

# Work-Life Balance: State Interventions in India

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## Abstract

Work-life balance (WLB) is generating a lot of interest in academics and practices. Countries across the world have acknowledged its importance and framed important WLB programmes and processes. The paper aims to provide a global overview of the universally accepted WLB State interventions and establish India's position on these State interventions on the global platform. First the paper reviews various WLB State interventions in terms work hour policies, annual leaves and public holidays, maternity leaves, paternity leaves and child care facilities. These interventions are analysed in relation to ILO recommendations and the progressive and non-progressive measures taken by countries across the world. An attempt is then made to probe into State interventions made in India both in terms of enactment and actual practice. The initial findings reveal that on the continuum of high to low State involvement, the post-independence, labour laws firmly positions India in the middle of the continuum. Further investigation in terms of the gap between enactment and implementation of labour laws essentially leaves State WLB support in India at the lower end of the continuum. The paper concludes that post-liberalisation in the market driven economy, WLB is not an important agenda for the Indian State and the issue is largely left to individual discretion. In order to ensure support to the pertinent issue of WLB a 'business case' of linking WLB programmes in organisations to performance is recommended.

**Keywords:** Work-life Balance, State Interventions, India.

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## Introduction

Work-Life Balance (WLB) is an area which is receiving a lot of attention from academicians, professionals, government and popular media (Nord et al., 2002). The concept of WLB is very fluid since different agencies of human operations are central in giving different shades of understanding of this concept. WLB is largely studied from the perspective of individual, organisations and the State. In this exploratory study an attempt is made to examine this concept from the perspective of the State. Earliest formal attempt to address WLB issues, through the lens of State regulated welfare provisions is nearly hundred years old. International agencies like the International Labour Organisation (ILO) have recommended State interventions in the form of enactment of labour welfare laws in the area of working time, leaves, holidays etc. A number of countries globally have supported these recommendations and enacted legislations that directly or indirectly help workers sustain the balance between their work and personal life. India, on its part has also accepted some of the recommendations and enacted labour welfare legislations.

Review of literature with regards to these State driven WLB regulations reveals that while a lot has been written on this topic, most of the research focusses only on those countries that have made WLB a State agenda. One barely comes across data on countries where State role on WLB is not

clearly spelled out. Literature search on the role of Indian State in this area yielded virtually no results. In this paper therefore an attempt is made to systematically study India's relative position in the context of State interventions. First, this paper provides an overview of the universally accepted WLB interventions in terms of ILO recommendations and various progressive and non-progressive measures taken by countries globally. Second, State interventions in India both in terms of enactment and actual practice are probed. Finally, effort is made to ascertain India's relative position comparing State interventions in India with interventions made by other States.

## WLB State Interventions - Global Perspective

Universally accepted WLB State interventions on the global platform is examined in terms of work hours, annual leaves, public holidays, maternity leaves, paternity leaves and child care facilities.

## Work Hour Policies

Hours of work, has at all times been of prime importance for workers, industries and regulatory authorities. The first attempt to establish universal working standard can be traced back to the ILO Hours of Work (Industry) Convention of 1919. In this convention the principle of 8 hours per day or 48 working hours per week for the manufacturing sector was adopted. The scope of the established principle was later

expanded to commerce and offices in 1930. The primary aim of regulating work time was to cut down long working hours so as to safeguard the health of workers, enhance economic effectiveness and curtail unfair competition. The convention was principally accepted and implemented by most countries around the world.

Post World War II with the purpose to overcome war expenses and economic stress caused on account of war, ILO Convention of 1935 further reduced working hours to 40 hours per week. This revised standard was also adopted by a large number of industrial countries. Few countries, even went beyond the recommended standard and further reduced the mandated work hours (International Labour Conference, 2005). France with mandated 35 hour work week was primarily established to tackle the problem of high underemployment. Finland includes a statutory provision of 35-40 hours work week. In contrast to these countries, few countries have made negligible attempts to curb long work hours. In the case of United States, as per the Department of Labour's 'Wage and Hours Division' mandated weekly work hours are 40 with no maximum limit placed on overtime. The rider of unlimited overtime, thus, undermines the statutory provision of mandated work hours.

