

WOMEN, WORK AND NIGHT SHIFTS IN NURSING HOMES AND SUPERMARKETS

NISHA ARUNATILAKE
ASHANI ABAYASEKARA
CHATHURGA KARUNANAYAKE
DULINI FERNANDO



INSTITUTE OF POLICY STUDIES OF SRI LANKA

Copyright © September 2020
Institute of Policy Studies of Sri Lanka

ISBN 978-955-7397-20-7

National Library and Documentation Services Board -Cataloguing-In-Publication Data

Women, Work and Night Shifts in Nursing Homes and Supermarkets / Nisha Arunatilake ...[et al.] - Colombo: Institute of Policy Studies of Sri Lanka, 2020
56p.; 28 cm. - (Labour Economic Series; No. 27)

ISBN 978-955-7397-20-7

- i. 331.4095493 DDC23 ii. Arunatilake, Nisha (co. author)
iii. Series

1. Labor economics - Sri Lanka
2. Women employees - Sri Lanka - Case studies

Please address orders to:
Institute of Policy Studies of Sri Lanka
100/20, Independence Avenue, Colombo 7, Sri Lanka
Tel: +94 11 2143100 Fax: +94 11 2665065
Email: ips@ips.lk
Website: www.ips.lk
Blog 'Talking Economics': www.ips.lk/talkingeconomics
Twitter: @TalkEconomicsSL
Facebook: www.facebook.com/instituteofpolicystudies



Nisha Arunatilake has been a Research Fellow at IPS since 2000 and was appointed as the Director of Research in January 2018. She has extensive postdoctoral experience in conducting policy related economic research in labour market analysis, education, public finance and health. She heads the Labour, Employment and Human Resource Development research at the IPS. She holds a BSc in Computer Science and Mathematics with Summa Cum Laude from the University of the South, USA and an MA and PhD in Economics from Duke University, USA. nisha@ips.lk



Ashani Abayasekara is a Research Economist at IPS with research interests in labour economics, economics of education, health economics, and applied microeconometrics. She holds a BA in Economics with first class honours from the University of Peradeniya and a Masters in International and Development Economics (with Distinction) from the Australian National University. ashani@ips.lk



Chathurga Karunanayake is a Research Assistant at IPS with research interests in behavioral economics. She is a guest lecturer on consumer behavior and luxury consumption patterns. She introduced the novel concept of "decorative consumption" to the jargon of Economics. She holds a BA in Economics (Honors) from University of Colombo and a DipLCM from University of West London, UK. chathurga@ips.lk



Dulini Fernando is an Associate Professor at the Warwick Business School, University of Warwick, UK. Her research focusses on highly skilled individuals who navigate barriers, mobilise enablers and manage conflict in order to achieve success in career. Dulini holds BSc degrees from the London School of Economics (LSE), UK and Lancaster University, UK, an MSc from LSE and a PhD from Loughborough University, UK. dulini.fernando@wbs.ac.uk



INSTITUTE OF POLICY STUDIES OF SRI LANKA

Labour Economic Series

No.
27

**Women, Work and Night Shifts
in Nursing Homes and Supermarkets**

NISHA ARUNATILAKE, ASHANI ABAYASEKARA, CHATHURGA KARUNANAYAKE
AND DULINI FERNANDO

Table of Contents

LIST OF TABLES	III
LIST OF FIGURES	III
ABBREVIATIONS	IV
ACKNOWLEDGEMENTS	V
EXECUTIVE SUMMARY	VI

1. Introduction	1
2. Literature Review	4
2.1 Work Satisfaction and Career Advancement Prospects	4
2.2 Challenges at Home and on the Road	5
2.3 Challenges at Work and Working Conditions	7
2.4 Social and Cultural Related Challenges	8
3.0 Summary of Existing Legislation Relating to 'Night Work'	10
3.1 Employment of Women, Young Persons and Children's Act	10
3.2 Shop and Office Employees Act 1954	11
3.3 Wages Board Ordinance - Regulations Applicable to Workers of Nursing Homes	11
Wages	12
Hours of Work and Overtime	12
Holidays	12
3.4 Wages Board Ordinance - Regulations Applicable to Employees of the Supermarket Sector	12
Wages	13
Hours of Work and Overtime	13
Holidays	13
3.5 Comparison of Legislation Governing Nursing Homes and the Supermarket Sector	13
4.0 Research Design	17
4.1 Sample	17
4.2 Data Analysis	18

5.0	Findings and Discussion	20
5.1	Work Satisfaction and Career Advancements Prospects	20
5.2	Challenges at Home and on the Road	24
5.3	Challenges at Work and Working Conditions	28
5.4	Social and Cultural Related Challenges	30
6.0	Implementation Gaps in Legislation	32
6.1	Hours of Work and Overtime	32
6.2	Working Conditions	33
	Holidays	33
	Facilities	34
	Meals	36
	Hostels	36
6.3	Customer Harassment and Grievance Handling	37
6.4	Health and Safety on the Job	37
7.0	Conclusions and Recommendations	39
7.1	Conclusions	39
7.1.1	Worker Satisfaction and Career Advancement Prospects	39
7.1.2	Challenges at Home and on the Road	39
7.1.3	Challenges at Work and Working Conditions	39
7.1.4	Social and Cultural Related Challenges	40
7.1.5	Adherence to Legislation	40
7.2	Policy Recommendations	41
7.2.1	Address Risks Associated with Travelling to Work in the Night	41
7.2.2	Strengthen Legislation and their Implementation	41
7.2.3	Build Awareness about Workers' Rights	41
7.2.4	Offer Greater Support for Workers with Caring Responsibilities	42
7.2.5	Challenge Conventional Gender Ideologies	42
	Bibliography	43
	Appendix	47

List of Tables

Table 1: Distribution of Workers by Worker Characteristics	2
Table 2: Summary of Existing Legislation	14
Table 3: Background Characteristics of the Sample	47

List of Figures

Figure 1: Increasing Female Participation in Night Work	19
---	----

Abbreviations

- EWYPC-1956 - Employment of Women, Young Persons and Children's Act, 1956
- FGDs - Focus Group Discussions
- KIIs - Key Informant Interviews
- LKR - Sri Lankan Rupee
- SOEA-1954 - Shop and Office Employees Act 1954
- WBO - Wages Boards Ordinance No.27 of 1941 and superseded by No. 40 of 1943 and No. 19 of 1945

Acknowledgements

This study was funded by Warwick Business School, University of Warwick and the Institute of Policy Studies of Sri Lanka.

We would like to thank all interviewees who provided primary data for the analysis, and those who assisted in identifying and facilitating the interview processes.

The authors are grateful to Mr. R. P. A. Wimalaweera, Commissioner General of Labour and Mrs. M. V. Gunawardena, Commissioner of Labour (Women's and Children's Affairs Division), for guidance provided for the study.

The support in editing, formatting, and printing this publication provided by the publications team at the IPS, is also gratefully acknowledged.

Executive Summary

This study examines Sri Lankan women's experiences of work and night shifts in nursing homes and supermarkets. The study is based on a sample of 30 associate professional and semi-skilled women pursuing jobs as nursing home workers, care workers, pharmacy dispensers, customer service assistants, cashiers and sales assistants. The views of the workers were triangulated with views from their direct supervisors (i.e., matrons, chief pharmacists and supervisors). Semi-structured interviews were undertaken with all respondents.

The majority of female employees interviewed in the study both wanted, and needed, to work. Night-time work had important benefits for both women themselves and wider society; it empowered women as members of society, and it also helped them to support their families. However, a number of barriers prevented women from fully engaging in the workforce, and especially at night. Key barriers include challenges associated with travelling to work, health and safety concerns at the workplace, exploitative conditions of work and conventional gender ideologies. A majority of supervisors interviewed from the super market sector confirmed that, challenges do exist especially in the working conditions of the workers. Key issues include; longer working hours and heavy work load. However, supervisors in the nursing home sector did not indicate such challenges for their workers. Furthermore, supervisors from both the sectors asserted that there were no specific gender

preferences when hiring women for night shifts and no challenges were encountered in the course of recruitment. In addition to examining individuals' perceptions of career barriers, this paper identifies violation of legislation.

This paper offers six key recommendations for policy makers and employers to make night-time work safer and more productive for all concerned.

1. Address Risks Associated with Travelling to Work in the Night

It is essential to provide more frequent public transport facilities in the night, and impose regulations to safeguard women from harassment on public transport and on the road. This would dramatically reduce the risks and dangers associated with night work for women and better enable more women to participate in the labour force. A zero-tolerance approach towards verbal harassment on the road, and ensuring that the police force takes gender-based harassment seriously, would ensure the safety of women. Policies should be publicized through media campaigns and general awareness of what constitutes harassment should be raised. Employers should be strongly encouraged to provide safe transport for all night-time workers.

2. Strengthen and Extend Legislation to Ensure that Workers are Not Exploited in Overtime Work and Impose Checks to Ensure that All Employers Adhere to Legislation

There is a need to strengthen legislation on the maximum number of overtime hours per week, rest breaks and spaces for resting and taking meals.

3. Impose Regular Checks to Ensure that All Employers Adhere to Legislation Related to Basic Conditions of Work

Regular checks should cover hostel facilities, rest breaks for workers and adequate restroom facilities, health and safety issues at the workplace and grievance handling.

4. Offer Greater Support for Workers with Caring Responsibilities

Additional job-related expenditures incurred by workers for childcare should be reflected in the minimum wages decided by the Wages Board.

5. Run Campaigns to Raise Workers' Awareness of Their Entitlements and Legislation

Raising awareness of entitlements and legislation amongst workers is crucial to protect them from being exploited.

6. Challenge Conventional Gender Ideologies at School Level

This is important because gender ideologies have significant implications on inequality in the workplace and beyond. Campaigns which support gender awareness, equality and raising girls' aspirations should be introduced. Introducing these at the school level can help reshape attitudes and beliefs of children, as they grow up to be responsible citizens.

1. Introduction

Notable political and social transformations and technological advancements are changing labour markets across the globe (International Labour Organization, 2016). Increased globalization, technological developments and greater integration of economic activities across borders facilitated by advancements in information and communication technology have increased the share of service sector jobs. These changes are not only visible in the types of jobs available in the market, but also in the nature of jobs. Along with the increased demand for service sector jobs, the demand for non-standard jobs, shift work, and night work that are outside traditional day-time jobs are on the increase (International Labour Organization, 2016).

The above-mentioned changes are not uncommon to Sri Lanka. The Sri Lankan labour market is also rapidly changing (Arunatilake & Karunanayake, 2019). The share of service sector jobs in the economy has increased from 42.9 per cent in 2012 to 46.6 per cent in 2018 (Department of Census and Statistics, 2018). At the same time, the Sri Lankan labour market is experiencing labour shortages in a number of industries. Labour shortages are especially high in-service industries, predominantly offering non-standard jobs such as security guards, sales representatives, cashiers, and nursing professionals (Department of Census and

Statistics, 2017). The labour force participation rates for males being already fairly high, policymakers are increasingly looking towards females, to fill in labour shortages within the country. However, many multifaceted challenges and barriers have made this a formidable task.

Despite different initiatives, the labour force participation of females has remained stubbornly unchanged and below 40 per cent over the past several decades. On the supply side, challenges faced by women participating in the labour market which include, skills gaps, safety and security concerns both at work and on the way to the workplace, issues with transport, issues with work-life balance, and social cultural norms discourage women from market activities (Gunatilaka, 2013). These challenges are reinforced by gender wage gaps, voluntary or involuntary discrimination in the workplace, and archaic legislation that makes hiring women more expensive, as well as work environments that are unfriendly towards females. (Ranaraja & Hassendeen, 2016). The types of challenges faced by those doing night work and shift work can be very different to the challenges faced by those engage in regular jobs. Many of the studies that focus on increasing labour force participation of females do not take into account the nature of jobs that are available, and the specific challenges faced by women in engaging in various

“Many of the studies that look at increasing the labour force participation of females do not take into account the nature of jobs that are available, and the specific challenges faced by women in doing different types of jobs.”

types of jobs. This study attempts to fill some research gaps in this regard, by examining Sri Lankan women's experiences of work and night shifts in the private hospital and supermarket sectors.

The supermarket sector comes under retail trade while the private hospital sector comes under human health activities. In Sri Lanka, from 9.88 percent of workers who are employed in the retail trade, 1.03 percent works in

the supermarket sector and out of 1.67 percent who are employed in the human health activities, 10.94 percent work in the private hospital sector. While 56.17

percent of the employees in the super market sector are females, the percentage of females working in the private hospital sector is 80.82.

A summarized table on the background details of the two sectors are given below:

Table 1
Distribution of Workers by Worker Characteristics

		Supermarket Sector Employees (%)	Private Hospital Sector Employees (%)
Age Groups (In Years)	15 - 24	35.96	23.35
	25 - 34	33.60	31.87
	35 - 54	28.08	32.18
	55 - 64	0.00	11.99
	65 & Above	2.36	0.60
Gender	Male	43.83	19.18
	Female	56.17	80.82
Marital Status	Married	55.44	50.78
	Never Married	42.20	41.03
	Widowed/Divorced/Separated	2.36	8.19
Level of Education	Primary incomplete	0.00	1.96
	Primary complete	2.36	0.00
	Below O/L	20.58	24.13
	O/L Passed	25.90	29.58
	A/L Passed	44.83	30.83
	Degree & Above	6.33	13.50
Skill Level	Low Skilled	93.67	86.50
	High Skilled	6.33	13.50
Monthly Salary (In Sri Lankan Rupees)	<15000	14.73	27.77
	15000=<30000	64.80	37.29
	30000=<45000	17.02	20.04
	45000=<60000	0.00	11.69
	60000=<75000	0.00	0.00
	75000 & Above	3.44	3.21
Working Hours per Week	Less than 45 hours	36.75	29.09
	Over 45 hours	63.25	70.91

Source: Computed by the authors based on Labour Force Survey Data, 2017.

Based on a sample of 30 associate professional and semi-skilled women employed in the (1) nursing home sector, which is a sub-sector of the private hospital sector and the (2) supermarket sector-pursuing jobs as nursing home workers, care workers, pharmacy dispensers, customer service assistants, cashiers and sales assistants and matrons, chief pharmacists and supervisors¹-we address:

- a) Work satisfaction and career advancements prospects
- b) Challenges at home and on the road:
 - a) Constraints related to travelling to work
 - b) Caring and domestic responsibilities

c) Challenges at work and working conditions

- a) Hours of work
 - b) Working conditions
 - c) Customer harassment and grievance handling
 - d) Health issues at work
- d) Social and cultural related challenges
- a) Social reputation and negotiating disapproval
 - b) Meaningful and respectful work: navigating the line between empowerment and exploitation

The paper begins by reviewing existing literature on the subject, after which it introduces the legal framework which governs employment in the two sectors in

Sri Lanka, i.e. healthcare (nursing homes) and retail (supermarkets). It then proceeds to a discussion of the empirical findings, based on which, the next chapter draws attention to the gaps with regard to implementation of legislation. The concluding sections present a series of recommendations for policymakers and employers to improve women's experience of night work.

