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Legal Theoretical and Practical Issues of the Introduction of Menstrual Leave

Abstract

Spain is the first among the European countries where menstrual leave has been introduced. Both the Spanish legislator and the social partners agree in that there are still several opened questions. The list of the opened questions can be found not just in the Spanish regulation, but in the regulating non-European countries as well. The certain countries follow different practices. One of the aims of our study was the collection of these experiences. Its other aim is to present the legal theoretical and practical issues emerging in case of a possible national regulation. Our study is intended to be a debate-starter paper, knowing that all the questions cannot be examined in the frames of this current study.

1. Introducing thoughts

International literature defines menstrual leave as a leave that makes possible for menstruating people to take leave in labour law sense as well if they are unable to go to work because of their menstruation. This is considered as such a policy that may influence menstruating people in several ways,¹ including their employment status.² The international interdisciplinary studies related to menstruation are associated with the definition of menstrual health. This means a wide context also for legal law thinking, since it is intertwined with the sustainability goals, equality between genders and basic human rights,³ so this also determines the policy requirements besides the direction of the research.⁴ Menstrual leave may mean several advantages for menstruating women. Perhaps, its most important benefit is that making the leave possible may decrease the suffering due to physical symptoms accompanying menstruation. Such point can also be read according to which the labour law acknowledgement and evaluation of menstruation also carries the destigmatization of menstruation.⁵ In case of modern gender issues, further aspects can be explored in connection with the trend of menstrual health, especially in terms of trans men.⁶ Nevertheless, menstrual leave also carries risk factors in itself because its sensitive circumstances, which factors are primarily not legal in nature.

2. Examples from abroad

The examples of menstrual leave should be searched basically outside of Europe. If we are searching in the legal options, Japan, South-Korea, Indonesia, Taiwan and Zambia, one Chinese province⁷ and Mexico⁸ can be mentioned.⁹ But these examples can be classified into two categories: one is the case of providing a day off where the option of paid and unpaid free day should be separated, while the other category is to provide the option of flexible work where the employer typically offers the option of home office for the employee in case of menstruation.

In Japan, legal-level protection has been guaranteed for menstruating women since 1947.¹⁰ The legislation does not determine the number of the possible free days, but based on the legislation, salary is also not guaranteed during this time,¹¹ since the certain employer can decide individually whether these days can be qualified as paid leave. “According to the data of the Japanese Ministry of Labour Law from 2020, 30% of the companies provide full or partial salary for the female colleagues voluntarily. At the same time, only 0.9% of women live with the option of menstrual leave.”¹² At the same time, Dan stated that the Japanese trade unions also emphasized that menstrual leave should be provided not just in case of “painful” menstruation but in case of being symptomless as well, since the aim of menstrual leave was the protection of women’s fertility.¹³

The next example is South-Korea where menstruating women are entitled to one day of unpaid leave in every month. The employer is obliged to give this leave, missing this is accompanied by a fine of thousands of Euros.¹⁴

Based on an act from 2003, Indonesia also provides the opportunity for rest time related to menstruation in maximum two days of paid leave monthly, but the details should be discussed by the parties here, and the employee has the obligation of prior notification. Similarly to South-Korea, the practice unfortunately shows that the employers of this country also do not use the regulation adequately, as they often do not ensure the paid free days associated with menstruation,¹⁵ and they require material proof from the employees, violating human dignity.¹⁶ Regarding free days, Taiwan regulates menstrual leave to the narrowest extent, since it defines it in one day monthly, but only in maximum three days in a year.¹⁷ An additional point of interest is that 50% of their wage is provided for the time of menstrual leave, such as in case of sick leave.¹⁸ In Africa, Zambia made one day of menstrual leave in a month possible in an act of 2015, moreover, it is available also in case of the lack of medical certificate, and its prior notification by the employee is also not required based on the legislation.¹⁹

But, besides legislation, social partners also deal with the issue of menstruation. More and more employers have rules about the rest time related to menstruation in their inner organization: for example, the Zomato, a food delivery start-up in India provides ten paid days off in a year because of menstruation.²⁰ Also in India, a digital communication agency called Gozoop has introduced a menstrual measure based on which employees can work from home on one day in a month during the period of menstruation.²¹ This is a special approach of menstrual health, since it does not make exemption from work possible, it only makes difference between the places of work.