Apart from mandated work hour, countries also differ in terms of actual hours of work put in. Comparing mandated working hours with actual work hours, countries like Finland, Germany and Netherlands have actual working hours that are less than the recommended standard of 40 hours per week. On the other hand, countries like Australia, United States, United Kingdom and New Zealand are unable to check extended working hours (International Labour Conference, 2005). Similarly, in case of most transitional and developing economies it is found that laws and policies do not have adequate control on the practice of long working hours. The reason for the disparity between law and practice seen in these economies is that workers themselves seek out longer working hours to ensure sufficient income as the hourly wages are low. The employers supplement this by encouraging the use of overtime as a means to increase productivity. In addition, expansion of informal employment and growth of service sector are found to further encourage long working hours (Lee et al., 2007).

The above examination of multiple dimensions of hours of work shows large contradictions. On paper, a number of countries have legally progressed towards a universal standard of working hours yet an examination of actual practice indicates the prevalence of diverse distribution of work hours worldwide. The diverse distribution is observed both in terms of mandated and actual work hours. As a result, some countries are working long hours while others are putting in the short hours of work.

### **Annual Leaves and Public Holidays**

In an attempt to standardize annual holidays worldwide, ILO Holidays with Pay Convention (1936) recommended that States should ensure that all employees are granted a minimum annual holiday of 6 working days for one year of continuous service. The revised Convention in 1970 increased the minimum annual limit to 3 weeks. In spite of the adoption of uniform standards by a number of countries globally, the length of annual leaves and public holidays varies from country to country. According to Mercer's 2011 data on Worldwide Benefit and Employment Guidelines, Finland, Brazil and France have the highest statutory annual leave of 30 days, closely followed by the U.K. and Russia with 28 days. At the other extreme, there are countries like China and Canada with a statutory provision of 10 annual leaves only. Apart from the variations seen in statutory entitlements, the disparity is once again observed in actual practice. For instance, in the United States by and large employers offer an average of 15 days' vacation to their employees, but according to Fair Labor Standard Act, (1938) there is no statutory limit on vacations and holidays and the subject is left to the agreement between the employer and employee and as a result each company develops its own vacation policy.

Unlike other forms of leave, public holidays are based on country specific culture; tradition and religious belief and perceptibly vary from country to country. In terms of absolute number of public holidays declared by the State, employees in Japan and India prove to be prime beneficiaries globally with 16 holidays per year. On the other side employees of U.K., Australia and Netherlands with 8 annual public holidays appear to reap the least benefit.

### **Maternity Leave**

Maternity protection one of the prime concerns of the ILO was included in the first international convention held in 1919. Since 1919, maternity recommendations have been revised twice expanding the scope and entailments of maternity protection. The earliest Maternity Protection Convention (1919) prescribed 6 weeks of maternity leave after confinement. The revised Maternity Protection Convention (1952) increased prescribed maternity leaves to a minimum of 12 weeks i.e. 6 weeks before and 6 weeks after confinement, including a period of compulsory leaves after the confinement. The new Maternity Protection Convention (2000) has further augmented the minimum maternity leaves to 14 weeks.

In terms of adoption of statutory maternity provisions, discrepancies are not only seen nationally but also regionally. In the context of duration of maternity leave, nearly all countries in European Union meet or exceed the

standard of 14 weeks; in the case of African countries, it is almost fifty percent, while in case of Middle East and Asia Pacific regions very few meet the revised statutory provision (ILO, 2010a).