¹ Classifications for occupations are based on Sri Lanka Standard Classification of Occupations - 2008 (SLSCO - 08) which is derived from the International Standard Classification of Occupations (ISCO - 08) and classifications for the two sectors are based on the Sri Lanka Standard Industry Classification Rev. 4 (SLSIC Rev.4) derived from the International Standard Industry Classification Rev.4 (ISIC Rev.4) ensuring all classifications are in compliance with the classifications and definitions used by the Labor Force Survey 2017.

2. Literature Review

This chapter reviews existing literature pertaining to female night work, both at the international and local levels in the context of Sri Lanka. In particular, it focuses on the themes of employment as empowerment for women, constraints faced at home and on the road, barriers at work, and social and cultural constraints. It also presents a summary of existing literature relating to night work in Sri Lanka.

2.1 Work Satisfaction and Career Advancement Prospects

Literature on work satisfaction and job aspiration mainly examine satisfaction relating to wages and other monetary and non-monetary benefits and prospects for career advancement. The literature finds mixed results as detailed below.

Siddiqui et al. (2018) compare the effects of day and night shifts on employee satisfaction in the cement industry of Pakistan, using a self-developed survey based on the Likert scale on a sample of 40 employees, distinguishing between economic (pay, promotion, job provision, wages, medical and health facilities) and ergonomic (mental stress, fatigue, training and development, workplace conditions, long hours) factors related to job satisfaction. Results indicate that in terms of economic factors, a majority of night shift workers are highly satisfied in terms of wages, job provision,

and promotion - which leads to feeling of empowerment - while being dissatisfied with respect to salary, medical and health facilities.

Using in-depth semi-structured interviews, Tara and Ilavarasan (2011) explored changing aspirations of employment among unmarried female call center agents in the National Capital Region in India. They found that the respondents intend to continue in their employment after marriage, despite existing difficulties in balancing marriage-related responsibilities and night shift work in the Indian context. The authors argue that this finding stems more from the sociocultural background of the respondents which has an impact on their ability to exercise their agency, and in turn view their employment as an avenue towards empowerment, as opposed to economic aspects of their employment.

Tomlinson and Durbin (2010) explore employment trajectories, aspirations, work-life balance and career mobility of women working as part-time managers in the UK. The authors used in-depth semi-structured interviews among 16 part-time managers and four line managers in both public and private sector organisations. Study findings revealed that careers of women held while working full-time have stalled with the transition to part-time work, leading to feelings of frustration with the lack of mobility and progression among hard-working and career focussed women. A

majority worked beyond the scheduled number of hours with no reallocation of work in line with reduced working hours. Part-time employment has thus had a dampening effect on female empowerment at work.

Jahromi et al. (2013) examined perceptions of working night shifts among 20 novice nurses in Iran using a qualitative approach based on thematic analysis. Findings were presented under five key themes: value system, physical and psychological problems, social relationships, organisational problems, and appropriate opportunity. Under appropriate opportunity, some nurses identified certain positive aspects of working night shifts, including opportunities for learning, thinking, spiritual promotion, practicing autonomous performance, and solving personal problems, which in turn promoted feelings of empowerment.

There is limited research available in Sri Lanka on the role of employment as a facilitator of female empowerment. In terms of aspirations and future plans of female night workers, Wickramasinghe and Jayatillake (2006) argued that women have to work relentlessly and constantly to prove themselves to be of worth and good enough in the eyes of their male colleagues and superiors, especially in the management field, if they are to reach higher in the ladder. Further, studies have also pointed to the existence of a 'glass ceiling' syndrome which restricts

women's upward mobility in terms of future promotions owing to gender discrimination, inability to work late shifts, and being considered to be less capable than men (Gunatilaka (2013b).

According to Kodagoda (2018), in cases of professional and managerial dual earner couples, working long hours and the burden of work and family, restricted women's career aspirations. Similarly, according to Priyanwada (2016), even though many women employed at Divisional Secretary positions are interested and willing to aim for provisional level senior positions, they are uncertain whether to proceed with their aspirations owing to family commitments. Wickramasinghe and Jayatillake (2006) also noted that a scarcity exists in opportunities for career progression in women workers given that there are no promising opportunities for promotion and growth. For instance, in the cases of nursing, teaching and secretarial work, factors such as pregnancy and inability or unwillingness to participate in the organisations' social activities remains a dominant concern that prevents women from progressing in their career path.

2.2 Challenges at Home and on the Road

The existing literature confirms the anecdotal evidence that women find it harder to balance household activities while doing shift work or night work. Also, evidence suggests that security and safety issues are concerns for women, when participating in non-standard work activities.

Fenwick and Tausig (2001) studied the effects of shift work and job schedule control on family life and health of American workers. Multivariate results indicated that although nonstandard shifts have few effects, lack of control or choice over hours worked has strong negative effects on many family and health outcomes, irrespective of gender or family status. In contrast, in a more recent study among Scottish men and women in mid-life (aged 50-52 years), Emslie and Hunt (2009) found that gender remains embedded in the ways that respondents negotiate home and work life-while the presence of children in the household is associated with challenges in work-life balance for both men and women, these difficulties last longer, and take more complicated forms, for women.

Thompson (2009) examined how night work influences the everyday family lives of nurses, their husbands and children in the UK, using mixed methods and a primarily inductive research design involving 20 families where a female nurse is present. Findings revealed that effects of night work are experienced by all family members; nurses who were also mothers experienced significant reductions in sleep duration and worsened moods and alertness levels, as they strived to meet normative gendered expectations of women as 'good' wives and mothers. Husbands experienced increased responsibilities for childcare and other time-critical tasks, while for children, the absence of their mothers was important but not necessarily negative: children are in the care of other people who may have different expectations

of them; and family life feels different without their mother's usual presence. In Iran, Jahromi et al. (2013) observed disruption of relationships with families and society due to continuous night shifts.

Madide (2003) examined effects of nightshift schedules on nurses working in two private hospitals in South Africa. 38 interviewees (36 female) responded to a questionnaire, and 26 nurses participated in focus group discussions (FGDs). Results indicated that most nurses find travelling by public transport in the evening problematic, where they feel their safety is threatened.

In terms of road travel, a study using an ethnographical research approach finds that British night workers, including police officers, street cleaners, shop fitters, cleaners, lorry drivers, security guards, carers, ambulance staff, shopkeepers and taxi drivers, are three times more likely to have an industrial accident and twice as likely to have a car accident on the way home, compared with other workers (Norman, 2011). Based on these findings, the author proposed several measures to improve the quality of life of night workers, including improved nightwork legislation with limits to night work shifts, raising awareness on risks and safe working procedures at night, and a better evidence base of night workers.

Strongly linked to limited opportunities for job progression and female empowerment are home and family-related constraints that hold women back in Sri Lanka. The International

Labour Organisation (ILO, 2016) documented many cases where a number of bright young women executives and managers with potential and opportunity to progress in their careers, have given up employment at the behest of their husbands or families. Gunatilaka (2013a) argued that household work and the care burden on women is a key challenge, which derives from the inadequacy of institutional support for the care of young children and elderly people at home. Social norms that impose on women the greater burden and higher responsibility for the care of children and household work is another contributory factor.

Furthermore, a study conducted by Priyanwada (2016) with special reference to females in the administration services revealed that the position of the job makes it harder for them to balance both work and family life. The situation is such that females have to report to work in the night given the emergency of the situation even though they have a breast-feeding baby. The study further revealed that having to play a dual role of managing home and the workplace is very difficult, uncontrollable and remains a barrier especially when female workers are required to work in the night.

Research in the banking sector pointed to challenges including not being able to spend time with their kids as they are asleep by the time mothers return from work in the night; another concern is not being able to have discussions on important matters with their husbands even during the weekend as they have to work longer hours at times (Kodagoda,

2018). According to Wickramasinghe & Jayatillake (2006), having to shoulder a larger share of domestic responsibilities is another challenge faced by women involved in night work, which makes it hard for them to put in extra hours of work routinely. Similarly, the Sri Lanka Stakeholder SDG Platform (2018) asserted that women who work in the supermarket sector and the garment industry face many issues such as taking care of family and looking after their children. The study further exemplified that these females fail to perform the dual role of a mother as well as an earner fruitfully, owing to hardships that they have to incur.

When considering the challenges faced by Sri Lankan women when travelling in the night, empirical evidence suggests that there are multiple barriers in terms of safe and sound transportation. For instance, as revealed by the ILO (2016), even though women who do not have family responsibilities are willing to work in night shifts, they are often constrained in doing so owing to lack of safe and regular transport facilities. The study also emphasised that transport facilities at night even in urban areas are insufficient at its best. Prevalent studies pertaining to the apparel industry show that transport facilities is a major concern among blue collar female employees who engage in night work, as it is a dominant challenge for them in reporting back and forth to work (Wijesekera, 2017). For instance, as emphasised by Rajapakse (2018), challenges when travelling in the night such as social security around the residential

and working areas are factors that positively affect labour turnover.

Furthermore, as revealed by The Dabindu Collective (2001), a majority of female workers in Export Processing Zones stay the night at the zone by either sleeping on the floor or sharing a double bed with another female colleague (as most of the companies do not provide transport for women who finish night shifts), and in the context of unsecure public transport especially late at night. Similarly, a recent study by UNFPA, (2017) based on stakeholder consultations, key informant interviews (KIs), and questionnaire surveys among 2,500 individuals between 15-35 years of age noted that having to undergo unpleasant incidents such as deliberate touching by men who seem to be respectable by outer appearance and unwanted closeness remain to be adverse challenges when travelling after work at night. Empirical evidence also revealed that even though some companies provide transport facilities to its female employees who work till late night, it is confined only to those in the managerial positions or secretaries. As such, the case is different and unpleasant for females who are in the lower hierarchy who have to use the local transport system that comes with additional personal risks (Wickramasinghe & Jayatillake, 2006).

Another recent study on gender and night work among professional women in Sri Lanka's global knowledge work industry also records challenges faced by female night workers who use

night public transport such as harassment and bullying when traveling alone; at times being mistaken for prostitutes or immoral women (Fernando, 2018). Women respond to challenges through; (1) 'manoeuvring' or removing themselves from work obligations in the night; (2) legitimate self-positioning, for instance by emphasising their religiosity as a buffer against harassment and gender discrimination; and (3) informal voice to exert some influence over conditions of work.

2.3 Challenges at Work and Working Conditions

Most of the existing literature focusing on female night work examines work-related barriers in terms of the impact of long-term night shift work on women's health issues. These found that night work associated with both physiological and psychological health problems. Some of these problems were directly related to the time of work, while others were issues such as work pressure due to shortage of staff, not having adequate facilities, that could potentially be resolved with better management.

Ferri et al. (2016) compared health conditions and job satisfaction of Italian nurses working shift work with nights and day work only. They found that nurses who work night shifts are younger, more frequently single, and more educated; they often scored the lowest in terms of job satisfaction and quality and quantity of sleep, with more frequent chronic fatigue, psychological, and cardiovascular symptoms in

comparison with day shift workers. The study on South African nightshift nurse workers also revealed that night shifts cause psychosocial and physiological strain to nurses, especially those working on quick rotation. Similarly, in a sample of 72 Swedish female supermarket cashiers, high levels of stress is reflected in blood pressure, heart rate, electromyography activity and self-reports (Lundberg et al., 1999). In particular, time pressure and expectations from customers and the employer contribute to repetitive physical activity and resultant stress. Further, they are physically bound to the workplace and cannot make phone calls or leave their checkout counter without requesting for a replacement, all of which contribute to psychosocial work stress.

Jahromi et al.'s study (2013) on nurses in Iran also documented physical and psychological problems including stress due to workplace conditions, insomnia, sleeping disorders, and some physical problems. Additionally, organisational problems such as the feeling of fear and insecurity in the night owing to organisational deficiencies, excessive working pressure, discrimination between nurses and physicians with ignorance. Lack of accurate understanding of the nurses' problems and complaints, shortage of staff for night work, and lack of welfare facilities for spending a 12.5-hour night shift, such as resting facilities and lack of warm food, were also observed.

In the South Asian context, Madide (2003) noted that there is no policy document on night shift

working schedules and depends on internal standards of each institution. While provision for resting and dining are available, these facilities are located far from the wards and units and space is also limited, getting overcrowded at times. Other common problems faced by nurses include an acute shortage of staff, no occupational health service despite health risks, and isolation from rest of the hospital staff.

More favourable work conditions including better security, monetary compensation and provision of fringe benefits were also found to be important for night shift workers navigating hurdles in Chennai's BPO industry, particularly in making it more successful and socially acceptable to women (Jayanthi & Venkatramaraju, 2009).

Garment sector workers in Sri Lanka appear to suffer from many health-related concerns at work. Attanapola (2004) explored health impacts of changing gender roles and practices of young rural women in semi-skilled and unskilled jobs in export-processing industries, primarily in garment factories. Information gained from in-depth interviews showed that occupational health problems including muscular-skeletal disorders, headaches, skin problems, eye irritation, breathing problems, and weight loss are common among all workers. Additionally, experiences of verbal and physical harassment at the workplace and in local society, particularly for those involved in night shift work, contribute to mental health issues including stress and depression, as well as insecurities created by

“Worryingly, existing evidence shows that organisations are not supportive in terms of addressing issues related to transport, work-family balance, and barriers at work.”

fears of being raped, robbed, and even killed.

A recent study explored female nurses' perceptions of workplace sexual harassment in a large state hospital in Sri Lanka via qualitative interviews with 29 female senior and ward nurses. Findings revealed a variety of perceived forms of sexual harassment in the hospital (Adams et al., 2018). Patient-perpetrated incidents are viewed as the most threatening and easiest to identify, relative to incidents involving doctors and co-workers. Nurses also report usual responses to sexual harassment as passive, while inaction or victim blaming is observed when attempts were made to report incidents formally. They believe that workplace sexual harassment has contributed to negative social perceptions about the nursing profession and adopt informal strategies, such as working in

teams, to protect themselves from sexual harassment.

Moreover, based on field work in the marketing sector, the ILO (2016) notes that women are not given opportunities even though their skill levels matched the job, owing to barriers such as requiring additional 'protection' to function in such positions. For instance, chaperones, transport, and the need to overcome security problems associated with staying overnight on long assignments, especially as accommodation in areas outside of their home will lead to problems.

Worryingly, existing evidence shows that organisations are not supportive in terms of addressing issues related to transport, work-family balance, and barriers at work. For instance, employers identify mechanisms that address grievances and complaints only after the incident has taken place, and hence, do not have any preventive mechanisms (ILO, 2016). According to Rajaguru (2018), females who were harassed in transport have not voiced their concerns to anyone but have shifted seats in buses instead of taking action against the culprit, as it was embarrassing to make such a complaint in public. Kodagoda (2018) noted that female workers who find it hard to balance family and work life decide to postpone pregnancies as a solution in order to do higher studies pertaining to the job.

2.4 Social and Cultural Related Challenges

Social and cultural constraints center around negative

perceptions held toward women working in the night, especially in more conservative and traditional societies. In the Iranian context, the authors noted that women being out at night, even at an official workplace, goes against Iranian culture. It is often viewed in a negative light, with many families opposing their daughters and wives working at night.

