Fertility Became A Workplace Perk](#) (BBC News, 18 October 2021)
- Avery Stone, [More and More Companies Are Covering the Cost of Egg Freezing. But Who Is It Really For?](#) (Vice, 26 May 2020)

Pregnancy Loss

Pregnancy loss including through **miscarriage, stillbirth and termination** is a common occurrence that affects workers across the world but is often stigmatised or 'silenced' in professional settings, with inadequate support for those who are managing the physiological and emotional effects of this loss. However there is increasing acknowledgment that workers require additional leave to cope with pregnancy loss, leading to **recent legislative reform** in countries such as Australia and New Zealand, which now offer two and three days, respectively, of paid bereavement leave for miscarriage and stillbirth. Some companies and unions are also supplementing existing labour entitlements by introducing their own provisions for miscarriage and stillbirth leave.

While such changes are welcome, this policy area still raises important and unresolved questions, including whether 2-3 days is a sufficient period of leave and whether expectant parents in the LGBTQ+ community are receiving

enough organisational and policy support to manage their own experiences of pregnancy loss. It is also concerning that terminations may be excluded as a ground for leave, an issue that has been flagged in New Zealand, which risks heightening stigma and workplace inequality around abortion.

Academia

- Melanie Keep, Samantha Payne & Jane Ellen Carland, [Experiences of Australian Women on Returning to Work after Miscarriage](#) (2021) *Community, Work & Family*
- Kate Louise Obst, Clemence Due, Melissa Oxlad & Philippa Middleton, [Australian Men's Experiences of Leave Provisions and Workplace Support Following Pregnancy Loss or Neonatal Death](#) (2020) *Community, Work & Family*
- Emily T. Porschitz & Elizabeth A. Siler, [Miscarriage in the Workplace: An Autoethnography](#) (2017) 24(6) *Gender, Work & Organization*
- Alice Rose & Melissa Oxlad, [LGBTQ+ Peoples' Experiences of Workplace Leave and Support Following Pregnancy Loss](#) (2022) *Community, Work & Family*

Government & Industry

- Fair Work Ombudsman, [Compassionate & Bereavement Leave](#)
- Kin Fertility, [#WeNeedMoreLeave](#) Campaign for 10 days of paid miscarriage leave

Media

- Madeline Hislop, [NSW Government to Introduce Paid Miscarriage and Stillbirth Leave in Public Sector](#) (Women's Agenda, 22 June 2021)
- Marie O'Halloran, [Bill Aims to Provide Paid Leave for Early Miscarriage](#) (The Irish Times, 24 May 2021)
- Stephanie Palmer-Derrien, [Linktree, Blackbird and Hoyts among 50 Businesses Committing to Improved Miscarriage Leave Policies](#) (Women's Agenda, March 2022)

Menopause

Trends in population ageing and women's increased labour force participation mean that women over the age of 50 are one of the fastest growing demographics in the global labour market. As a result there is an increased likelihood of people going through **menopause in the workplace**. A growing body of research evidence shows menopause is linked to a range of workplace inequalities, including sexist and ageist attitudes toward mature women workers, inflexible or unsupportive working environments and economic insecurity related to increased hours of part-time work and early retirement. These inequalities are attracting considerable attention in the media and law and policy reform, as menopausal workers bring anti-discrimination claims to employment tribunals in the UK and companies, unions and government bodies explore 'menopause policies' to provide flexible work, resources and managerial support for workers at this life stage. These are significant developments, but it is important to recognise gaps in the discourse on menopause and employment, which often overlooks the experiences of women of colour and transgender, gender diverse and non-binary people going through menopause.

Academia

- Vanessa Beck, Jo Brewis & Andrea Davies, [Women's Experiences of Menopause at Work and Performance Management](#) (2021) 28(3) Organization
- Alex Bryson, Gabriella Conti, Rebecca Hardy, Darina Peycheva & Alice Sullivan, [The Consequences of Early Menopause and Menopause Symptoms for Labour Market Participation](#) (2022) 293 Social Science & Medicine
- Alicia A. Grandey, Allison S. Gabriel & Eden B. King, [Tackling Taboo Topics: A Review of the Three Ms in Working Women's Lives](#) (2020) 46(1) Journal of Management

Government & Industry

- Joanna Brewis, Vanessa Beck, Andrea Davies & Jesse Matheson, [The Effects of Menopause Transition on Women's Economic Participation in the UK](#) (Department for Education Research Report, July 2021)
- Mayor of London, [Mayor Announces World-Leading Menopause Policy](#) (London Assembly, 8 March 2022)

- ILO The Future of Work Podcast, [Is the Menopause A Workplace Issue?](#) (Online, 7 January 2022)

Media

- BBC News, [Menopause – the Last Workplace Taboo?](#) (Business Daily, 29 June 2021)
- Natalie Cornish, [Women of Colour Go through Menopause Earlier a New American Study has Found](#) (Red Online, 27 April 2021)
- Amelia Hill, [Menopause at Centre of Increasing Number of UK Employment Tribunals](#) (The Guardian, 7 August 2021)
- Sirin Kale, ['My Bosses Were Happy to Destroy Me' – The Women Forced out of Work by Menopause](#) (The Guardian, 18 August 2021)
- Megan Sutton, [We Need to Talk About the LGBTQ+ Menopause Experience](#) (Good Housekeeping, 16 February 2021)
- Alexandra Topping, [Equality Laws could be Changed to Protect Women in Menopause, says MP](#) (The Guardian, 18 August 2021)

The Body@Work Project and Newsletter is convened by Sydney Colussi, A/Prof Elizabeth Hill and Prof Marian Baird, The University of Sydney