But similar examples can be found in Australia, England²² and France as well, where a furniture manufacturing company provides 6-10 paid free days in a year for female employees.²³ In England, Bex Baxter, the director of the social service company called Coexist also started a program in 2016 that made possible for women to stay at home during menstruation. However, the employer could show further achievements over the free day as well, since it established “well-being rooms” in which both menstruating and not menstruating workers could go during the working hours in order to have some rest and maintain their mental health.²⁴ Despite the modernity of the program, the employers evaluated it as the degradation of the achievements of feminism, since, according to their point of view, it pushed them to a victim role, and they believed to discover the termination of the possibility for promotion.²⁵

Additionally, it is worth to mention the globally acting Nike company that made the part of its corporate policy in case of all of its sites and contracting companies in 2007 that the female employees could take a leave in case of menstruation.²⁶

The member states of the European Union also deal with menstrual health. This is also illustrated by a Dutch survey made in 2017 in which, based on the answers of the asked 32 000 women, those belonging to the target group have 8-9 days a year when they are unable to work productively because of menstruation.²⁷ Yet, Spain is the only EU member which has acted so

far, and the Spanish government has accepted the act on menstrual leave in 2022. The legislation provides minimum 3,²⁸ maximum 5 days a month to stay at home in case of severe menstrual pain, however, they need a medical certificate to do so. As a new legislation, it is worth to examine the related statements as well to be able to conclude to the application of the legislation. Accordingly, it should be highlighted that Rodriguez, holding the office of the minister of equal opportunities at the time of the legislation, emphasized that it should be interpreted as the employee will be entitled to the leave only in case of serious health complaints.²⁹ It should also be noted that this opportunity cannot entirely be interpreted as a sick leave, since this leave is paid by social insurance from the first day.³⁰

Despite the strict rules, the Spanish social partners have raised their worries in connection with the effects of the new regulation. Cristina Antoñanzas, the deputy secretary of one of the greatest Spanish trade unions, the Unión General de Trabajadores (UGT), emphasized during the legislation process that menstrual leave may have stigmatizing effect.³¹ The Spanish vice president Nadia Calviño “worries about that if the recommendation is accepted, employers will less tend to employ women because of the three day/month menstrual leave.”³²

These worries have also prevented the legislation processes in other EU member states, since an Italian recommendation was also done for the establishment of menstrual leave, but the social partners assessed it as putting female employees at a disadvantaged position from the point of view of their labour market opportunities.³³ However, the German literature evaluates this paid leave as a forward pointing idea, since this promotes the menstruating persons’ right to equal treatment, especially in accordance with the advantaging policy originating from the differences between genders.³⁴ But the German solution still uses sick leave, with the relief that the exact cause of the illness (menstruation) should not be indicated.³⁵ At the same time, the Swiss social partners have shut down this kind of legislation process for now, as according to their point of view, the leave is connected not to menstruation but to the relating sickness which practically manifests the disease that is in association with other, existing labour law and social law legal institutions.³⁶

Despite these, the fact that the Spanish legal environment has already had the legal discount related to menstrual health is still forward looking for the legislation of the other EU member states.

3. Legal theoretical and practical issues related to the introduction of menstrual leave

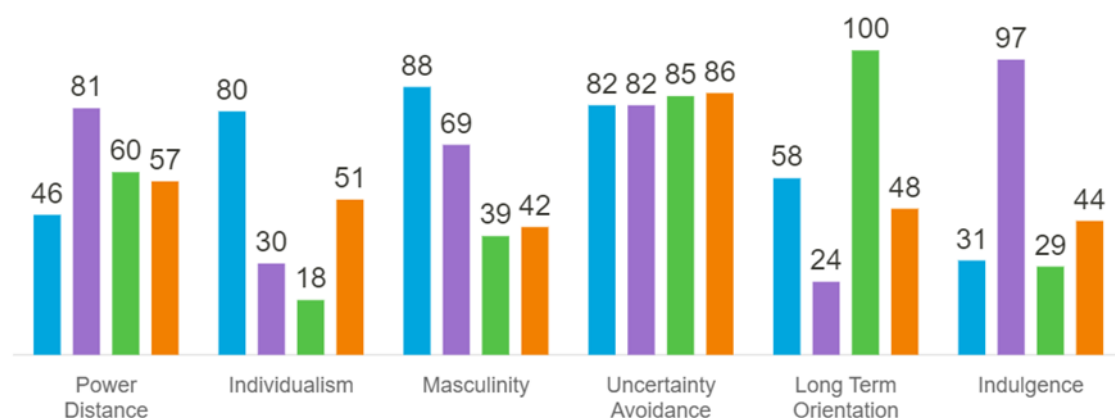
The foreign examples raised above are all thought-provoking solutions. But the most important factor besides these is that we can discuss this very important, primarily labour law topic in a meaningful way. The topic strongly connects to the equality between genders by that it is based on such a biological phenomenon specifically related to being a woman as menstruation. Although, besides the current social relationships, the gender perspective approach of the issue should be considered as well, what raises other aspects of equal treatment. Because the international literature examined before defines the menstruating persons. But the current politics’ interpretation in connection with social genders is also known, that is why we are focusing primarily on female employees. We would like to present those most important issues (in our opinion) which the decision makers may meet with if they would like to introduce this kind of leave. Nevertheless, we do not dispute that the results achieved by female employees in this form could be used in a wider range by the acceptance of a wider gender perspective.