Similar findings regarding societal perceptions of night work emerged from the South Asian region, where patriarchal cultures pose additional challenges to females entering and continuing in the labour force. Khan and Sultana (2017) examined gender barriers that exist in the hospitality industry of Bangladesh via interviews with women in managerial positions. The results pointed to various internal and external barriers that hinder women from entering the hospitality industry, including negative social perceptions, low industry awareness, and difficulties in maintaining work-life balance. Naqvi (2016), using structured interviews, explored perceptions and dilemmas of 50 Indian women managers in the public sector, when confronted with the ideas and expectations of traditional society while conforming to a contemporary code of conduct at work. Results revealed that the biggest challenge faced by women managers is handling their dual role as organisational managers and housewives. This stemmed from many issues including inability to meet expectations of in-laws and family, differential treatment at work, women having to work harder to prove themselves, and preference for males (over females) for

particular jobs. Patel (2006) examines the relationship between the physical, temporal, and socioeconomic mobility of women in Mumbai, India, involved in night work at call centers in the IT sector. She argued that the insertion of women into the urban nightscape is met with 'covert resistance' although there are no visible barriers such as 'men only' signs written in public space, women's bodies continued to be marked as a site of transgression. These findings were re-iterated by a subsequent study among a similar sample by Parikh (2018), where women find themselves caught between narratives that belittle them as 'bad women' for being out on the street at night, while working in industries that specifically seek women who are willing to work in night shifts.

As argued by Halamkova & Kulamannage (2018), societal attitudes and cultural norms are responsible for discouraging many women in taking part in employment in Sri Lanka. Similarly, Perera (1987) asserted that in general the 'pull' created by tradition and ideologies are stronger and somewhat greater than the 'push' of modernisation in many aspects when it comes to female employment in the country. When considering the aspect of night work, there is not much evidence as to what kind of societal attitudes prevail or how they affect night shift work. Gunatilaka (2013b) pointed to social attitudes on the 'role of women' in a household, including the type of work they should do in the household and the expected service from them such as household chores, childcare, being responsible for the family's wellbeing. Having to face gender

division within the housing unit and biased division of paid and unpaid work between husbands also had unfavourable impacts on potential female employment.

Wickramasinghe and Jayatillake (2006) claimed that men are given more priority than women in terms of jobs. For instance, in the case of transport sector and maintenance divisions which involves night work, owing to the social perceptions on certain job spheres as being masculine rather than feminine. Priyanwada (2016) further elaborated on how

“The existing literature demonstrates that there is a dearth of research studies conducted on night work among females, particularly looking at how they cope with multifaced challenges and progress in their career paths.”

society looks upon women who work in the night with special focus in terms of the importance of the gender role of women and the high expectations from society in fulfilling them as a good wife, daughter, mother and daughter-in-law. Further, it is also evident from prevailing literature that societal barriers remain a significant deterrent in terms of female night work in the country (The World Bank, 2018).

The existing literature demonstrates that there is a dearth of research studies conducted on night work among females, particularly looking at how they cope with multifaced challenges and progress in their career paths. Moreover, prevailing research on nightwork is limited to a handful of sectors such as apparel and garments (Rajapakshe, 2018; Madurawala, 2017), accounting (Opatha & Perera, 2017), banking, insurance, IT, hotel and tourism, and the confectionary sector (ILO, 2016).

This study aims to fill some of these research gaps by examining challenges associated with night work for non-professional women in the supermarket and nursing home sectors in Sri Lanka, women's responses to such challenges and coping mechanisms, and female career aspirations. The study also contributes to the existing literature via its review of legislation applicable to employees of nursing homes and supermarkets. In particular, it examines the degree to which this legislation addresses the challenges experienced by women workers in theory, and the extent to which employers adhere to such legislation in practice.

3. Summary of Existing Legislation Relating to 'Night Work'

'Night work' for women in Sri Lanka is regulated by: a) Employment of Women, Young Persons and Children's Act 1956, and b) Shop and Office Employees (Regulation of Employment and Remuneration) Act 1994.² However, these regulations are only applicable to industrial workers in non-executive grades, although the need for employing women in the 'night' has become important for other sectors in recent times. The focus of this paper is on women attached to the nursing home sector and supermarket sector. Employment in these two sectors is regulated mainly by The Wages Boards Ordinance (WBO),³ specifically under Part II of the ordinance where provisions related to particular trades are explained (Ministry of Justice, Sri Lanka, 2016). However, certain legislation under the Employment of Women, Young Persons and Children Act 1956, and the Shop and Office Employees Act 1994 are also applicable to employees attached to these sectors.

The subsequent sections first review the Employment of Women, Young Persons and Children's Act and the Shop and

Office Employees Act 1954, and then proceed to examine other legislation applicable to women workers attached to nursing homes and supermarkets.

3.1 Employment of Women, Young Persons and Children's Act

According to the Employment of Women, Young Persons and Children's Act, 1956 (EWYPC-1956) 'night' work refers to the employment of at least eleven consecutive hours including the time between 10 p.m. and 5 a.m. Only individuals who are 18 or older are allowed to work in the night. Women in non-executive grades can be employed in the night but they are subjected to certain provisions. Provisions include 1) women choosing to work voluntarily; 2) obtaining written sanction of the Commissioner of Labour; 3) inability to employ a woman who has already worked between 6 a.m. and 6 p.m. after 10 p.m. on the same day; 4) remuneration of one and a half times of their wages for all women working at night; 5) appointment of female

wardens to look after the welfare of females working at night; 6) provision of access to restrooms and refreshments for every woman who is employed in the night; and, 7) inability to exceed a maximum of 10 days of night work for women in a given month.

The rules for women differ by sector. For example, women working in an office or a shop can work till 8.00 p.m., while those working in a hotel or a restaurant can be employed till 10.00 p.m. in the night.⁴ The EWYPC-1956 is only applicable to workers in industrial undertakings, and as such they are not relevant to the workers being examined in this report.

According to the EWYPC-1956, in addition to the normal hours of work, women are allowed to engage in overtime work. However, overtime work by a woman should not exceed 60 hours in any calendar month subject to certain conditions.⁵ With special permission from the Ministry, factories are able to employ women on overtime for a longer period of time when demand is high due to seasonality or other reasons.

² Government of Sri Lanka. (1956). Employment of Women Young Persons and Children Act (and Amendments). Colombo: Government of Sri Lanka; Government of Sri Lanka. (1994). Shop and Office Employees (Regulation of Employment and Remuneration) Act. Colombo: Government of Sri Lanka.

³ Wages Boards Ordinance No.27 of 1941 as amended by No. 40 of 1943 and No. 19 of 1945.

⁴ Interview with official at the Women and Children's Affairs Division, Department of Labour.

⁵ These conditions include: 1)The total number of hours worked by a woman should not exceed 60 hours, excluding any time taken for rests and meals, in any one week; 2)The period of employment shall not exceed 12 hours in any one day; 3)Pregnant mothers, nursing mothers with children less than a year old, and a woman who has less than three month ago given birth to a still born child should not be engaged in overtime work; 4)A nursing mother.

3.2 Shop and Office Employees Act 1954

According to the Shop and Office Employees Act 1954 (SOEA-1954), workers cannot be employed on any day for more than eight hours and in any one week for more than 45 hours. These hours exclude time for rest and meals. The total period of work should not exceed 12 hours a day, although this restriction does not apply to any person holding an executive or managerial position. Every person employed should be allowed a half an hour period for rest and a meal for every four-hour period of work (SOEA-1954). The Act also specifies rest periods. Usually for an employee working a normal work day, the rest period should be between 11:00 a.m. and 2 p.m. The SOEA-1954 specifies that all persons should be allowed one whole day and a one-half day paid holiday every week. There is some flexibility to accumulate these weekly holidays over a month and also to take them in accumulation. For example, a worker may take one full day off once in two weeks instead of two half days every week.

All workers are allowed 14 days of annual paid holidays. Of this, up to seven days need to be consequent days and paid personal leave up to seven days for sickness or other personal needs can be taken. Further, all workers should be given a paid holiday on all public holidays. If it

is necessary to keep the business running on a public holiday, workers may be employed, but they should be given another full day's holiday in lieu of the public holiday before the 31st of December of the same year. Or else, the worker needs to be paid twice the daily wage for working on a public holiday. All workers should also be given a full day of leave on Full-Moon Poya days (national holidays dedicated to Buddhism). If a worker is employed on a Full-Moon Poya day, due to any reason, that worker should be paid at least one and half times his/her normal wage rate.

According to the SOEA-1954, an employer should provide and maintain the following facilities at the shop or office:

- a) Sufficient means of lighting and ventilation
- b) Sufficient facilities to take a meal
- c) Sanitary and washing facilities for the workers
- d) Seats behind the counter for female shop assistants

3.3 Wages Board Ordinance - Regulations Applicable to Workers of Nursing Homes

Nursing homes were first featured in an order under section 6 of the WBO published in 1972.⁶ The

Wages Board for the nursing home trade was established on 24 April in 1972 by an order made under the section 8 of the Ordinance, published in Ceylon Government Gazette No. 15010 of 12 May, 1972.

A 'nursing home' is defined as any premises used for providing nursing home services for persons suffering from sickness or injury. This includes premises used for treating pregnant women before, during or immediately after child-birth. The original decisions with regard to 'nursing home' made by the Wages Board came into force in 1974. A notification for special decisions made by the Wages Board with regards to workers⁷ in 'nursing homes' were first published under section 29 (3) in the Wages Boards Ordinance (Chapter 136) in Republic of Sri Lanka Gazette. No. 104 of 22 March 1974. This original Gazette was revised several times, with the last revision (at the time of this publication) with regards to wages coming into effect from 1 October 2018.⁸

This Ordinance describes the minimum wages, hours of work and overtime work, and weekly and annual holidays relating to workers in nursing homes. Unlike the SOEA-1954, the legislation does not describe the facilities to be provided by the employer.

⁶ Government of Sri Lanka. (2006-09). The Wages Board for the Nursing Home Trade (Consolidated Orders and Decisions). Colombo: Government of Sri Lanka. Retrieved August 14, 2020, from https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=76275.

⁷ Specifically, these include, matrons, nursing sisters, apothecaries, nursing home workers, midwives, attendants, dispensers, orderlies, pharmacists, laboratory technologists, surgical dressers, X-ray technicians, stewards, linen-room attendants, overseers, ward clerks, diet clerks, clerks and other workers connected to the nursing home trade.

⁸ (Government of Sri Lanka, 2018a).

Wages

As published in (Sri Lanka Labour Gazette Vol. 57, No. 3, 2006-09, pp. 78 - 85), under Section 23 (1) in the Wages Board for the Nursing Home Trade (Consolidated Orders and Decisions) on 'Intervals at which wages shall be made', workers are to be paid within 10 days of the end of a month. The minimum payment for workers in different grades is specified in the Ordinance. This minimum payment is revised from time to time and the latest government notification on this regard is published in the extraordinary Gazette 2090/14 under the Wages Board for the nursing home trade.⁹

Hours of Work and Overtime

As published in Section 24 on a 'Normal working day' under Part I in Sri Lanka Labour Gazette Vol. 57, No. 3 (2006-09), working hours of employees attached to nursing homes comprise five full working days and one-half day.) The employer and employee decide on the particular days of full-time work. A normal working day comprises of 12 hours which includes four hours for meals and rest.

As published in Section 24 under Part II in Sri Lanka Labour Gazette Vol. 57, No. 3 (2006-09), the total number of hours constituting a normal week should

not exceed 45 hours. All nursing home employees who have worked a minimum number of 26 days in January, March, May, July, August, October and December, 25 days in April, June, September, November, and 23 days in February are paid a monthly rate. Days on which the worker doesn't work, because the employer has not provided work, is counted as a day on which the worker has worked.

As published in Section 24 under Part III on 'Overtime rate' in Sri Lanka Labour Gazette Vol. 57, No. 3 (2006-09), work hours that exceed the hours of a normal working day, or the hours specified for a normal working week, is considered as overtime work. Overtime work is paid at a higher rate, as specified in the Ordinance.¹⁰

Holidays

As published in Section 24 under Part IV on 'Weekly holiday' in Sri Lanka Labour Gazette Vol. 57, No. 3 (2006-09), every employer in the nursing home trade is required to give one full day of leave to all workers. The day of leave is agreed by the employer and the employee. In the event the employer requires the employee to work on a weekly holiday, the employee has to be paid at a higher rate (a rate not less than 1.25 times of the minimum monthly rate).

Workers who have been in employment for more than one year are entitled to 21 days of paid holidays. Of these, no less than seven should be consecutive days of leave. In addition, as published in Section 25 in Sri Lanka Labour Gazette Vol. 57, No. 3 (2006-09), workers are entitled to paid leave on eight public holidays¹¹ in line with the definition of the Holidays Act, No. 29 of 1971.¹² All workers should also be given a full day of leave on Full-Moon Poya days. The employer may employ a worker on public holidays provided that the worker is given a holiday on the day succeeding the public holiday. Furthermore, the worker should be paid at a higher rate for working on a public holiday.

3.4 Wages Board Ordinance - Regulations Applicable to Employees of the Supermarket Sector

The Wages Board for the retail and wholesale trade was established on 23 December in 1988 by an order made under Section 8 of the Ordinance,¹³ and was published in the Government Extraordinary Gazette No. 539/5 of 3 January 1989. As such, employment of workers in 'goods and materials retail' and 'goods and material wholesale' are included in Part II of the WBO¹⁴ (Chapter 136). All workers under

⁹ (Government of Sri Lanka, 2018a).

¹⁰ The overtime rate is arrived at by dividing the minimum monthly rate by 200 and multiplying the resulting value by 150%.

¹¹ These include, a) The Tamil Thai Pongal Day, 2) the National day, 3) The day immediately prior to the Sinhala and Tamil New Year day, 4) The Sinhala and Tamil New Year day, 5) Holy Prophet's Birthday, 6) May day, 7) The day immediately succeeding the full moon day in May, and, Christmas day.

¹² (Government of Sri Lanka, 1971).

¹³ Wages Boards Ordinance No.27 of 1941 as amended by No. 40 of 1943 and No. 19 of 1945.

¹⁴ Ibid.

these categories, including store keepers, book keepers, cashiers, managers, clerks, and salesmen are subject to the provisions of this law.

The decisions of the wages board for the retail and wholesale trade made under Section 30 of that Ordinance (Chapter 136) are revised from time to time through Gazette notifications, of which the latest, at the time of this publication, is the Extraordinary Gazette No. 2081/50 of 26 July, 2018.¹⁵

Wages

The minimum payment for workers of different grades is specified in the Extraordinary Gazette No. 2081/50 of 26 July, 2018.

Hours of work and overtime

According to Section 24 of the WBO, normal working hours include nine hours a week on any five days and six hours a week on any one day. Workers are given one hour for rest on all six working days. The number of hours in any working week should not exceed 45 working hours. Workers are paid at a higher rate (one and a half times the usual rate), if they work in excess of the stipulated number of hours each day.

Holidays

Employers are required to provide one and a half days of weekly holiday to employees. Holidays need to be given on consecutive

days and should be given with full remuneration for workers who have worked at least 28 hours (exclusive of any overtime work) during the week (Section 24 on 'Weekly Holidays' under Part IV of the WBO). Every employee who has worked for more than one year is entitled to 14 days of paid leave (Section 25 on 'Annual Leave' under Part V of the Ordinance). The length of the annual holiday for workers in their first year of employment is calculated on a pro rata basis depending on the number of months of work. Annual leave no less than five days should be taken as consecutive days. In addition, workers are entitled up to seven days of leave for sickness, private business and other personal matters. Workers are also allowed a paid holiday on eight public holidays¹⁶ and they should be given a full day of leave on Full-Moon Poya days (Section 25 on 'Public Holidays' under Part VI of the WBO). In case a worker is required to work on a public holiday, the worker should be given a paid holiday on the day following the public holiday. Furthermore, the worker has to be paid double the daily rate for work done on the public holiday.