National comparison based on United Nations Statistical Division (2012) data on Maternity Leave Benefits reveals that Croatia, Denmark, U.K., Sweden and Norway bestow best maternity protection in relation to not just the duration of leave but also financial support. Croatia provides 52 weeks paid maternity leave funded by the health insurance fund for 6 months and by State funds for the remaining duration. U.K. again with 52 weeks has 90% of the leaves funded by the employers (92% of the maternity expenses made by the employer is refunded by State funds). Sweden provides 68 weeks leave with 80% funded through social insurance and Norway provides 46-56 weeks of leave funded through social insurance. At the other extreme, countries with least maternity protection are Papua New Guinea with 6 weeks of unpaid maternity leave followed by Swaziland and U.S. with 12 weeks of unpaid leaves.

### **Paternity Leave**

Paternity leave provision supplements, maternity leaves. They are short duration leaves which are taken by fathers around the time of child-birth. There are no ILO standards for paternity leaves, however; these leaves are well accepted with legal provisions by a number of countries (ILO, 2010b). Countries that have paternity leave provisions vary considerably in terms of duration, compensation and restriction of use. Paternity leaves seem to vary from one day paid leave provided by Saudi Arabia for 3 months exclusively reserved paternity leave for fathers in Iceland.

### **Childcare Facilities**

International agencies have recognized that apart from maternity leaves, working parents need support to deal with childcare responsibilities after the child is born. The State support through which workers can cope with childcare can be broadly categorized as indirect and direct measures. Indirect measure includes statutory provisions for parental leaves, flexible work options and on-site crèche facilities by employers. Direct measure would include public crèches, community crèches and financial incentives like childcare vouchers and taxation benefit on childcare expenses.

### **Parental leave**

Parental leave is long term leave available to either of the parents for the purpose of infant care usually supplementing the maternity/paternity leave. Parental leaves, though not included in ILO conventions, are recommended in Workers with Family Responsibility Convention (1981). The prime aim behind this recommendation is creation of equality of opportunity and treatment for both men and women

workers. In terms of acceptance, these leaves are largely adopted in Europe and other industrialized countries. Contrary to this, barely any countries in the regions of the Middle East, Africa, Asia and Latin America have adopted these leaves (Hein and Cassirer, 2010). A few countries like Norway, Australia and United States have adopted an integrated system wherein maternity, paternity and parental leaves are treated as part of family leave system. In the United States the Family and Medical Leave Act covers 12 weeks of unpaid integrated leave. This gender-neutral, multipurpose leave can be used for child bearing, child care, family care or medical reasons.

Countries that have well distinguished parental leaves also differ considerably in purpose, duration, eligibility, compensation and distribution between parents. It is found that the purpose of parental leave has a direct effect on its duration. For instance, Hungary provides parental leaves till the child is 3 years old, Austria has maximum 2 years till the child turns 7 and Germany grants 1 year leave till the child is 3 years old (OECD, 2011). The long duration of leaves in these countries stems from the traditional view of the mother's primary role of a care provider and shrinking fertility rates.

In addition to this, disparities are also seen in the area of distribution of rights amongst parents. In Belgium, Iceland, Denmark, Luxembourg and Cyprus certain leaves are non-transferable and each parent has independent right over the leaves distributed to them. The purpose behind non-transferability is to enhance gender equality. Further, parental leaves across countries also vary in terms of compensation. For instance, Greece, Ireland, Iceland and U.K. provide unpaid parental leave, while Belgium, Denmark, Canada, France, Finland and Sweden compensate through State funds at flat-rate allowance or on the basis of a certain percentage of the annual earnings. A high compensation rate directly encourages the actual uptake of these leaves. For instance, it was found that in Netherland, higher compensation in the public sector induced relatively higher usage than in the private sector, which offered a lower rate of compensation (Hein and Cassirer, 2010).

### **Flexible work options**

Flexible work options like flexitime, part-time work, compressed work-weeks, staggered hours, job-sharing, annualized working hours and telecommuting provide flexibility to parents with regards to time and place of working. Many industrial countries have statutory provisions that provide right to access flexible work options. Majority of these provisions are framed in a way that they supplement parental leave. In the U.K., New Zealand and Australia employees with caring responsibilities have right to request flexible work arrangements. This right is not obligatory, but is dependent on voluntary compliance by the

employer. Additionally, universal right to reduced work hours exists in Finland, France, Belgium, Germany and Netherlands for all employees irrespective of the reason for seeking this flexibility (EHRC, 2000).