Menstruation can be described as a cycle which means the process of ovulation. If the ovum is not fertilized during the cycle, it starts to descend on the ovarian duct: if fertilization does not happen, it is simply absorbed. The levels of oestrogen and progesterone start to decrease, and as a result, the mucous membrane of the uterus will be detached, and it leaves the body in the

form of menstrual bleeding. So, not just pure blood, but blood and tissue parts are eliminated via the vagina. At this time, the smooth muscle of the wall of the uterus contracts to help the process: that is why milder or stronger abdominal cramps occur during menstruation.³⁷ Menstruation is a phenomenon accompanied by bleeding, cramps, and pain at the end of the menstrual cycle. It is such a physical and mental condition that causes changes in the woman's existence and being for the certain period. This phenomenon is more than such things as they cannot go to the beach or girls are released from PE lessons on these days. But it is also true that speaking about menstruation in general would be quite demagogic. The symptoms and that how well they can handle them is individual in case of every woman. Somebody has no problems with it, but some of them suffer a lot in these days.

We ourselves do not question the *raison d'être* of this leave. We agree with every strike which strengthens women's rights as well. On the other hand, we consider it necessary to emphasize that it is also necessary to talk about such taboo topics as menstruation. Its necessity is indicated by that the second turn of the Q-point of the European Parliament's report called "Report on women's poverty in Europe" highlights that we should also deal with the topic of menstrual poverty which significantly influences a woman's social and economic situation as well.³⁸ Menstrual poverty itself also covers a great social and legal problem. But it is flashed in this current study that the legal institution of menstrual leave is critical at numerous points as the introduction of menstrual leave has several prior and basic questions as well.

One of the first questions is how this examined legal institution could prevail in such a masculine society as i.e., the Hungarian. It can be seen from the distribution of the genders in the parliament that Malta is the only country where there are fewer female representatives in the legislation than in Hungary.³⁹ The database of the Hofstede Insight is the basis of our examination, where the profile of four different countries can be requested at the same time. At the time of writing this study, we requested the country data of Spain (as it regulates the issue freshly), South-Korea and Mexico (they have been dealing with the issue for longer) and Hungary's profile.



An application generates comparative results from the database. Hungary's results can be seen in the first column, data of Mexico are in the second, South-Korea is the third and Spain is in the fourth column. From the presented aspects, we would like to highlight masculinity. Analyses will be done in a more detailed text form as well.⁴⁰ According to the analysis, Hungary achieves 88 points on this dimension, so it is considered as a masculine society. In masculine countries, people "live to work", and leaders are expected to be strong-minded. Emphasis is on equity, competition and performance, and conflicts are solved by fight.⁴¹ In another query, we also requested the data of other countries mentioned in this paper.⁴² Among the requested

countries, the masculinity value of the society was higher only in Japan, it is 92. By the way, this can be felt on the regulation of menstrual leave as well.