3.5 Comparison of Legislation Governing Nursing Homes and the Supermarket Sector

Working hours per day vary across nursing homes and the

supermarket sector with regard to time allocated for rest. For employees attached to nursing homes, hours of work can extend up to 12 hours, but with a four-hour rest period. However, in both sectors, weekly working hours are limited to a maximum of 45 hours a week and the employer is required to pay a higher rate for any work done outside normal hours.

Workers in both sectors can claim one and half days of holidays each week, while, all workers who have worked at least a year are entitled to 21 days of paid leave per annum. They are compelled to take a specified number of days of these annual holidays on consequent days, although the number of consequent days of holiday a worker can take vary between the sectors. Workers who are asked to work on a public holiday have to be given a holiday in lieu of the public holiday and also have to be paid at a higher rate for working during a public holiday. Both sectors specify intervals for rest and meals, usually amounting to half an hour of rest for every four hours of work, or an hour of rest for eight hours of work. In addition, the EWYPC-1956 specifies the facilities that any employer should maintain for workers (see Section 2.1).

¹⁵ (Government of Sri Lanka, 2018b).

¹⁶ These include, 1) The Tamil Thai Pongal day, 2) The National day, 3) The day immediately prior to the Sinhala and Tamil New Year day, 4) The Sinhala and Tamil New Year day, 5) Holy Prophet's Birthday, 6) May day, 7) The day immediately succeeding the Full Moon day in May, and 8) Christmas day.

Table 2
Summary of Existing Legislation

	Wages	Hours of Work and Overtime	Leave/Holidays
EWYPC-1956 [General Night Work]	<ul style="list-style-type: none"> • Remuneration of 1.5 times of wages, for all women working in the night 	<ul style="list-style-type: none"> • Maximum number of overtime hours per week: 60 • Maximum number of overtime hours per day: 12 • With special permission from the Ministry, the factories can employ women on overtime for a longer period of time (seasonal periods) 	N/A
SOEA-1954 [General Night Work]	<ul style="list-style-type: none"> • A person working on a full moon Poya day to be paid at least 1.5 times normal wage rate 	<ul style="list-style-type: none"> • Maximum number of normal working hours per day: 08 (excluding intervals for meals & rest) • Maximum number of normal working hours per week: 45 (excluding intervals for meals & rest) • Period of work per day should not exceed 12 hours (including 4 hours for meals and rests) • Overtime: Work hours exceeding normal working hours 	<ul style="list-style-type: none"> • 14 days of annual paid leave (07 consecutive days + 07 days for sick leave and other personal needs) • All persons should be allowed one whole day and a one-half day paid holiday every week which can be taken in accumulation later • Every person is granted a holiday on full moon Poya days

	Wages	Hours of Work and Overtime	Leave/Holidays
WBO No.27 of 1941 as amended by No. 40 of 1943 and No. 19 of 1945 under various Gazettes and Extraordinary Gazettes pertaining to the Nursing Home Sector	<ul style="list-style-type: none"> • Minimum wages for workers vary depending on different grades • Wages need to be paid within 10 days of the end of the month • A person working on a public holiday needs to be paid at a higher rate • If a person is employed on his/her weekly holiday, he/she has to be paid a rate not less than 1.25 times of the minimum monthly rate 	<ul style="list-style-type: none"> • Normal working hours per day: 12 (inclusive of 04 hours for meals and rest) • Maximum number of hours per week: 45 • Working hours include 05 full working days and one half day 	<ul style="list-style-type: none"> • Assigned one full day leave per month • Workers who have worked more than one year are entitled to 21 days of paid holidays (out of which 07 days should be consecutive) • Also entitled to paid leave on 08 public holidays • All workers are assigned leave on full moon Poya day • A holiday will be granted on the day succeeding the public holiday in case someone works on a public holiday

	Wages	Hours of Work and Overtime	Leave/Holidays
<p>WBO No.27 of 1941 as amended by No. 40 of 1943 and No. 19 of 1945 under various Gazettes and Extraordinary Gazettes pertaining to the Supermarket Sector</p>	<ul style="list-style-type: none"> • Minimum wages for workers vary depending on different grades • Workers are paid 1.5 times the normal rate for overtime hours • Workers are paid double the daily rate for work done on public holidays 	<ul style="list-style-type: none"> • Normal working hours: 09 hours a week on any five days and 06 hours a week on any one day • Maximum number of hours per week: 45 	<ul style="list-style-type: none"> • Those who have worked for more than one year are entitled to 14 days of paid leave • All are entitled to 1.5 days weekly holiday • Employees have to take at least 05 days of annual leave as consecutive days • In addition, workers are entitled up to 07 days of leave for sickness, private business and other personal matters • Paid holiday on 08 public holidays • A paid holiday on the day following the public holiday in case worker had to work on a public holiday

4. Research Design

The objective of the present study was to examine work experience and night shifts of associate professional and/or non-professional women in Sri Lanka. For this purpose, the research team deployed qualitative methods of investigation to discern participants' own perceptions and views. Prevailing studies suggest that, qualitative research methods are vital for strengthening the accountability of research; they produce detailed and rich data, which allows for greater depth of understanding (Silverman, 2009). This research employed participant observation and semi-structured interviews as part of the qualitative research design. The researchers observed participants in their usual working environments and, additionally, in the case of supermarket workers, the hostels in which they resided.

The study incorporated one-on-one in-depth semi-structured interviews as the main approach in collecting data, which comprised of many open-ended questions (King, 2004). Semi-structured interviews are described as a two-way dialogue, maintaining both flexibility and control, and giving the researcher insights into how respondents interpret different concepts and practices of phenomena (King, 2004). The interviews were semi-structured to ensure that participants are given some scope to raise any important

concerns which had not been previously addressed on the interview schedule. While the key issues that the research team intended to address were established in advance, some additional issues arose during the interviews itself. Each interview lasted between 90 and 120 minutes, which allowed the research team adequate time to explore all research topics in detail. All interviews were audio recorded, and subsequently transcribed.

4.1 Sample

The research team initially intended to focus on two-three sectors from logistics, shipping and maritime, consumer goods, pharmaceuticals and nursing home and garments. The garment sector was subsequently dropped, because it has been extensively researched. Upon exploring the shipping and logistics sector, it was learnt that associate professional and non-professional women are not employed in nightshifts. Given the manual nature of night time work, employers affirmed that they cannot assign such work to women by law, and as such, night work performed onsite was limited to men.¹⁷ Within the broad category of consumer goods, supermarkets were chosen due to existing contacts with potential interviewees. Similarly, in the case of the nursing home industry, channeling centres were

selected using convenient sampling. The sampling method can thus be described as a combination of purposive and convenience sampling (Morse, 2000; Silverman, 2013).

Data was collected from one channeling centre (belonging to the nursing home sector) located in the Kandy district and two supermarket chains (belonging to the supermarket sector) located in the Colombo district. Although attempts were made to interview employees from other channeling centres, difficulty in obtaining permission and access to interview employees compelled the research team to limit the study to one centre. 14 interviews among employees and two interviews among supervisors were conducted in nursing homes, and 16 interviews among employees and two interviews among supervisors in supermarkets (eight employees and one supervisor from each supermarket) respectively. The 14 nursing home employees involved ten nursing home workers, two pharmacists, and two attendants (care workers) - all attached to the same hospital, although from different wards/units. The two supervisors were a matron and a chief pharmacist who are involved in directly supervising and, are immediate heads of the interviewed employees. The 16 supermarket employees comprised of six customer service assistants, six cashiers,

¹⁷ While some higher skilled females were at times required to work in the shipping and logistic industries from home at night, for instance in responding to office emails, most non-professional females had no nightshifts.

three sales assistants and one sales supervisor, while the two supervisors were managers directly overseeing the interviewed employees. All employees were chosen randomly within each industry, depending on their availability, while the supervisors were purposively chosen.

Table 1 in annex 1, outlines the demographics of interviewed employees from both sectors. The majority of employees from the nursing home sector were A-Level qualified in the Arts stream and had received subsequent training in nursing. While most workers attached to the supermarket sector were also A-Level qualified in the Arts stream, some held diploma level qualifications. Interestingly, five employees attached to supermarkets had undergone training in nursing before joining the supermarket. The mean age of nursing home employees was 42, whereas it was significantly lower at 25 amongst supermarket workers. 12 out of the 14 nursing home employees were married (eight had children below the age of 15), in contrast to two married individuals in supermarkets. Most interviewees in both sectors were from the Sinhalese Buddhist ethnic group. The interviewees were called upon by their managers for interviews based on their availability at the time the research team visited each organisation. As such, the team had no control over ensuring that the selected sample represented significant variation in terms of sociodemographic characteristics.

4.2 Data Analysis

Thematic analysis was used as the main data analytical technique in examining the research objectives. As its name implies, thematic analysis involves organisation and analysis of textual data according to themes. The effectiveness in reducing large amounts of interview text to simple categories is a key advantage in using thematic analysis (King, 2004b). An initial list of descriptive codes was developed in order to represent the key themes that were addressed in the interview guide initially, and those that emerged in the interviews (Braun and Clarke, 2006). The initial analysis identified six main themes and sub-themes under each theme, as illustrated below:

1. Perceptions of night work
 - a. Society
 - b. Family
 - c. Own view
2. Conditions of work
 - a. Wages
 - b. Workload
 - c. Facilities
 - d. Rhetoric and reality of policies
 - i. Unawareness
 - ii. Gaps between policy and practice
 - e. What women do with regard to appalling conditions of work and why?

3. Working environment
 - a. Evidence of harassment
 - i. What constitutes harassment in each sector (supermarkets and channeling centers)? What were the differences?
 - ii. Who did the harassment (e.g. customers) and descriptions of events?
 - iii. What did people do when they were harassed (how did they attempt to deal with the situation)?
 - b. Interactions between colleagues/lack of transparency (hesitant to talk about issues)/ competitiveness
4. Transport and travel to work
5. Family-work balance
6. Career aspirations and career development
 - a. People wanted job/money - derived recognition from job
 - b. Necessity to leave due to workload/perceptions of partners
 - c. Perceptions of constraints even among those who are not married

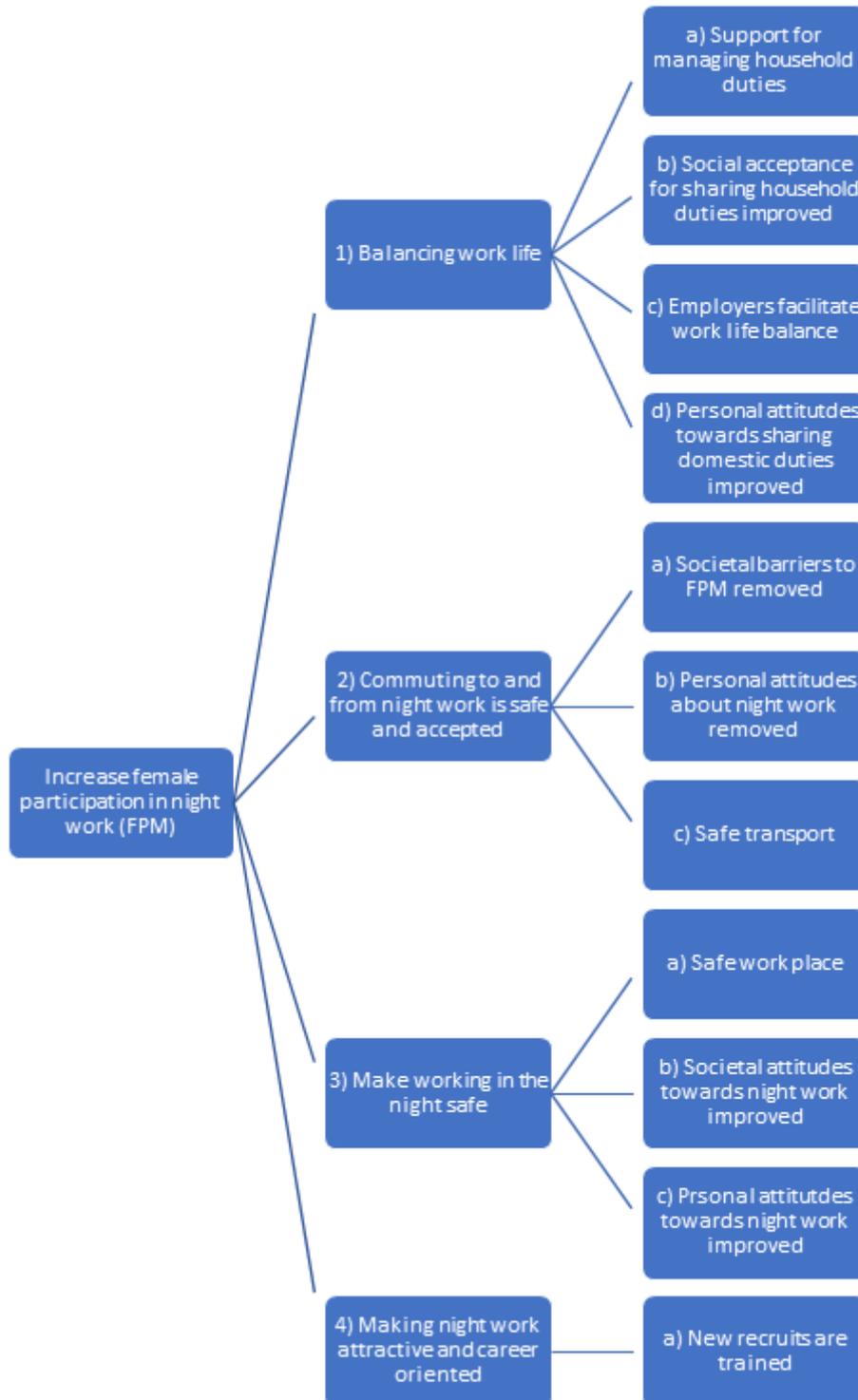
Based on this initial analysis, the following diagram was developed, where themes were combined

with other themes, to map how the examined areas can influence the ultimate objective of improving female participation in night work in the country. Overall, the analysis focussed on the associations between themes,

rather than analysing individual themes in isolation, assessing dominant patterns and relationships (Braun and Clarke, 2006). Accordingly, the final analysis focussed on the themes of work satisfaction and career

advancement prospects, challenges faced at home and on the road, challenges at work and working conditions, and social and cultural related challenges.

Figure 1
Increasing Female Participation in Night Work



5. Findings and Discussion

"In my opinion, women should work in the night just like men and should learn to face challenges successfully and be independent" - 23 years, single, working at a Supermarket

This interviewee is not alone in voicing the above statement; 50% of employees that were interviewed approved night working for women. They also argued that women both need and want to work in the night, for a range of reasons, which are explored below. However, there were significant challenges to night work, which warrants urgent attention from policymakers and practitioners. These issues are explored in detail in the following subsections.