### **Crèche or Childcare Centres.**

The ILO Convention on Workers with Family Responsibilities, 1981 also recommends the need to support working parents through public or private childcare measures. The convention does not lay out any obligatory childcare measures that States need to undertake. Nevertheless, it recognizes the significant role of the government in developing and promoting childcare facilities. The level of State involvement in direct childcare measures differs from country to country. Typically, public and community based crèches are State funded and the services are either free for the parents or available at subsidized rates. In France children under the age of 3 have access to public crèches at subsidized rates.

Apart from public and private crèches, countries like Brazil and South Africa also have community based child care centres where the cost is shared between the State and parents. Some States do not get involved in administration of childcare facilities, but instead offer financial support to working parents. For instance, in the United States, the government provides financial support through tax benefits that are expected to off-set the childcare cost incurred in using private services of child care (Hein and Cassirer, 2010).

### **State Interventions on the Global Continuum**

Worldwide, there is general consensus on State interventions that facilitate WLB. Nevertheless, as depicted, each of these universally accepted measures have significant countrywide diversity in adaption. History, culture, values, labour market characteristics, approaches to social and economic issues, approach towards welfare and stage of economic development of a country all have a bearing on WLB interventions made by a country. Overall, if varied WLB State interventions were arranged on a continuum, at one end of the continuum, we come across States that consider WLB to be the responsibility of the individual and on the other end there are countries that consider WLB to be a State responsibility. The States that are at the individual responsibility end exhibit negligible interventions in framing and implementing WLB policies and programmes. At the other extreme States that consider WLB as a public responsibility, display a high degree of involvement in policy formulation and implementation.

On the continuum, the United States falls at the low involvement extreme. It is observed that the State follows an

individualist approach with minimal involvement in facets of working hours, annual leaves and childcare measures. There is larger reliance on market forces and consequently WLB practices are left at the discretion of individual employers (Kossek *et al.*, 2010). In contrast, within Europe, WLB is considered as social responsibility wherein the State has a defined role in policy framing. There are certain universal legislations applicable to countries in the European Union and in addition to these; there are certain specific national legislations that strive to balance work and life spheres (Crompton and Lyonette, 2006).

Amongst the countries that consider WLB as public responsibility we further observe cross-cultural differences. These differences are largely rooted in the basic assumptions about work, life and gender. States like Netherland, Denmark and Norway focus on development of broad social policies that establishes gender equity. These States, therefore encourage use of paternity leaves and non-transferability of paternal leaves to ensure involvement of fathers in caregiving. On the other hand, in countries like France the focus of WLB interventions is to support mothers in fulfilling their childcare responsibilities and therefore, they encourage mothers to take long leaves while there are no obvious provisions for involving the fathers (Crompton & Lyonette, 2006).

Differences in State involvement are also seen in the formulation and implementation of WLB programmes. In case of the U.K., New Zealand and Australia, the WLB issues have lately moved up the national agenda. These countries depend on promotional activities like award programmes, funding and consulting services for employers to create awareness and encourage implementation of WLB initiatives. Though WLB agenda is State driven in these countries, the measures under this agenda are non-directive in nature and depend on the voluntary compliance of the employers. Thus, they exhibit high State involvement in the WLB campaigns, but at the stage of implementation the involvement of the State is low and the onus of the initiatives is shifted to the employers.

### **WLB State Interventions – Indian Perspective**

In order to understand where India stands on this continuum there is a need to understand the context in which these initiatives are taken. Prior to independence the legal framework of India was dictated by British interest. It was only in the post-independence era that the legal foundation representing the need of independent India was laid. During this period when labour laws were being framed, unionism was also on the rise. The growing strength of the trade unions proved to be instrumental in pressurizing policy makers to undertake labour reforms that safeguarded the interest of the workers and checked labour exploitation.