This is also an important point of view because if there are decisively more men in legislation, then certain issues affecting women will not come to the fore or with not the appropriate weight. In this context, stereotypes should be mentioned in some words. Edwards highlights that stereotypes related to genders mean the basis of how men and women should behave according to the society. Stereotypes between genders have effects on the society.⁴³ By thinking further Epsteins's fundamentals, Peterson and Runyan explain that sexual stereotypes are originally political in nature. They can be used as the tools of the manipulation of power relations between men and women. They become naturalized in the society by the process of reduction and maintenance. Because of this, sexual stereotypes become self-fulfilling if we expect certain behaviour forms. In this case, we may act in such way, even against our will, that in fact corresponds to the stereotype and they strengthen these behaviour forms.⁴⁴ That is why it is important at the initial step that how the decision maker can abstract from the stereotypes, and how he/she can understand menstruation in this case as a physical-mental process. How menstruation is understood as one of the elements of female identity.⁴⁵ In this moment, it is important how many women are in decision-making and how they can assert their will. This is also important because the international examples presented above or, if you prefer, the good practices are quite variable. Besides these, certain patterns can be seen which refer to the sexual composition of the decision-making organization. Another important issue is whether the introduction of menstrual leave really contributes to workplace equality.

4. Does menstrual leave establish workplace equality?

Menstrual leave has been introduced under the flag of equality in the examined countries, however, with different causes and methods. If we highlight the newest solution from the above-mentioned examples, the deputy secretary of the Spanish UGT explained her worry whether such a legal institution will have stigmatizing effects or not. Her question is not baseless in the current labour market relations. It is enough to draw a parallel with the labour market status of employees raising infants or expecting a baby.⁴⁶ The protective institutions belonging to our labour law, such as the prohibition of termination or the unpaid leave used with the aim of parenting or caring for a child have been included in the legislations with the aim of providing protection for working women regarding their biological and physical capabilities. Article 8 of the European Social Charter has also highlighted the rights of working women which carried the profigurations of the legal institutions currently in force with it. Convention No. 102 of the ILO regulated certain social insurance issues in association with this regulation. So, these two international documents together gave such a legal frame that was a minimum standard pack applicable also for working women. The European Union, the UN, the ILO, and the Council of Europe have tried to develop these provisions with their own tools with more or less success. In parallel with this, the mentioned provisions were included in the national legislation as well, and they often started their development on their own independent ways. The main goal was the establishment of equality. Although, the background ideology was not acceptable for all participants of the labour market, or the message could not be transferred for some participants. So, it often happened that the set of the protection rules which were intended to protect the equality of working women became its obstacle. Some employers still have those sexual stereotypes which does not necessarily treat women as equal partners. Questions about having children or family asked from female applicants on job interviews often prove this. It should be seen here as well that neither the intention nor the regulation is wrong, but the circumstance that stereotypes cannot be really liquidated.

But after presenting the background, it is still questionable whether giving this kind of leave crosses the frames of equal treatment. If it is examined from the side of equality, menstruation can be considered as such a biological phenomenon related to women's existence that may be the basis of a protected feature; directed from the basis of either the gender as a protected feature or health status as a protected feature. Male employees create a comparable control group who do not menstruate, so, this phenomenon is obviously an extra element compared to their situation. That is why the positive legal evaluation of this phenomenon does not realize discrimination against men in our opinion. This regulation would fit into the above-described structure which considers special life situations related to being a woman, such as having a baby or even the prohibition of working under the ground. Menstruation is also such a characteristic that justifies its legal law evaluation. In our opinion, rather the rules of preference defined in §11 of the Ebktv. (Act CXXV of 2003 on equal treatment and promotion of equal opportunities) would be the normative.

The employee probably could not be obliged to use menstrual leave. After that, the question is to what extent women can/want to take advantage of the possibility of menstrual leave in case of an actual labour law regulation. It can be seen from the processed foreign examples that i.e., in Japan, 0.9% of women used the leave which could be used besides not completely clear rules, by the way. This also happens besides that nearly 30% of the companies provided paid or partially paid leave for these days. In some cases, women themselves saw the rejection of the inventions of feminism and the disabling of promotion in this regulation, as it has also been presented above. This latest has been created as a reaction for the companies of Western Europe where the situation of women is more organized than in the East.

It has been mentioned above that it is not sure whether this kind of taboo-breaker regulations always affect in a positive way.⁴⁷ Despite protection, the protected people do not use the preferring legal institutions because they fear from that the enforcement of law would become the basis of discrimination against them (directly or indirectly). This tendency can be predicted in connection with menstrual leave as well. Will female employees be equal at work in the mirror of these? This depends not just on the introduction of leave. Mainly because most of the entitled people count on becoming discriminated because of using this discount. Besides these, the introducing employers can take advantage of it, since this kind of activities can also be accounted even in the CSR reports of the companies.⁴⁸ And yet, effective result can be achieved only if the thinking of the participants of the labour market changes to that such a measure is not just a superficial event, but there is a real content, intention, and motivation behind it.