This study first addresses the significance of night work for respondents, and the perceived advantages they described. Thereafter, the challenges faced by women engaged in night time work are examined. These challenges include practical barriers at home and work (e.g. transport, care responsibilities and working conditions) and broader societal and cultural barriers (like family members' perceptions on women working night shifts).

5.1 Work Satisfaction and Career Advancements Prospects

Employment had a very positive impact on workers' families in strengthening financial

“50% of employees that were interviewed approved night work for women. However, there were significant challenges to night work, which warrant urgent attention from policy-makers and practitioners.”

capabilities whilst enabling them to settle loans, educate their children, and build houses and fund parents' medical needs. Employment also assisted to avoid the need for workers to migrate overseas, and therefore kept families together and ensured that workers' salaries were fully spent within the local economy. In respondents' words:

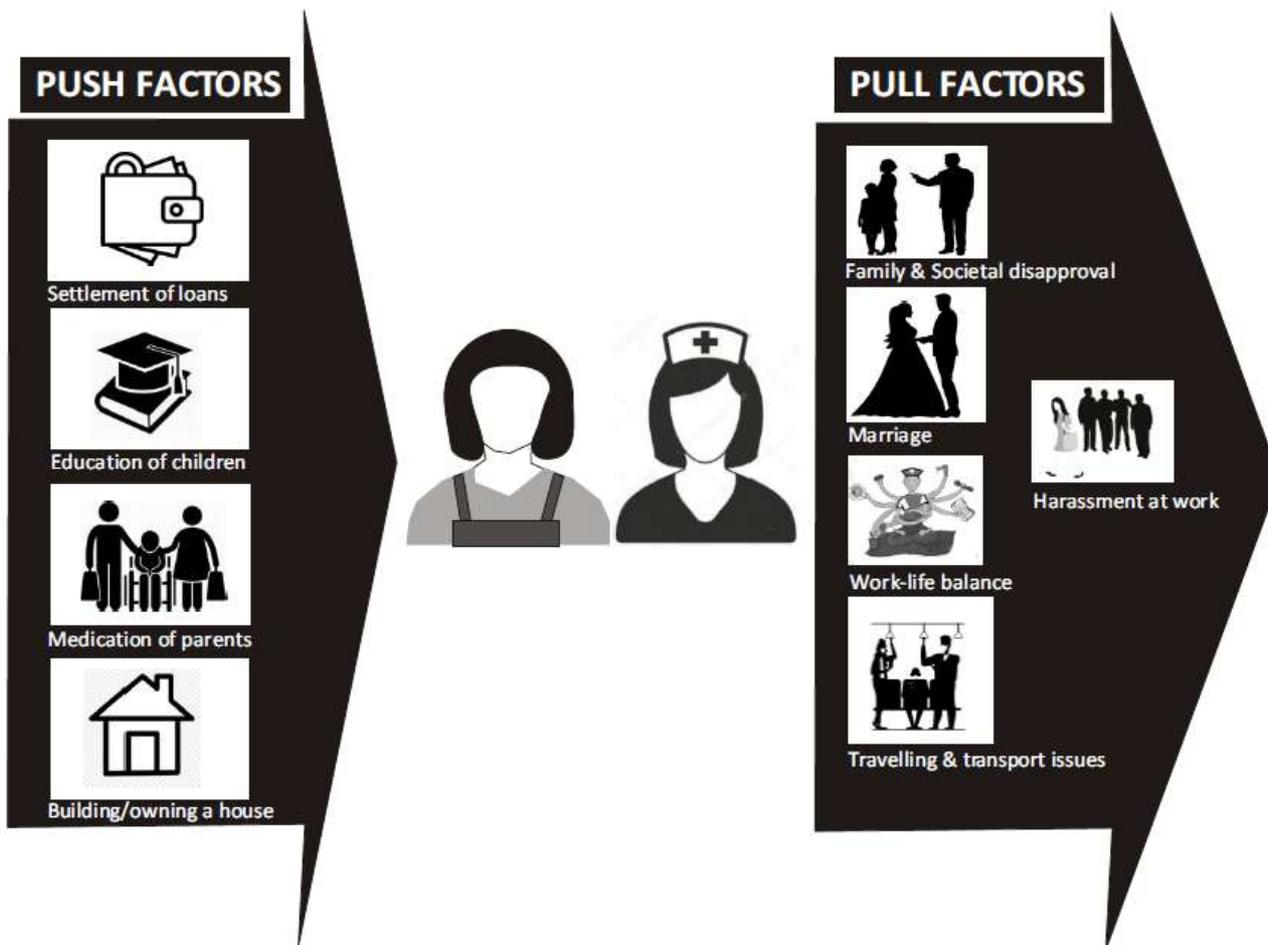
"This job helps me settle my loans and enables me to be with my family rather than working abroad" - 50 years old, married with a child, working at a Nursing Home

"Working has helped me earn a better living and it is through the earnings and savings of this job, that I was able to build a new home" - 36 years old, married with a child, working at a Nursing Home

Working facilitated improving education for the family. Being able to work during the night provided a mode of additional income for women to support their children's' education. As the respondent describes:

"Even though my husband does not like me working in the night, I do so for the sake of my children. I can educate my children through the earnings" - 44 years old, married with 2 children, working at a Nursing Home

Similarly, women's employment also improved families' ability to care and treat elderly relatives. As the respondent notes:



"This job enables me to fund treatment for my mother who is a mental patient. I am happy that I can contribute to her medication whilst my father takes care of household expenses" - 23 years old, single, working at a Supermarket

Therefore, being able to provide in this way has far reaching positive benefits not only for women themselves, but also for their families and the society at large (Fernando and Cohen, 2013).

For a majority of supermarket employees, being satisfied with the job required changes to working conditions, such as having reasonable working hours and receiving a decent salary. The main perceived indicator of career

success, however, was the ability to rise within the organisation's structure to the highest level, a common indicator revealed by many workers of different skill levels and industries (Fernando and Cohen, 2011; Fernando and Cohen, 2014). However, the case was much different when considering the views of career success among nursing home workers. For them, balancing job and family life, and the ability to persevere in the job despite barriers that had to be faced, featured as the main parameters of career success.

It is notable that many nursing home workers had young families in contrast to supermarket workers. Therefore, this finding suggests that family

“Family responsibilities influences the way people conceptualise success in career.”



responsibilities influence the way people conceptualise success in career. For the unmarried, career progression to the top level was important, while for the older, married group, balancing the demands of home and work successfully was more valued. This reflects broader patterns of worker priorities which change across the life-course.

For the nursing home workers, another key indicator of job satisfaction was derived from engaging in a meaningful job and being seen by others as pursuing a respectable occupation in terms of caring and healing the sick, consistent with prior research findings (Fernando and Cohen, 2014). This point is further elaborated in Section 2.

Respondents had similar views on means through which career success can be achieved, the most frequently cited being perseverance, and commitment in line with culturally valued traits, which again resonates with

“Despite the desire to progress in their careers, half of the supermarket employees did not envision themselves continuing in their particular jobs in the long-run.”

findings from similar research (Fernando and Cohen, 2015), and teamwork. As one of the respondents explained:

"People who are successful in this field have always worked with all their heart, they were hard working, happy to work in the night, friendly with both the superiors and colleagues and very cooperative when doing team work" - 40 years old, married with 3 children, working at a Nursing Home

Similarly, another respondent described:

"Becoming successful requires a lot of hard work, perseverance and commitment. It's not an easy job - work is hectic and tiring and we have to deal with various kinds of customers" - 23 years old, in a relationship, working at a Supermarket

Despite the desire to progress in their careers, half of the supermarket employees did not envision themselves continuing in their particular jobs in the long-run. The key reasons highlighted by the participants were; heavy workload and challenges associated with night shifts. As one of the respondents noted:

"Neither do I want to retain in this industry nor do I want to go higher in the ladder because I personally do not like working till late and working over-time" - 24 years old, single, working at a Supermarket

While night work was attractive in terms of financial gains for many women, it was also viewed as exploitative due to supervisors requiring them to do extended

hours on short notice.

Furthermore, night work was also practically difficult due to various hazards associated with travel in the night.

Some women expressed their desire to seek employment in the public sector, with less demanding work schedules and more flexible working hours. As opined by one of the respondents:

"I would like to move to a better job soon, preferably in the public sector, where there is no night work and work is less demanding" - 26 years old, single, working at a Supermarket

Most nursing home workers, however, hoped to continue their jobs in the long-run. This was somewhat expected, given that the interviewed sample of individuals were those who managed to persist despite challenges. Furthermore, they were older than the supermarket workers who were being interviewed and as such, were more settled in their current jobs. Key reasons for remaining in their jobs included earnings, job satisfaction, and social recognition. These themes will be further examined in the following section.

Wages

According to data of the Labour Force Survey 2017, the average basic monthly salary of a female

employee working in a hospital in the private sector is LKR 24,930. Similarly, interviews revealed that the basic salary of workers in nursing homes is approximately LKR 25,000 per month, which can be raised to around LKR 40,000 if supplemented with overtime work. The minimum wages specified for workers in this trade range from LKR 12,500 (for a novice worker in the lowest grade) to LKR 17,225 (for a grade 1 worker with 10 years of experience).¹⁷ The actual wage received by workers in the sample is therefore higher than the minimum wage. However, interviewed workers were not happy with their salary, given that they had to incur additional job-related expenses for transport, eating out and child care. This was especially pertinent in the accounts of workers with families in the nursing home industry. Many respondents travelled a distance of 10-20 km one way on a daily basis, and some had to take additional three-wheelers from the bus stop to their homes after nightshifts, incurring further costs. Some respondents employed domestic helpers to look after their young children while at work, further raising their expenses. Insufficient pay was a key reason for job turnover in channelling centres. As respondents note:

"My basic salary is only Rs. 25,000. I cannot save anything, I have to pay the servant 500 daily. I come to work just because I like this job" - 47 years old, married with 2 children, working at a Nursing Home

"Since my salary was quite low, I went to Saudi Arabia halfway through and worked there for 2 years and 8 months. I returned in 2002 because of the kids and re-joined the hospital" - 63 years old, married with 3 children, working at a Nursing Home

In terms of the basic salary of the supermarket sector workers, estimates from the Labour Force Survey 2017 revealed that, female employees earn LKR 19,137 on average, while the responses from the interviews reveal that the basic monthly salary is around LKR 16,500. The responses from the interviews further revealed that their earnings were merely enough to cover their daily expenses. Overall, estimates from the Labour Force Survey indicate that the salary earned by supermarket workers is lower than those in nursing homes. According to legislation, the minimum wages for workers in the supermarkets ranges from LKR 11,500 (for novice workers in the lowest skilled grade) to 15,155 (for workers in the highest grade with 10 years of experience).¹⁹

As a respondent notes:

¹⁸ The workers in this trade are grouped into seven grades. Grade-I refers to the highest skilled workers, such as matrons and apothecaries, while Grade VII refers to the lowest grade workers, including linen room attendants, labourers, sweepers, and pantry boys. Government of Sri Lanka. (2018a). The Gazette No. 2090/14 of the Democratic Socialist Republic of Sri Lanka (Extraordinary). Department of Government Printing Sri Lanka. Retrieved August 15, 2020, from http://www.labourdept.gov.lk/images/PDF_upload/ExtraGazettes/2090-014_e.pdf.

¹⁹ Workers in supermarkets are divided into four grades. Grade IV workers have the lowest skill sets. They include workers such as labourers, delivery boys, shop boys, packers, messenger boys, counter boys, store-keepers, book-keepers, cashiers, etc. Grade I workers are high skilled workers such as, store keepers, book-keepers, cashiers, managers, stenographers and dispensers. The Gazette No. 2081/50 of the Democratic Socialist Republic of Sri Lanka (Extraordinary). Colombo: Government of Sri Lanka. Retrieved August 17, 2020, from http://www.labourdept.gov.lk/images/PDF_upload/ExtraGazettes/2081-50_e.pdf

"My basic salary is only 16,500 which is not enough at all. I hardly have any savings over my 1.5-year period of working" - 26 years old, single, working at a Supermarket

Individuals who worked on public holidays said that they get paid double the usual amount. Furthermore, working overtime enabled them to earn 1.5 times more, in keeping with existing legislation.

“While workers in both the nursing home and supermarket trade were paid more than the minimum wage prescribed by legislation, they viewed their remuneration as insufficient.”

However, wages were at times reduced owing to deductions for mistakes at work. This was especially the case for cashiers. In respondent's words:

"Being a cashier is very stressful as we are responsible for every penny the supermarket gets and loses. For instance, if by any

chance, the day's accounts do not tally with the sales made on that particular day, the organisation deducts that amount from our salary. There have been times where they deducted around LKR 5,000 per month. It is quite a lot. When I pay the hostel and for my food, I can hardly afford other expenses when such a bad incident happens" - 26 years old, single, working at a Supermarket

Such uncertainties significantly affected workers' financial security and ability to plan for the future. In summary, while workers in both nursing homes and supermarket trade were paid more than the minimum wage prescribed by legislation, they viewed their remuneration as insufficient. For the former group, this was mainly due to childcare costs and three-wheeler expenses when travelling home after nightshifts, while for the latter, hostel accommodation and work-related deductions were cited as main reasons.

5.2 Challenges at Home and on the Road

a) Travel

A majority of the respondents approved night work if the work environment was safe, and if secure transportation was provided. As one participant voiced:

"As long as safe transport is provided by the organisation, working in the night is not an issue" - 25 years old, single, working at a Supermarket

Travelling in the night was a pressing issue for most of our respondents from both sectors. However, the modes of transport used by workers in the two sectors varied significantly.

Those attached to nursing homes used 'buses' as the key mode of transport as they lived far from their place of employment. The commute time varied from 30 minutes to two hours for these workers. Even though hostels were available for them, the workers we interviewed were unable to stay in these hostels owing to family commitments and responsibilities. Furthermore, many family members did not approve women staying in hostels.

Owing to lack of buses available during night, some had to wait for

“Harassment from other travelers was a major concern. There was a spectrum of potentially illegal, dangerous and harmful behaviours experienced by respondents.”

a longtime to catch a bus, or use multiple buses which significantly prolonged their travelling time and delayed returning to their homes. As one of the respondents explains:

"Even though I look forward to heading back home after work, I have to wait for more than one hour to get a bus. Sometimes, I decide to take two buses so that I can get home early. But, most of the time I am wasting the time I could have been with my kids and family" - 36 years old, married with a kid, working at a Nursing Home

As this quote signifies, the unreliability and infrequency of transport results in disruption to family life. Harassment from other travellers was a major concern. There was a spectrum of potentially illegal, dangerous and harmful behaviours experienced by the respondents. According to them, incidents described included physical harassment, cat calling, whistling, verbal harassment, mental harassment, indecent jokes with regard to women's physical appearance and indecent behaviour in public transport modes and [on the] road.