Labour reforms took the form of labour legislations related to hours of work, wages, working conditions, shift works, work breaks, maternity leaves, general health and safety of the workers. Some of these legislations happened to indirectly facilitate workers in addressing their work and life issues, however, the prime focus was on the overall welfare of the workers. Even when ILO conventions and recommendations concerning workers with family responsibilities were accepted, no law was specifically passed that directly addressed the work and life issues of Indian workers. In the light of this milieu, we review in detail the legislations that indirectly facilitate WLB in India.

### **Work Hour Policies**

According to the Factories Act (1948) mandated weekly work hours are 48 and overtime is restricted to 2 hours a day, 12 hours a week and 50 hours per quarter, with special exemption up to 75 hours. The wages entitled in overtime are twice the normal rate. Under this act there are restrictions about working time for women workers and they are not allowed to work between 7 p.m.-6 a.m. An amendment to the act in 2011 later allowed night shift for women between 10 p.m.-5 a.m., with the provision that the State government is notified and women employees are given adequate protection.

The scope of statutory working hours and overtime limits in India is restricted to specified sectors and occupations including factories. While there is no universal statutory limit applicable across the entire labour force. In case of offices, 48 hours per week or less is largely enforced in government organisations and organised sector, while the unorganized sector lies outside the purview of the working hour law.

### **Annual Leaves and Public Holidays**

India has not ratified to the Holidays with Pay Convention (Revised), 1970 and has a statutory entitlement of 12 annual earned leaves. As per the provisions of the Factories Act, 1948, any worker who has worked for at least 240 days during a calendar year is entitled to earned leave in the subsequent year at a rate of one day of every 20 days of work performed. In case of public holidays, Indians are entitled to 16 holidays per year. The reason for the high number of public holidays is that apart from national holidays, being a culturally diverse country, numerous festivals depending on prevalent religious and linguistic demographic are celebrated.

### **Maternity Leave**

There is a national law pertaining to maternity protection with universal applicability in industry, commerce, agriculture and other areas of work. According to the Maternity Benefit Act (1961) women are entitled to 12

weeks of maternity leave, with 6 weeks before and 6 weeks after child-birth. If women want, there is an option to take the entire 12 weeks of leave after the child-birth. Women are entitled to and the employers are liable to pay fully during the absence at the rate of average daily wage/salary. As per the recommendations of the Sixth Pay Commission, maternity leaves available for female central government employees has been increased from 135 days to 180 days.

### **Paternity Leave**

India per se has no paternity leave legislation. Male central government employees are the only section of employees that have access to paternity leaves. According to Central Civil Services Leave rules, male central government employees are eligible for 15 days of paid paternity leaves.

### **Child-Care Facilities**

#### *Parental leave and flexible work options*

India has no statutory provision for parental leave or flexible work option.

#### *Crèche or Childcare Centres*

Indian national policy on children proclaims children as supremely important assets. The Indian constitution reiterates that the State will make efforts to provide early childhood care and education to all children till they complete six years. In their endeavor to realise this goal the most significant initiative taken is the Integrated Child Development Service (ICDS) Programme launched in 1975. ICDS an integrated programme of services related to health, nutrition and preschool education, focuses mainly in remote rural areas, urban slums and the tribal areas. This community based programme operational through centres called the 'Aganwadi' (meaning courtyard play area) is funded and managed by central and State government partnership. Another similar programme Rajiv Gandhi National Crèche Scheme, launched in 2006 specifically aimed at providing childcare facilities for working mothers with low and below poverty line family income. The programme charges nominal monthly fees from the parents for the services provided.