In our opinion, this labour law legal institution, the probable introduction of menstrual leave in our country, does not cross the requirements of equal treatment in female-male relation for men's disadvantage. In a slightly unusual way, the question is whether the harm of equal treatment can be realized in the relation of female employees regarding menstrual leave. We consider the problem relevant as women face with the occurrence of the phenomenon of menopause over a certain age. As literature also highlights: *"Menopause is a natural biological condition which means the end of the period of fertility. Independently, menopause may cause unfavourable physical symptoms, emotional instability, and the feel of loss."*⁴⁹ From the aspect of our study, this phenomenon is relevant because women went through menopause mostly do not menstruate.⁵⁰ Because of this, we can discover indirect discrimination among women based on age. In this range, we raise an even further pointing question whether making difference between menstruating and not menstruating women can be protected from the aspect of equal treatment. If the legislator decides to introduce the regulation, it should pay attention to the way of the arrangement of this issue as well. In the practice of the equal treatment authority, having the same protected feature does not result in the violation of the Ebktv. in case of discrimination. But is the protected feature really the same? As this difference can mostly be associated with age as well.

5. Procedure issues around menstrual leave

Besides the discussion of the questions above, the payment of the leave should also be mentioned. Several different solutions can be seen in the foreign examples. The first question is in which range menstrual leave itself should be introduced. Should it be a guaranteed entitlement, or should it be given for only those women who can prove that they are incapable to work because of menstrual complaints? The simplest solution, and maybe the least problematic, is the regulation of the guaranteed leave. The guaranteed benefit does not necessarily mean that the legislator cannot build guarantees in. We think about medical certificate here, for example. Any of the solutions would be chosen, the legislator should always pay attention to personal rights. Since menstruation and data about the employee's menstrual cycle are sensitive data. So, it is worth to rethink the issue of the obligation of co-operation and information in this question as well.

Any of the solutions would be chosen, the method of providing absence should also be defined. Some of the mentioned countries provide absence in the form of leave (paid or unpaid), while other countries offer home office or other kind of work at home. These two solutions focus primarily on countries out of Europe. In some of the European legislations and company policy examples, sick leave occurs as an alternative. This latest is closer to the acknowledgement by social insurance.

Based on these, it is also a question whether menstruation is a disease or not. The online Health Science glossary of the National Institute of Health Services defines the concept of disease as such a deviation from the socially accepted health image that decreases lifetime or deteriorates the quality of life (so, it causes death or functional disorder, and/or pain), and that is perceived by the individual or his/her environment (including the perception of the supply system and diagnostic devices as well).⁵¹

According to this definition, what is considered to be a disease or not can change by cultures. The deviation from the accepted health image also means that the individual and the society also would like to do something against it. In this sense, disease is a condition which has the ability to start healthcare activities aiming the treatment or prevention.

In our opinion, menstruation itself is not a disease. Although, menstruation (mainly its disorders) can induce healthcare activity in very rare cases, but it cannot be prevented or cured. Although it is not a disease, but it may be accompanied by symptoms which result in the incapability to work in a significant part of women on the days of menstruation. This may also mean that it can cause the loss of salary. This is also important because if the legislator would solve the issue in the form of unpaid leave, this lost salary would not be replaced, only if social insurance would accept menstruation as a cause for incapability to work and a base for the entitlement for sick pay. Unpaid leave would not motivate women to live with this right, and we think they would be at a disadvantage in the field of equal payment. And, as it has also been mentioned, the issue of unpaid leave can provide protection only in the form of creating a special sick pay entitlement at the same time. A sick pay benefit that does not have a condition of being insured earlier. In this case, the state should finance menstrual leave. This choice is noticeably a legal political issue for which there are two possible solutions. One and the most possible is that the state fulfils its task to regulate the financial part and blame it to the employer. For example, it regulates it as a paid leave based on the German example, as a sick leave. With this, it accepts women's incapability to work for this period, but as a sick leave, it will mean a benefit to be financed by the employer. The other, less possible solution is that the state itself bears the financing of the costs of these benefits.