One worker voiced her unpleasant experience of being followed and harassed whilst she was walking home:

"Around a year ago, I was walking home from the bus stop in the night and a three-wheeler kept on following me putting his arm outside with the intention of dragging me in. I ran for so long until the three-wheeler went away from my sight. This was around 9 p.m. I was shocked by this and

still cannot imagine why, a young person who is like in the age of my son tried to kidnap me. To be honest I am like his mother's age. Males do not really care the age when it comes to harassments" - 50 years old, separated with a child, working at a Nursing Home

Unpleasant experiences such as these, have made women workers across all age groups understandably fearful of physical assault, kidnap and rape. She shared another bad experience as follows:

"I am so scared to travel in the night, especially alone. There was an incident, which happened on my way home in a gravel road where three youngsters possibly drug addicts were taking drugs in the dark behind a tree. I ran fast until I felt I was safe. Just imagine! What if they followed me? I was all-alone. It was such a scary situation" - 50 years old, separated with a child, working at a Nursing Home

Due to the fear amongst women working in the night, many resorted to unsatisfactory compromises just to avoid walking home alone; some of these compromises include staying overnight at the workplace owing to the lack of buses or asking their spouses to accompany them home from the bus-stop. As one of the respondents described:

"I have to walk around 1 km to get home from the bus stand. My husband comes every day to escort me since it is not safe to travel alone in the night" - 32 years old, married with a kid, working at a Nursing Home

“Due to the fear amongst women working in the night, many resorted to unsatisfactory compromises just to avoid walking home alone; compromises such as staying overnight at the work place owing to the lack of buses or asking their spouses to accompany them home from the bus-stop.”

Some women spend extra money (that they often couldn't afford) to go in a three-wheeler, from the bus stop to their homes. A respondent explains:

"I usually go back home by tuk and I get down a bit ahead of home to ensure safety. I have never revealed where my home is to those tuk drivers" - 48 years old, married with 2 children, working at a Nursing Home

Most respondents from the nursing home sector suggested that travelling after work in the night is 'not at all safe'. The harassment women experienced was greatly gender-biased. Women night workers had to be constantly vigilant and defensive, as asserted in previous research (Fernando and Cohen, 2014). These involved tactics such as distancing themselves from male passengers when using public transport, not revealing the exact home location to three-wheeler drivers and deploying self-defense mechanisms in order to ensure they get home safe and sound. The statements below indicate some of the strategies that women used to avoid harassment and abuse:

"Travelling back home by bus is not at all safe because of males. I overcome such challenges by not talking to male passengers and ignoring them" - 45 years old, married with 2 children, working at a Nursing Home

"I usually go back home by tuk and I get down a bit ahead of home to ensure safety. I have never revealed where my home is to those tuk drivers [...] it is very uncomfortable to go by bus next to a man. Men always take

another man's side irrespective of who is at fault. There were two incidents where I had to hit two men twice for trying to touch me unnecessarily" - 48 years old, married with 2 children, working at a Nursing Home

“Most respondents from the nursing home sector suggested that travelling after work in the night is 'not at all safe'.”

The supermarket sector, however, provided a more positive case study when compared to the nursing home sector. Women from the supermarket sector, who were mainly young and unmarried, lived in hostels close to their workplace. In this industry, the majority of women travelled to work on foot in the morning. In the night, all workers were provided with free private transport by the company; they had a driver and were accompanied by a supervisor. In the words of one of the respondents:

"There is no issue when travelling in the office transport. We wait inside the workplace, till the van comes to pick us. We do not have to wait on the road all alone till

the van comes and we are glad about it" - 23 years old, single, working at a Supermarket

This shows the important contribution employers can make towards ensuring their workers' welfare.

Similar to the feedback given by the supermarket sector female employees, a majority of managers in the supermarket sector showed a positive notion on the idea of providing transport in the night. As one of the supervisors explained:

"We are humbly proud that our company has taken great efforts to provide our employees with safe and secure transport to commute back to their hostels, in the night. I myself, have gone to drop them many times, and we make sure we don't leave them halfway through and we have even advised our chauffeurs to be very careful when driving. As such, we have taken all the steps required to ensure that travelling back home in the night is safe and as such, no worker will be at risk on their way back to their hostels"- 30 years old, Supervisor, working at a Supermarket

Furthermore, supervisors also found that, providing safe transport to their employees help them, strengthen the trust they have towards the company. As an employer explains:

"There have been many instances where our employees have thanked me personally, and said how grateful they are to the company, for ensuring their security" - 30 years old, male, single, Manager at a Supermarket

b) At Home: Exploring Caring and Domestic Responsibilities

Women are still considered the primary caregiver in a majority of Sri Lankan families. This implies that women who intend to participate in the night-time economy, need to secure sufficient care for young children and/or elderly relatives. A respondent explains:

"Females should work in the night, if there is sufficient support to her by her family members looking after kids [working at night] would not be an issue" - 24 years old, single, working at a Supermarket

For most of the women, this support only existed in the form of family members assisting them with taking care of their children. Our findings revealed that female workers relied heavily on extended family - such as mothers, mothers in law, aunts and sisters for child care needs. This enabled women to concentrate on their work, in the knowledge that their children are in safe and reliable hands. As such, they did not have to worry about leaving their kids at home. According to the study, finding reliable support however, was a major concern raised not only by women interviewees who currently had a family and were committed, but also for those who anticipated having a family in the future.

Many respondents found it quite challenging to manage the demands associated with home and work successfully. As a respondent explains:

"I can't take care of my son the way I want, because of my job. I rarely get time to help my son

with his studies. His teacher scolds him for not doing his homework, and he hates going to school. I worry about my son. I don't want him to get neglected because of my job" - 50 years old, married with a son, working at a Nursing Home

In addition, women in the nursing home industry stated that the time taken to travel back home from work made it more difficult to harmonise work and home life. As a respondent explains:

"By the time you reach home, your family members are already a sleep, no time to have family discussions, no time to check upon children's homework and other needs. Family members get neglected" - 24 years old, single, working at a Supermarket

“Our findings revealed that workers relied heavily on extended family - such as mothers, mothers in law, aunts and sisters for child care needs.”

As primary caregivers, the prolonged absence from their families appeared to be

emotionally distressing for most of the women and their children. A respondent explains:

"I find it difficult to do my job because of my son. He always cries when I leave with him my helper to go for night duty. I find it hard to concentrate at work, because I am thinking of my son" - 26 years old, married with a kid, working at a Nursing Home

Scholars have described this phenomenon as a 'bifurcated consciousness, 'where women feel responsible for both at home and work, and therefore, are unable to concentrate on or feel successful in either situation (Smith, 1987). This situation had adverse emotional and psychological effects on women and their families. However, when women received domestic and care support at home, the burden appeared to be alleviated. As a respondent notes:

"I am able to do my job because of my husband's support with family work. If not for my husband's support I would neither have a successful career nor a happy family life" - 48 years old, married with 2 children, working at a Nursing Home

When support was available at home, women felt more confident in being able to raise a family while having a successful career.

The majority of supermarket workers did not have as many issues pertaining to child care as most of them were either unmarried or newly married. The few employees who did have young children were able to rely on their parents for childcare and support. However, more than half

of the supermarket respondents confirmed that they would not continue to work in a supermarket once they start a family, because they anticipated a clash of work with domestic and care responsibilities at home.

A majority of nursing home workers faced significant problems in balancing family and work commitments especially when their children were small. In cases where there was strong family support - either from husbands, parents, or siblings - women were able to continue working without a career break, a finding that resonates with existing research (Fernando and Cohen, 2013). However, when such support was unavailable, many had to resort to taking unpaid leave until their children were older.

5.3 Challenges at Work and Working Conditions

a) Hours of work

According to the Labour Force Survey 2017 data, women in supermarkets work around 49 hours per week on average, even though the legislation state that the number of hours in any working week should not exceed 45 working hours.

The findings from the interviews confirm the estimates of the 2017 Labour Force Survey data, as women in supermarkets revealed that they often had to work longer hours especially when they were given night shifts. Extended hours were beyond the requirements of their contract and women were asked to do extended hours on

“Extended hours were beyond the requirements of their contract and women were asked to do extended hours on short notice. This resulted in instability and significant disruption to their personal lives.”

short notice. This resulted in instability and significant disruption to their personal lives. A respondent explains this pattern of overwork:

"During night shifts, we have to work till around 1 a.m. to 1.30 a.m. even though the shift is over by 11 p.m.. The morning shift is supposed to be from 6.30 a.m. to 4.30 p.m., we always stay till around 7.30/8 p.m. This is sometimes to finish the work of those whose pace of work is relatively slow" - 24 years old, single, working at a Supermarket

The responses by the managers confirmed that, employees may

have to work longer hours and undergo heavy work load owing to scarcity of workers given the high demand. As explained by one of the supervisor:

"I agree that our workers have to work longer hours than expected. I have seen how hard it is for them to do so, however it is not under my control. We try our best to release them on time, but most of the time we fail to do so. We provide essential services to the customers and we have to make sure all customer needs are provided. We cannot afford to lose a customer owing to poor service. Given that the number of employees in our store is quite low, those who already work will have to work for extended hours in order to ensure a smooth service" - 32 years old, Supervisor, working at a Supermarket

Responses given by the supervisors in the Supermarket sector affirm that longer working hours are important to cater to their customers' needs; even though they are aware of the negative impacts it could have on the employees, limiting their hours is not a solution owing to employee scarcity.

As such, supervisors' views on the hours of work show that providing superior service to customers remains their topmost priority; in order to achieve this goal, workers should work for longer hours.

In addition, employees were also well aware that their unstable working hours would be incompatible with family life when they choose to have families. As a result, some women affirmed that they would

need to leave the workforce after childbirth:

"This will be a huge issue if we were married and had kids. It will be very difficult to do this kind of job after marriage" - 24 years old, single, working at a Supermarket

"When married, night work will be an issue" - 24 years old, single, working at a Supermarket

b) Working conditions

Many supermarket staff had to work extended hours than they have been contracted for, due to lack of staff. As a respondent explains:

"There is too much work here, mainly due to a shortage of staff. Without recruiting more staff, they get the work done from the current staff to save money. I am staying on since I have to earn" - 25 years old, single, working at a Supermarket

Some employees quite often had to work when they were unwell due to insufficient staffing:

"We sometimes have to even forget our pains and sicknesses and work in the night. It is quite hard when we have to face such issues as irrespective of our health conditions, we have to finish the day's work" - 31 years old, married with 2 children, working at a Supermarket

Significantly, supermarket work appeared to be physically tiring for many women because of the requirement to carry heavy objects. Some respondents argued that fellow women workers known to them quit their jobs due to health issues associated with lifting heavy weight goods. As a respondent explains:

"Some senior female colleagues of mine quit the job because they faced health problems owing to carrying heavy weight such as; facing [issues like] fertility and damaging of pelvic muscles, which leads to uterine prolapse" - 24 years old, single, working at a Supermarket

Lifting heavy objects remains problematic, particularly for older workers.

A majority of the supervisors were worried about the heavy work load that their employees had to undergo. They viewed it as a sin and as such, they were distressed about tough working conditions that their employees have to undergo as part of their job. As explained by one of the supervisors:

"I have been working here for few years now, and I am disappointed on our employees' working conditions. They have complained to me so many times and shown their disregard on lifting heavy bags and working in the meat section. I am planning to quit this job very soon, as I'm not happy to see them being exploited, and remain quiet. I believe there should be at least a society for workers so that their hardships are appreciated and their efforts are valued. Employees do not have a way to sound their issues to higher levels, thus, they continue to work effortlessly" - 34 years old, male, married, Manager at a Supermarket

However, employees attached to nursing homes did not complain about the nature of job and workloads in the same way as in

the case of supermarket workers. However, some nursing home workers were worried about additional duties falling on women, due to the gender-sensitive nature of their work. For instance, while male nursing home workers could not attend to female patients, female nursing home workers were able to attend to male patients, with only a few conditions. Female nursing home workers were thus, often subjected to much more work than male nursing home workers.

“Some nursing home workers were worried about additional duties falling on women, due to the gender-sensitive nature of their work.”

c) Customer Harassment and Grievance Handling

A number of supermarket workers complained about rude customers who treated them with disrespect. Women argued that they were required to put up with being bullied by customers in the name of customer satisfaction and customer care. Managers rarely took their side even when the customer was at fault. Workers experienced this as particularly

disheartening. A respondent working in the supermarket sector, voiced:

"Customer complaints are sometimes an issue. Especially, the complaints made by female customers! They treat female workers badly, in particular. They are very impatient and quick to complain" - 29 years old, in a relationship, working at a Supermarket

In supermarkets, women also complained of having to cope with undesired attention from male customers especially in the night:

"Another challenge is receiving unwanted suggestions from male customers especially from the old ones" - 24 years old, single, working at a Supermarket

Workers attached to supermarkets revealed that the support received from their managers with regard to customer harassment is very poor and unsatisfactory. When challenges like this arise, workers had the option of reporting concerns to their immediate supervisors or line managers. Some respondents were generally satisfied with the way managers handled grievances. For instance, one respondent who complained about the workload to her line manager said that he hired new workers to help ease the workload. However, a number of workers complained about managers showing favouritism to certain employees in disputes, suggesting that they have had little formal training on how to handle grievances and/or there were only few procedures in place. In case of disagreements with customers, managers were

“Workers attached to supermarkets revealed that the support received from their managers with regard to customer harassment is very poor and unsatisfactory.”

seen to take the side of the customer in most cases.

Most workers in the nursing home sector were relatively satisfied and happy with regard to the way their grievances were handled. In most cases, managers were sympathetic towards issues faced by employees and helped them to sort these out. When patients were rude to members of staff, issues were solved amicably by the intervention of managers. However, some workers in the nursing home industry also felt that managers took sides when solving problems, a concern which has been raised in existing academic literature on the subject (Croft and Fernando, 2018).

5.4 Social and Cultural Related Challenges

This section examines some of the wider socio-cultural barriers faced by women when working at night. While women often had to contend with disapproval from their families, the extent of this disapproval depended on the nature of their work. Night-working in the nursing home sector was more likely to be tolerated and respected, because it carried a sense of legitimacy and urgency - in other words, women were required to do important care work because they are better in caring than men. It was thus easier for female health workers to claim respect, status and legitimacy in night work than those in the supermarket sector.

a) Social Reputation and Negotiating Disapproval

For most employees, the main barrier to work during night was the perception of others regarding night work. A number of supermarket workers revealed that they have not told their families that they work in the night because they feared disapproval and subsequently were worried about it. As one of the respondents stated:

"My family will be against me and will not let me go to work at any cost, had they known about it. I haven't told them about my night shifts knowing their negative feedback and displeasure towards it. If I do, I will have to quit the job immediately" - 23 years old, single, working at a Supermarket

“For most employees, the main barrier of working in the night was other people's perceptions of night work.”