In addition to these direct measures, the indirect measures that facilitate childcare include certain statutory provisions that employers are obliged to follow. As per the Maternity Benefit Act (1961), post maternity leave, women worker is entitled to two nursing breaks per day over and above the normal breaks until the child is 15 months old. As per the Factories Act (1948), employers are liable to provide crèche to facilitate women workers to take care of their children below the age of 6 years. This clause is applicable when the number of full time women workers exceeds 30 in the case of factories and 50 for plantation and beedi and cigar establishments. The Employee's State Insurance Act (1948)

aims at protecting employees below a certain economic status from contingencies such as sickness, maternity and employment injury. Insured women workers are not only entitled to cash benefit for the confinement period of 12

weeks, but can also claim maternity benefit in case of miscarriage, medical termination of pregnancy, premature birth or sickness on account of pregnancy.

## India on the Global Continuum

**Table 1. Relative Position of India on WLB State Interventions**

Sr. No.	WLB Measures	ILO Benchmark	Progressive Interventions	Non-Progressive Interventions	Interventions in India
1	Work Hour Policies	40 hours per week	France-35 hours per week & Finland-35-40 hours per week	United States - 40 hours per week but no limit on overtime	48 hours per week & overtime limit upto 75 hours per quarter
2	Annual Leaves	21 days (3 weeks) in a year	Finland, Brazil & France-30 days in a year	China & Canada - 10 days in a year	12 days in a year
3	Public Holidays	---	Japan & India -16 days per year	U.K., Australia & Netherlands-8 days per year	16 days per year
4	Maternity Leaves	14 weeks	Croatia & U.K. -52 weeks paid leaves	Papua New Guinea-6 weeks of unpaid, Swaziland & United States-12 week unpaid	12 weeks paid & 180 days limited only to female central government employees
5	Paternity Leaves	-----	Iceland-3 months paid leave reserved for fathers	Saudi Arabia -1 day paid leave	15 days, limited only to male central government employees
6	Parental Leaves	Recommends Parental Leaves	Hungary-paid leave till the child is 3 years old, Austria - paid leave maximum 2 years till the child turns 7 & Germany -paid	Ireland-14 weeks unpaid leave, U.K.- 13 weeks unpaid leave till child turns 5 years	No provision

			leave 1 year till the child turns 3 years old (all paid at flat rate)		
7	Flexible Work Options	-----	Finland, France, Belgium, Germany & Netherlands - Right to reduce work hours during parental leave	U.K., New Zealand & Australia-Right to request flexible work arrangement.	No provision
8	Crèche or Childcare Centres	Recognize s the need for public and private measures for childcare facilities	France-public crèches at subsidized rate Brazil & South Africa- community based crèches cost shared between the State & parents	United States - Private crèches tax benefits off -set the child care cost U.K.-Private crèches paid by parents.	Public and Community based crèches for families below poverty line. Statutory provision requiring employers employing more than 30 women to provide crèches for women worker's children below six years

Legislations pertaining to working time, annual leaves, public holidays, maternity leaves, paternity leaves and childcare provisions are used as reference for this comparison. Interventions made by other countries are further classified as progressive or non-progressive measures with respect to the established ILO benchmarks.

Relatively speaking, in relation to State interventions pertaining to public holidays, India with 16 holidays is at the progressive end of the continuum. In the context of work hours, maternity leave and on-site crèche provision, it appears to be somewhere in the middle. This is because on one hand it is below the ILO recommended standards, but on

the other side, it is better than countries like the United States as it does have some checks on overtime, paid maternity leave and no-site crèche provision. Likewise, in case of public childcare facilities, also it seems poised in the middle as State funded public crèches are available but only for underprivileged parents. In terms of available annual leaves, it is in the non-progressive end accompanying China and Canada with least available annual leaves. In terms of paternity leave, parental leave and flexible work options also it is stranded at the non-progressive end with no State support in these areas. Overall, in terms of State supported enactments, it appears India is positioned in the middle of the continuum with a lean towards the non-progressive end.