6. Work organization issues - Practice of the single employer with menstruation

The examined issues have been examined on a higher level, but it is known that there will be problems to be solved not just there, but on workplace level as well. In connection with financing, the employer's responsibility has been mentioned. If it is a paid leave, we talk about money to be paid by the employer. Meanwhile, the use of this leave that can be defined in numerous forms raises practical questions as well. The regularity of the menstrual cycle itself is an important question. It arrives precisely in some people, but there are a lot of people with irregular cycle. This may cause a new difficulty for both the employee and the employer, since the regular demand for absence may occur in uncertain times in case of a certain employee that makes work organization difficult. In practice, as the classic prior notification does not work in this unstable relation, the practice of sick leave would be an alternative, by the help of which the legislator could arrange this issue in the simplest way by trying managing somehow the free-rider problem occurring in this kind of systems. It is also definitely necessary to build a new kind of trust between employees and employers. However, it should be added to this analysis that this would not be a compulsory leave like the additional leave of juvenile employees in any way; but it would be an opportunity which tries to offer help for menstruating employees suffering from pain and having decreased working ability.

7. Closing thoughts

Menstrual leave has occurred in a pioneer way in Europe. Following international examples, Spain has given a way the protective tool floating for long that makes possible for menstruating employees to go for a leave. There are similar solutions in many countries over the world, not just from the direction of the legislation but social partners as well, so the question emerges how the Hungarian legal system could cope with such an innovation. Based on the thoughts above, the Hungarian legislation may face with several difficulties. The opinion of the social partners in the issue should be considered since the unconsidered regulating method may mean significant additional costs for the employer in financing and numerous other fields. But we still think that, for menstrual health as the greater purpose, it is essential that employees in Hungarian workplaces fighting with menstruation should also experience the labour law protection which they are entitled to. The protection should be a protection that can be derived from a multi-level fundamental law level. Of course, this would not mean that it should be involved in the Fundamental Law. It means that talking about women's rights, should also include issues such as menstrual health and labour and social law protection related to menstruation. As we believe in the importance of this interpretation, in our study, we have examined the legal theoretical and certain emerging practical issues besides the presentation of the possible sample examples. Besides these, further questions emerge which may exceed the frames of this publication, since their interdisciplinary being is unquestionable. But the labour law approach of menstrual leave is still important and necessary, promoting the establishment of equal situation between genders, to which this study also strives to contribute.

¹ Levitt and Barnack-Tavlaris raises that this influence can be realized in numerous ways, i.e., probably in negative way as well, since it can discriminate women when establishing an employment relationship, or in wages and promotion. See more: Rachel B. *Levitt* – Jessica L. *Barnack-Tavlaris*: Addressing Menstruation in the Workplace: The Menstrual Leave Debate. In: The Palgrave Handbook of Critical Menstruation Studies (edited by Chris Bobel – Inga T. Winkler – Breanne Fahs – Katie Ann Hasson – Elizabeth Arveda Kissling – Tomi-Ann Roberts). Palgrave Macmillan, Singapore 2020. Pages 561-577

² *Levitt –Barnack-Tavlaris*: i. m. page 561.

³ Julie Hennegan – Inga T. Winkler – Chris Bobel – Danielle Keiser – Janie Hampton – Gerda Larsson – Venkatraman Chandra-Mouli – Marina Plesons – Thérèse Mahon: Menstrual health: a definition for policy, practice, and research. *Sexual and Reproductive Health Matters* 2021. No. 1., Page 31-38

⁴ Hennegan – Winkler – Bobel – Keiser – Hampton – Larsson – Chandra-Mouli – Plesons – Mahon: i. m. Page 31.

⁵ Levitt – Barnack-Tavlaris: i. m. page 563.

⁶ See about this: Joan C. Chrisler – Jennifer A. Gorman – Jen Manion – Michael Murgo – Angela Barney – Alexis Adams-Clark – Jessica R. Newton – Meaghan Mcgrath: Queer Periods: Attitudes toward and Experiences with Menstruation in the Masculine of Centre and Transgender Community. *Culture, Health, & Sexuality* 2016. No. 11., Pages 1238–1250.

⁷ In a province of North-China, there is an option for two days of menstrual leave monthly. Katie Forster: Chinese Province Grants Women Two Days ‘Period Leave’ a Month. *Independent* 2016. <http://www.independent.co.uk/news/world/asia/chinaperiod-leave-ningxia-womentwodays-a-month-menstruation-a7197921.html> (26/07/2022)

⁸ Levitt – Barnack-Tavlaris: i. m. page 569.