However, such circumstances raise serious concerns for the safety of these workers, because no-one knew about their whereabouts during the night. Another respondent stated that whilst her parents currently tolerated her working in the night, their views would change once she gets married:

"My parents are okay for now, but their views will change after I get married, when I have a husband and family to take care of. I do not think even my husband's family will like it [...]. Night work is not good, especially after marriage as it can lead to family problems, caused both by family duties getting neglected as well as unwanted suspicion of being away at night" - 29 years old, in a relationship, working at a Supermarket

The above respondent implies that women should ensure that work related obligations do not disturb their duties to family or risk jeopardising their social reputation. However, the willingness of the spouse to accept night work for women depended on the nature of work conducted. The following section explores this issue in more detail.

b) Meaningful and respectable work: navigating the line between empowerment and exploitation

For nursing home workers, a key element of job satisfaction was derived from and influenced by perceptions of the wider society - in other words, their work was considered meaningful and respectable by others. A respondent describes:

"There is a very high recognition for this job in the society and the community respects me because of my job" - 40 years old, married with 3 children, working at a Nursing Home

Similarly, another respondent explains:

"It is better to be an attendant than being a maid even though the salary is low. Respect is more important than the salary" - 50 years old, married with a child, working at a Nursing Home

The status and social recognition that women gained as a result of doing caring work, function as an important motivator. It enabled many respondents to persist in challenging working conditions

and low remuneration. As a respondent explains:

"I like treating patients and to seeing them getting better. I am being admired by others for my kind deeds. According to our religion also, this job is being appreciated. These things help me to keep on engaging in this type of work" - 63 years old, married with three children, working at a Nursing Home

However, it is important to understand that, whilst social recognition and status can be important individual motivators, it can also leave workers vulnerable to exploitation. For instance, 'love for the job' and social respect may camouflage significant inequalities in employment related to pay and progression. Indeed, some nursing home employees had given up hopes of career progression because they believed that chances of promotions were limited. But love for their job appeared to outweigh these inequalities. According to a respondent:

"Promotions are not very common here. It rarely happens. The organisation has not even promoted nursing home workers who worked for the past 15 years" - 50 years old, married with a child, working at a Nursing Home

Similarly, another respondent voices that:

"Our hard work is not being appreciated by the superiors in the hospital. We do not get incentives to work better" - 45 years old, married with 2 children, working at a Nursing Home

6. Implementation Gaps in Legislation

This section discusses gaps in regulations and adhering to labour regulations. This paper was structured around four thematic areas: a) employment as empowerment for women; b) constraints at home and on the road; c) barriers at work and working conditions; d) social cultural constraints. Of these different themes, the legislation specific to 'night work' only address issues pertaining to barriers and work and working conditions. This section will discuss these gaps.

6.1 Hours of Work and Overtime

As indicated in section 2, there is no specific legislation relation to workers in supermarket industry or nursing home industry. According to legislation the working hours in nursing homes can extend up to 12 hours, but with a four-hour rest period. In both sectors workers cannot be employed for more than 45 hours in any one week. These hours are excluding time for rest and meals.

In general, the supermarket industry seems to follow the legislated hours of work. The total number of hours worked varied across companies. Some employees worked seven hours per day while others worked 10 hours a day, including breaks. Considering the number of hours worked in a week, workers worked around 50 hours a week (which included the time taken for rest and meals). In one supermarket, the average of 50 hours

comprised three to four shifts, each lasting seven hours with around 25 hours of overtime work. In another, employees worked 10 hour shifts about three times per week. When work was available, they also worked about 20 hours over time.

Compared to the workers in the supermarket industry, nursing home employees worked fewer hours: between 40 to 45 hours a week, with only one person reporting a 48-hour work week. The usual number of hours worked a day was eight, which was broken into three day-shifts and two night-shifts per week. Night shifts lasted from 12 to 16 hours, and workers were required to do eight night-shifts per month - usually two per week. The number of overtime hours also varied across the nursing home industry, with one employer requiring workers to work around 20 to 25 hours of overtime, and another requiring around 48 hours of overtime.

The number of overtime hours worked varied by employer, but in general they were in line with existing legislation. In one supermarket, workers mentioned working 20 to 30 hours of overtime a month, while in another, 35 hours of overtime was reported. According to the EWYPC-1956, the number of overtime hours for factory workers is limited to 60 hours a month, which was not exceeded in any of the supermarkets.

According to legislation, employees can work up to 12

hours a day. But interviewees attached to supermarkets argued that they worked up to 16 hours on some night shifts. The number of hours of overtime work done by workers in the nursing home trade were less than the 60 hours a week specified for factory workers in the EWYOC-1956. Nevertheless, workers still complained of irregular hours and not getting adequate time to rest during work.

“The unpredictability of working hours was also a significant concern for many workers. They almost never knew when they would be able to leave work because it depended on the workload.”

They were entitled to a mere two-hour rest period during a nightshift, and at times were unable to utilize these hours, if

patients required round-the-clock care. Many nursing home workers stated that they hardly have time to take lunch and dinner breaks, as there were no specific allocated times for these breaks:

"We rarely get a time even to have our lunch. We usually have lunch in the room allocated for nursing staff. We have to wait till that room is vacant to have lunch" - 40 years old, married with 3 children, working at a Nursing Home

Similarly, another respondent notes:

"We do have lunch rooms and washrooms but often do not get time to eat, since there is no specific allocated time" - 48 years old, married with 2 children, working at a Nursing Home

The unpredictability of working hours was also a significant concern for many workers. They almost never knew when they would be able to leave work because it depended on the workload. A respondent notes:

"Even though our usual work duration is seven hours per day, we have to stay here till late. We never leave at the completion of seven hours owing to the workload. Thus, we generally by default work for more than 10 hours" - 25 years old, single, working at a Supermarket

Most employees felt that the company should have stipulated working hours, and allow workers leave when their working time is over. As a respondent explains:

"There should be proper number of regular hours per day. Even though the regular hours are

supposed to be constant, they keep changing depending on the workload. Sometimes, I come to work around 6 a.m. in the morning and work until 1.30 a.m. the next day. I find it to be ridiculous!" - 24 years old, single, working at a Supermarket

The majority of employees worked three shifts per week, however this varied depending on the work load and staff shortages. The workers also did not receive enough rest between working days. One worker mentioned having to work 12 hours a day, only to report back to work the following day at 6.00 a.m. Although overtime work is supposedly voluntary, some workers stated that they were forced to do overtime work due to staff shortages. The workers were also concerned about the difference in working conditions between the private sector and public sector nursing homes. A respondent notes:

"We have to work around eight night shifts per month, compared to only one-two monthly night shifts in government hospitals. It would be good if there was less night work in Nursing Homes. Earlier, we had to do four nightshifts continuously, which was very taxing" - 45 years old, married with 2 children, working at a Nursing Home

The WBO under various Gazettes and Extraordinary Gazettes pertaining to the nursing home sector and the retail trade, specify that workers should be given adequate rest (generally one-half hour for every four hour of work), but this does not seem to happen in practice. Especially in the nursing trade, workers

seem to be working longer hours with little time to rest during work.

The unpredictability of working hours, in particular, is a significant concern for many workers. In the nursing home trade, for instance, workers almost never knew when they would be able to leave work because it depended on the workload. Although overtime work is supposedly voluntary, some workers felt compelled to do overtime work due to staff shortages in nursing homes.

“Although overtime work is supposedly voluntary, some workers stated that they were forced to do overtime work due to staff shortages.”

6.2 Working Conditions

Holidays

Workers attached to nursing homes were well aware of their leave entitlements. All interviewees mentioned two days of paid leave each week and 21 days of annual leave for a year. On the other hand,

workers in the supermarket industry were less aware of

annual holidays. Some were unsure of the number of days of paid leave available for them, while others mentioned receiving four days of leave a month. Only a few were aware of the 21 days of annual leave entitlement.

Obtaining leave, however, was generally straightforward for supermarket workers. Almost all interviewees mentioned that they are able to take leave easily, except when several employees asked for leave at the same time, for instance during public holidays. Although workers have a specific number of holidays a month, they were not always able to obtain leave during public holidays.

“Despite entitlements, the possibility of taking leave heavily depended on the availability of other workers, where in some cases workers had to find a replacement before applying for leave.”

In contrast, applying for leave in the nursing home industry was more complicated. While employees were entitled to 21 days of annual leave and six days of casual leave per month, leave was not often easily approved, particularly if it was emergency leave. As a respondent described:

"Irrespective of the urgency of the situation we have to come to the hospital and apply for leave. If we inform over the phone only, we have to opt for no pay leave. There are times where my employer has marked me absent even when I informed over the phone and got approval, and I had to forfeit my New Year bonus" - 50 years old, married with a child, working at a Nursing Home

Apart from emergency leave, employees also encountered issues with taking usual leave. Despite entitlements, the possibility of taking leave heavily depended on the availability of other workers, where in some cases workers had to find a replacement before applying for leave. A respondent notes:

"We need to get many signatures to get leave approved, and we can't take leave unless there are enough nursing home workers to cover us. [...] We can't take more than 3 days continuous leave without a medical certificate" - 23 years old, single, working at a Supermarket

Facilities

The majority of employees of supermarkets were generally satisfied with the facilities at their workplace. They described having a decent place to eat, clean wash rooms, medicine for emergencies, and a place to rest when they are

unwell. Further, they also stated that the organization provides them with free medicine in case of a sickness. As a respondent notes:

"We have no issue with basic facilities. We do have decent washrooms, a lunch room and a place to rest when feeling unwell and medicine is provided free of charge" - 23 years old, single, working at a Supermarket

Some workplaces also provided food in the first month, lunch at a concessionary rate, and dinner if employees worked in the night. A few workers, however, were unhappy with the small washroom, and the lack of a proper lunch room. Having only half an hour for lunch and 15 minutes for dinner - with restricted meal times during busy periods - was reported as a problem by many employees.

The majority of nursing home employees, in contrast, reported not having basic facilities; they did not have a designated lunch room, a proper place to change clothes, nor a resting place. They also did not have sufficient time to eat lunch. In a respondent's words:

"We do not have a separate lunch room to have meals. We rarely get a time even to have our lunch. We usually have lunch in the room allocated for nursing staff. We have to wait till that room is vacant to have lunch" - 40 years old, married with 3 children, working at a Nursing Home

Having to stop lunch and attend to customers and patients at times was another identified issue. As a respondent notes:



"If a customer comes while we are having lunch we have to wash our fingers and attend to that. Sometimes, we have to stop eating half way through around two/three times to give medicine to patients" - 40 years old, married with 3 children, working at a Nursing Home

“These excerpts suggest that employers are not providing proper uninterrupted lunch breaks for employees, which affects not only employees but also the patients under their care.”

These excerpts suggest that employers are not providing proper uninterrupted lunch breaks for employees, which affects not only employees but also the patients under their care. Moreover, although workers should lawfully be given four hours of rest per 12-hour shift, many nurses got a mere two-hour rest period during a nightshift, and at times were even unable to utilize these hours, if patients required round-the-clock care. Further, many female employees

were often unable to utilize breaks because they had a bigger workload than male colleagues due to being able to attend to both female and male patients in contrast to men who can only attend to male patients.

Although the SOEA-1954 specifies the types of facilities factory workers should be provided with, such specifications are not made in the various Gazettes and Extraordinary Gazettes pertaining to the nursing home trade and the supermarket sector under the WBO.

Meals

Another important issue was that no dinner was provided by hospitals when staff worked nightshifts, in contrast to supermarket employees who were provided dinner. Dinner was only provided if they had to work an unannounced nightshift. This was problematic for employees, since they were unable to bring meals from home to cater for an extended shift lasting for 20-24 hours (eight-hour regular shift plus a 12- or 16-hour nightshift). Many respondents stated that they were unable to afford meals from the canteen on a regular basis, and thus they shared meals brought by co-workers. As noted by a respondent:

"We are provided with meals only when requested to perform unexpected night shifts. On usual night shifts, we share meals brought by other co-workers who come from home. Canteen meals are too expensive and unaffordable" - 63 years old, married with three children, working at a Nursing Home

“Another important issue was that no dinner was provided by hospitals when staff worked nightshifts, in contrast to supermarket employees who were provided dinner.”

This is a serious concern, as employees may arguably not receive adequate sustenance to cope with demanding work schedules.

Hostels

The hostels for supermarket employees were located a convenient 15-minute walk from their workplace. However, the internal conditions of hostels differed by location. For instance, one hostel had a maximum of 12 living there. All the employees were given single beds (all bunk beds), fans, lights, sufficient number of shared washrooms

(between four to five people), and also a kitchen to prepare meals. This accommodation was considered comfortable by interviewees.

However, another hostel was found to be unhygienic and too small to be shared among many people. The rooms were crowded and a bathroom was not in good working condition. There were no fans provided, and no separate space to hang washed clothes. As expressed by three employees who shared the same hostel:

"Even though the hostel is just a 15-minute walk from the organization, it is not a very nice place to live in. The cooking place is very tiny and there is no place to hang clothes. Seven of us share this hostel and have three rooms. The hostel lacks adequate washroom facilities where two washrooms which are not in good working condition have to be shared among seven. I myself had to repair the commode on arrival. We do not even have fans and it makes it very hard given the Colombo heat and humidity."

Some employees chose to stay in small and uncomfortable hostels due to financial constraints. The monthly rent of hostels ranged from LKR 3500 to LKR 5000. The employer contributed LKR 2000 towards hostel accommodation, with employees having to bear the remainder. Employers also provided washing powder and soap free of charge.

6.3 Customer Harassment and Grievance Handling

Workers reported being harassed by customers and bystanders on the road. According to supermarket workers, the management would very rarely support employees in a dispute with a customer, even if the customer was at fault. This strict adherence to a pro-customer culture reduced employee motivation and led to job dissatisfaction. Some women in the nursing home industry experienced harassment on public transport from men, and had to make additional arrangements simply to get home safely. Legislation against harassment is needed to address this issue. In the meantime, organizations should provide more support to ensure that their workers stay safe at night, providing safe, private transport where needed.

6.4 Health and Safety on the Job

Physical difficulties associated with the job made some workers hesitant to continue working, including having to carry heavy weights and having to stand for long periods at a stretch. For supermarket workers in particular, the physically demanding nature of work meant that many women particularly older ones chose not to remain in their jobs for a long time. They reported illness and injury related to the heavy lifting, and the impact this had on their

“Sri Lanka's current labour law framework is highly regulated and archaic and has continued without any significant modifications for many decades. It also suffers from multiplicity of laws and overlap that creates confusion for both employers and workers, as well as discrimination based on the type of work.”

ability and desire to work. In order to address these issues and improve both employee health and retention, health and safety regulation is essential.

Sri Lanka's current labour law framework discussed above is highly regulated and archaic and has continued without any significant modifications for many decades. It also suffers from multiplicity of laws and overlap that creates confusion for both employers and workers, as well as discrimination based on the type of work. Restriction on night work for women is, in fact, identified as one key issue of concern (The Employers' Federation of Ceylon (EFC), 2019). Other identified issues facing female workers include inconsistent provisions for overtime work in the manufacturing sector under the Factories Ordinance (e.g. 60 hours of overtime per month

which can be 3 hours overtime per day for 20 days) as compared to state-owned enterprises with no overtime possible except on short working days (Ibid).

In June 2018, the Cabinet determined that four laws, namely the Shop and Office Act, Wage Board Ordinance, Employment of Women, Children and Young Persons Act, and Maternity Ordinance should be unified to address all labour law issues in a single comprehensive law instead of the separate laws on industrial, office, female and agricultural workers (EFC, 2019). Emphasis was also placed on low labour force participation of women and the need for flexible service conditions in the new technology-based economy. In particular, the proposed amendments stated that laws should not discriminate service conditions based on gender or the trade or service, where all workers should be

entitled to the same work conditions related to leave, overtime and working hours (Ibid). One key proposal with relevance to this study is a night shift transportation allowance, where an employer with employees working night shifts or late evening hours (between 8 p.m. and 6 a.m.) should provide either of the following:

- Transportation to the location where the employee resides, if public transportation is not available at the time the employee completes night work
- Suitable accommodation until public transportation is available
- A transportation allowance based on cost of the mode of transport available at the time the night shift ends to ensure safety of workers

7. Conclusions and Recommendations

7.1 Conclusions

7.1.1 Worker Satisfaction and Career Advancement Prospects

The results show that workers valued employment as it enabled them to contribute to the welfare of their families. Some workers appreciated being able to work in Sri Lanka, which allowed them to be with their families. For workers in the supermarket industry being able to rise within the organization's structure was seen as a career success. In contrast, workers in the nursing home industry were happy to be able to continue with their work facing the challenges of work-life balance.