Assessment of India's position, with regards to actual practice, however, provides a more comprehensive picture about its position. In India actual practices demonstrate weak implementation of legislation. Indian employers often find loopholes in the existing laws and circumvent the provisions made in them. For example, although crèche for organisations employing 30 or more working women is mandated by law, the obligation is evaded by employing fewer than 30 permanent female workers or women workers are not registered in the official records (Hein and Cassirer, 2010). Similarly, Indian employers are known to manipulate leave rights by rejecting leave applications or by incorrectly presenting use of leaves in official records or in some cases holding back information about leave rights.

In addition to manipulations by the employers, few labour laws are framed with inherent flexibility in their interpretation and implementation. For instance, in case of hours of work, legal working hours per week are 48 however, considering overtime provision the actual hours comes to 60 hours per week. Moreover the overtime limit of 75 hours per quarter in special cases is by and large used by all industrial workers which further augments the working hours legally. The gap between policy and implementation further widens in India because most labour laws lack universal applicability. For example, statutory working hours and overtime limits in India apply to only specified sectors and occupations including factories, but there is no universal statutory limit applicable across all sectors. In case of working hours provision for offices, 48 hours per week is largely followed in government organisations only. Similarly, certain social measures like public crèche facilities are also not universally available but are limited to economically underprivileged working mothers.

Apart from lack of universality in enactment of labour laws, the issue of universal implementation is further eroded on account of the thriving unorganized sector. According to National Statistical Commission's Report of the Committee on the Unorganized Sector Statistics (2012), a large percentage of labour in India is employed in the unorganized sector which is not governed by labour laws but by market forces. In order to bring the large unorganized sector under the State preview, the State enacted the Unorganized Workers' Social Security Act in 2008. The act provides for the constitution of the National Social Security Board that would recommend social security schemes like life and disability cover, health maternity benefits, old age protection for unorganized workers. A separate act for unorganized sector workers has further ensured lack of comprehensive and uniform labour mechanism that can address issues of all workers irrespective of the sector they are working in, economic status or gender.

Considering the tilt towards non-progressive WLB enactments and weak implementation of these enactments, on the whole India appears to be at the individualist end of the continuum. There are no direct State WLB interventions and the indirect interventions are not proving to be very effective in addressing WLB issues.

### Conclusion

On the issue of WLB, the role of Indian State can be traced through three distinct phases of post-independence, post-enactment of labour reforms and post-liberalisation. In the first phase, WLB was indirectly addressed by enacting labour laws that ensured the general welfare of the workers through the legal system. In this phase, India's position was at high-involvement end of the spectrum wherein WLB was considered as a social responsibility. State support that was displayed at the time of enactment of labour laws, however, remained on paper and did not get translated in practice post-enactment.

Subsequently, in the second phase on account of actual practice, India's position shifted from the social responsibility extreme towards the middle of the spectrum where social responsibly and market driven beliefs coexisted. During this time organised sector and particularly the public sector adhered to the social responsibility criterion while the unorganized sector was market driven. In the third phase, post-liberalisation India's position has further progressed towards the market driven extreme of the spectrum. Post-liberalisation the economy became more market driven, which altered the realities about both work and life. State on its part has neither made any new law, nor revised existing laws that address WLB issues indirectly, nor are efforts being made to tighten the existing laws to ensure compliance.

In the given situation, the onus of addressing work-life concerns is squarely on organisations and individuals in India. Organisational responses to these altered realities are sparse and are largely restricted to new economy workers and the MNCs (Lewis, Gambles and Rapoport 2007). Organisations especially in the IT sector have started WLB programmes that give them a competitive edge in talent acquisition and retention. Apart from retention, previous research has established a strong linkage between WLB programmes and individual and organisational performance in the form of adoption of wide range of work-life balance practices has proved to generate positive outcomes in form increased job satisfaction, reduced work stress and improve organisational loyalty (Forsyth and Polzer-Debruyne 2007; Giordini, 2008) which in turn leads to higher organisational performance and higher productivity (Perry-Smith and Blum, 2000). In India, where economic development is considered more urgent than social well-being, a 'business case' of linking WLB programmes to organisational and



individual performance would ensure organisation and individual involvement.

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