⁹ In connection with the possibilities in the USA, see: Jessica L. Barnack-Tavlaris – Kristina Hansen – Rachel B. Levitt – Michelle Reno: Taking leave to bleed: Perceptions and attitudes toward menstrual leave policy. *Health Care for Women International* 2019. No. 12., Pages 1355-1373.

¹⁰ Beatrix Asboth: Menstruációs szabadság - példák a nagyvilágból. 26/05/ 2022 <https://hu.euronews.com/2022/05/26/menstruacios-szabadsag-peldak-a-nagyvilagbol> (26/05/2022)

¹¹ Alice Dan: The Law and Women’s Bodies: The Case of Menstruation Leave in Japan. *Healthcare for Women International* 1986. No. 1- 2 Pages 1-14.

¹² Asboth: i. m.

¹³ Dan: i. m. page 13.

¹⁴ According to a survey made in 2018, despite the fine threatening the employers, only one fifth of the female employees take this day off in South-Korea. Asboth: i. m.

¹⁵ L. Note 14.

¹⁶ <https://www.origo.hu/egeszseg/20140522-menstruacios-szabadsagot-a-noknek-betegszabadsag.html> (25/07/2022)

¹⁷ L. Note 14.

¹⁸ L. Note 16. and Emily Matchar: Should Paid ‘Menstrual Leave’ Be a Thing? <https://www.theatlantic.com/health/archive/2014/05/should-women-get-paid-menstrual-leave-days/370789/> (25/07/2022)

¹⁹ Unfortunately, practice shows that the employer expects the prior notification of using the free day, despite the regulation. L. Note 14.

²⁰ Lampért Zsófia: Nem biztos, hogy olyan jó a menstruációs szabadság. <https://marieclaire.hu/riporter/2021/10/21/menstruacio-munkahely-fizetett-szabadsag/> (25/07/2022)

²¹ Levitt – Barnack-Tavlaris: i. m. page 570.

²² <https://www.theguardian.com/lifeandstyle/2016/mar/02/uk-company-introduce-period-policy-female-staff> (25/07/2022)

²³ L. Note 14.

²⁴ Levitt – Barnack-Tavlaris: i. m. page 570.

²⁵ Lampért: i. m.

²⁶ <https://erdbeerwoche.com/meine-umwelt/menstrual-leave-die-wichtigsten-infos-zum-menstruationsurlaub/> (25/07/2022)

²⁷ Lampért: i. m.

²⁸ Mizsur András: Menstruációs szabadság bevezetését tervezik Spanyolországban, három nap járna a fájdalomtól szenvedő nőknek. <https://telex.hu/kulfold/2022/05/12/spanyolorszag-menstruacios-szabadsag-torvenytervezet> (12/05/2022)

²⁹ L. Note 28.

³⁰ Matrai Anna: Havi 3 napot maradhatnak otthon a nők Spanyolországban. <https://hu.euronews.com/next/2022/05/17/havi-3-napot-maradhatnak-otthon-a-nok-spanyolorszagban> (25/07/2022)

³¹ L. Note 28.

³² L. Note 28.

³³ L. Note 20.

³⁴ Laura Weisenburger: Die Menstruation ist kein Urlaub! <https://www.apotheken-umschau.de/mein-koerper/weibliche-geschlechtsorgane/kommentar-die-menstruation-ist-kein-urlaub-873409.html> (03/06/ 2022)

³⁵ Nina Kegel: Spanien ermöglicht Menstruations“urlaub“. <https://goodnews-magazin.de/spanien-ermoeglicht-menstruationsurlaub/> (03/06/ 2022)

³⁶Switzerland would contribute to menstrual health with the opportunity of deceased tax rates. Salome Woerlen: Befreiung oder Stigmatisierung? Der spanische «Menstruations-Urlaub» spaltet die Gemüter. <https://www.watson.ch/international/schweiz/481139145-spanien-offeriert-frauen-menstruations-urlaub-das-musst-du-wissen> (03/06/ 2022)

³⁷Diamant Ágnes Ildikó: A menstruáció: alapvető tudnivalók a női ciklusról, https://www.hazipatika.com/napi_egeszseg/noi_bajok/cikkek/a_menstruacio_alapveto_tudnivalok_a_noi_ciklusr_ol, (16/ 07/ 2022)

³⁸The European Parliament's "Report on women's poverty in Europe", 24/06/2022, https://www.europarl.europa.eu/doceo/document/A-9-2022-0194_HU.html, (06/ 07/ 2022)

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