The challenges faced by women in night work was not necessarily due to the nature of the work or issues with working in the night time, they were more to do with safety and security concerns, work stress, and issues with traveling in the night. Workers in the nursing home industry had to incur additional costs for childcare and using three wheelers to travel in the night. They felt that salaries they got were not sufficient to cover the additional costs. Most workers in the supermarket industry were internal migrants. As such they had to spend out of pocket for accommodation. These additional expenses reduced their disposable incomes.

“The challenges faced by women in night work was not necessarily due to the nature of the work or issues with working in the night time, they were more to do with safety and security concerns, work stress, and issues with traveling in the night.”

7.1.2 Challenges at Home and on the Road

Married women faced greater challenges in doing night work than unmarried women. But, those who had family support of supportive husbands were able to overcome these challenges to a great extent. On the other hand, some women found it harder to

continue with work due to displeasure of family members or challenges with facing societal disapproval. These difficulties were less for workers in the nursing home industry, as society respected the work done by these workers.

Marriage and issues with work-life balance were challenges for career progression. Many unmarried young workers in the supermarket industry intended to leave work once they get married. Sometimes this was due to pressure from their partners or in-laws to-be. Nevertheless, some women themselves also wanted to leave work and concentrate on their married lives. The challenge of staying in the job for them was greater, as many of them were internal migrants who lived away from their home towns. A few were determined to continue work after marriage. Some considered that this was their right, while others were keen to contribute to family income. The decision to continue work was easier for those who had family support and encouragement.

7.1.3 Challenges at Work and Working Conditions

Many workers found having to work in the night and doing shift work challenging. Some of the challenges were due to management practices that made it difficult for them to plan out their day. In some instances, they

had to work after their shift. Having to work excessive number of overtime hours was also found to be problematic for workers.

In the super market industry, most workers were happy with the facilities available at work and time given for rest and meals. However, many in the nursing home industry complained of not having sufficient time for meals and lack of proper facilities for resting and taking meals.

The types of harassments experienced by workers in both industries were not specific to the arrangement of their working hours or working time. Workers in both industries experienced harassment from customers, including verbal sexual abuses by male workers. But, workers for the most part were happy with the way management dealt with such grievances.

7.1.4 Social and Cultural Related Challenges

Negative perceptions by society about female night workers, and security and safety concerns about females travelling and working in the night were challenges faced by workers. Social norms which expected females to take up greater responsibilities of housework and child care and looked down upon females who delegated those tasks to others were a challenge for some workers. However, nursing home workers received social recognition and status, which helped women to enter the industry more easily.

7.1.5 Adherence to Legislation

The average wages received by workers in both trades considered are more than the minimum amounts stipulated by law. However, workers in both trades felt that these allocated amounts are not adequate. This is especially the case due to additional expenses workers had to undergo when working at night. Especially workers in the nursing home trade mentioned having to hire three wheelers to go home after working in the night, or having to purchase food from outside when working long hours.

The employers in both trades generally adhered to legislation when allocating working hours. The one exception was the night shifts of workers in the nursing home trade. Some workers mentioned working up to 16 hours a day, when doing night shifts. According to legislation the maximum number of hours must be limited to 12 hours a day. Further, the workers in the nursing home trade did not receive the legislated four-hour rest when working up to 12 hours a day.

Unlike for factory workers, the maximum number of overtime work is not stipulated by the legislation for workers in the retail trade and the nursing home trade. Further, the EWYPC-1956 stipulates adequate rest periods between working days. For example, the EWYPC-1956 states that a worker who has worked from 6 a.m. to 6 p.m. should not again be employed at 10 p.m. on the same day. Not having such safeguards for workers in the

retail trade and the nursing home trade, may also be an additional source of stress.

The workers in the retail trade were not aware of their holiday entitlements. The ease with which leave would actually be approved also varied for employees, particularly with regard to emergency leave procedures. Further, the possibility of taking leave also depended on factors such as the availability of other workers and the duration of leave applied for.

Provisions for rest periods during night work are available in theory in the channeling centre; however, the ability to actually utilise such breaks depend on the workload and availability of other employees, which is often unfavourable. Further, although specific time periods are allocated for lunch and dinner breaks in both industries, these are not adhered to given taxing workloads, often leading to irregular eating times for employees.

The workers in the retail trade were generally happy with the facilities provided by the employers. As discussed in previous sections, they were provided with a decent place to eat, clean wash rooms, medicine for emergencies, and a place to rest when they are unwell. But the same is not true for workers in the nursing home trade. Not having a private space to eat, being disturbed while having meals, not having a proper place to change clothes, not having a resting place were problems faced by workers in this trade. Unlike for

“Unlike for factory workers, the maximum number of overtime work is not stipulated by the legislation for workers in the retail trade and the nursing home trade.”

worker in factories, the legislation does not specify the facilities an employer must provide for workers in the retail and the nursing home trades. Including such specifications in the legislation would improve the working conditions of workers.

7.2 Policy Recommendations

Given that interviews were based on only two supermarket chains and one hospital, one has to be cautious in generalizing the study findings. Nevertheless, these findings do point to some important policy recommendations that need to be implemented if night and shift work conditions for women are to be improved. These are discussed below.

7.2.1 Address Risks Associated with Travelling to Work in the Night

It is important to provide more frequent public transport facilities in the night, and impose regulations to protect women from harassment on public transport and on the road. This would significantly lower the risks and dangers associated with night work for women and enable more women to participate in the labour force. The recent policy proposal to introduce a night shift transportation allowance is encouraging in this regard, although it is not adequate to simply ensure the availability of public transport; safe and secure transport also needs to be guaranteed. A zero-tolerance policy towards harassment on the road should be introduced with adequate channels for victims to report harassment and receive justice. The police force should be briefed to take gender-based harassment seriously. Policies should be publicised through media campaigns and general awareness of what constitutes harassment should be raised throughout the country, as has been suggested with respect to improving quality of nighttime workers in the UK (Normal, 2011). Employers should be strongly encouraged to provide safe transport for all night-time workers.

7.2.2 Strengthen Legislation and their Implementation

It is important to impose checks to ensure that employers provide

regular rest breaks for workers and adequate restroom facilities (Madide, 2003; Siddique et al., 2018). Hostel facilities also need to be reviewed and improved upon where necessary. Legislation also needs to be strengthened with regard to the maximum number of overtime hours per day, limits to nightwork shifts and flexible working, as recommended by Norman (2011) and Tomlinson and Ilavarasan (2011), respectively, in the British context. Legislation related to ensuring the health and safety of workers performing these jobs is also important, as has also been identified as essential in the Iranian context (Jahromi et al., 2003).

To enforce the legislation and avoid implementation gaps, regular checks from independent officials should be carried out at workplaces. Such checks should track individuals' work and rest patterns and employees should be anonymously surveyed to understand how their working time was distributed across each week.

7.2.3 Build Awareness about Workers' Rights

As has been proposed in the Iranian context (Jahromi et al., 2003), campaigns should include information about the rights and entitlements of workers, as well as about whom to complain to when entitlements are not given by the employer. This is essential to empower women and to stop exploitation.

7.2.4 Offer Greater Support for Workers with Caring Responsibilities

As also recommended in the case of cement workers in Pakistan (Siddique et al., 2018), the minimum wages determined by the Wages Board should take into account additional sacrifices and job-related expenditures incurred by workers for childcare and related domestic expenses. Companies should provide subsidies or facilities (e.g. childcare vouchers or crèche facilities) for childcare.

7.2.5 Challenge Conventional Gender Ideologies

Night work is important for women in order to support themselves and their families. However, existing gender norms about the 'appropriateness' of women working (especially during the night), makes night work very challenging. While nursing home workers experienced less

“Gender awareness and equality should be included in school curriculums while media campaigns should be conducted to raise awareness of gendered ideologies that contribute to exacerbating inequalities in the workplace.”

opposition from family and the wider community because nursing home workers carried out 'legitimate' caring work, in line with conventional gender roles, for supermarket workers, whose work was not viewed in the same respectable status, many women felt unable to tell their families that they worked night shifts. These social barriers mean that women are not fully able to participate in the workforce, or to participate for as long as they desire. It is thus important to change and challenge these gendered ideologies which constrain women's work and career (Patel, 2006; Naqvi, 2016). To this end, gender awareness and equality should be included in school curriculums - a proposal also put forward by Jahromi et al. (2003) in the case of Iranian nurses -, while media campaigns should be conducted to raise awareness of gendered ideologies that contribute to exacerbating inequalities in the workplace. Campaigns to empower girls and women to follow their aspirations and stand up for their rights is also crucially important.

Bibliography

- Adams, E., Darj , E., Wijewardena, K., & Infanti, J. (2018).** Perceptions on the sexual harassment of female nurses in a state hospital in Sri Lanka: A qualitative study. *Global Health Action, 12*(1).
- Arunatilake, N., & Karunanayake, C. (2019).** 4IR and the Future of Work in Sri Lanka. In D. Weerakoon, *Sri Lanka State of The Economy 2019* (pp. 73-95). Colombo: Institute of Policy Studies of Sri Lanka.
- Attanapola, C. (2004).** Changing gender roles and health impacts among female workers in export-processing industries in Sri Lanka. *Social Science & Medicine, 58*(11), 2301-2312.
- Braun, V., & Clarke, V. (2006).** Braun, V. and Clarke, V. (2006) Using thematic analysis in psychology. *Qualitative Research in Psychology, 2*(3), 77-101.
- Buchvold, H., Pallesen, S., Oyane, N., & Bjorvatn , B. (2015).** Associations between night work and BMI, alcohol, smoking, caffeine and exercise - a cross-sectional study. *BMC Public Health, 15*.
- Cassell, C., & Symon, G. (2004).** *Essential Guide To Qualitative Methods In Organizational Research* (First Edition ed.). SAGE Publications Ltd.
- Chang, W., & Chang, Y. (2019).** Relationship between job satisfaction and sleep quality of female shift-working nurses: using shift type as moderator variable. *Ind Health, 57*(6), 732-740.
- Croft, C., & Fernando, D. (2018).** The competing influences of national identity on the negotiation of ideal worker expectations : insights from the Sri Lankan knowledge work industry”, *Human Relations, 71, 8.*, *Human Relations, 71*(8), 1096-1119.
- Denzin, N. K., & Lincoln, Y. S. (1994).** *Handbook of Qualitative Research*. London: Thousand Oaks : Sage Publications.
- Department of Census and Statistics. (2017).** *Sri Lanka Labour Demand Survey 2017*. Colombo: Department of Census and Statistics.
- Department of Census and Statistics. (2018).** *Sri Lanka Labour Force Survey, Annual Report 2018*. Colombo: Department of Census and Statistics.
- Emslie, C., & Hunt, K. (2009).** ‘Live to Work’ or ‘Work to Live’? A Qualitative Study of Gender and Work–life Balance among Men and Women in Mid-life. *Gender, Work and Organization, 16*(1), 151-172.
- Fenwick, R., & Tausig, M. (2001).** Scheduling stress: Family and health outcomes of shift work and schedule control. *American Behavioural Scientist, 44*(7), 1179-1198.
- Fernando, D. (2018).** *Understanding gender and night-work in Sri Lanka’s global knowledge work industry: A qualitative study. White Paper presented to the Commissioner General of Labour, Department of Labour (Sri Lanka).*
- Fernando, D., & Cohen, L. (2011).** Exploring the interplay between gender, organizational context and career. *Career Development International, 16*(6), 553-571.
- Fernando, D., & Cohen, L. (2013).** Exploring the interplay between Buddhism and career development : a study of highly skilled women workers in Sri Lanka. *Work, Employment & Society, 6*, 1021-1038.
- Fernando, D., & Cohen, L. (2013).** The rhetoric and reality of home–work harmonization : a study of highly skilled Sri Lankan women from public and private sector organizations. *The International Journal of Human Resource Management, 24*(15), 2876-2893.

- Fernando, D., & Cohen, L. (2014).** Respectable femininity and career agency : exploring paradoxical imperatives. *Gender, Work & Organization*, 21(2), 149-164.
- Fernando, D., & Cohen, L. (2015).** Exploring career advantages of highly skilled migrants : a study of Indian academics in the UK. *The International Journal of Human Resource Management*, 27(12), 1277-1298.
- Government of Sr Lanka. (1956).** *Employment of Women Young Persons and Children Act (and Amendments)*. Colombo: Government of Sr Lanka.
- Government of Sri Lanka. (1950).** *Factories Ordinance of 1950*. Colombo: Government Publications Department.
- Government of Sri Lanka. (1989).** The wages Boards for the Retail and Wholesale trade. Government of Sri Lanka.
- Government of Sri Lanka. (1994).** *Shop and Office Employees (Regulation of Employment and Remuneration) Act*. Colombo: Government of Sri Lanka.
- Government of Sri Lanka. (2006-09).** *Sri Lanka Labour Gazette - The Nursing Home Trade, Vol. 57, No. 3*, pp. 78-85. Colombo: Government of Sri Lanka.
- Government Publications Department. (1954).** *Shop and Office Employees (Regulation of Employment and Remuneration) Act (and Amendments)*. Colombo: Government Publications Department.
- Gunatilaka, R. (2013).** *To work or not to work? Factors holding women back from market work in Sri Lanka*. Colombo: International Labour Organization.
- Halamkova , V., & Kulamannage, S. (2018, February 17).** *Women and Work: Why so few?* Retrieved February 14, 2020, from Echelon: <https://echelon.lk/women-and-work-why-so-few/>
- Hammersley, M., & Atkinson, P. (1997).** *Ethnography: Principles in practice* (2nd edition ed.). London: Routledge.
- International Labour Organization. (2016).** *Non-standard employment around the world - understanding challenges, shaping prospects*. Geneva: International Labour Organization.
- Jahromi, M., Moattari, M., & Sharif, F. (2013).** Novice Nurses' Perception of Working Night Shifts: A Qualitative Study. *Journal of Caring Sciences*, 2(3), 169-176.
- Jayanthi, D., & Venkatramaraju, D. (2009).** Nightshift Hurdles for Women in BPO with reference to Chennai City. *ASBM Journal of Management*, 2, 114-123.
- Khan, R., & Sultana, S. (2017).** Breaking the gender barrier: Success stories of active participation of women in the hospitality industry of Bangladesh. *European Journal of Social Sciences*, 54(2), 134-147.
- Kodagoda, T. (2018).** Working Long Hours and Its Impact on Family Life: Experiences of Women Professionals and Managers in Sri Lanka. *Indian Journal of Gender Studies*, 25(1), 108 - 126. doi:DOI: 10.1177/0971521517738432
- Madide, S. (2003).** Effects of night shift schedules on nurses working in a private hospital in South Africa. *Thesis: Master of Science Program, Lulea University of Technology*. Sweden.
- Madurawala, S. (2017).** The Dwindling Sticking Hands: Labor Shortages in Apparel Industry in Sri Lanka. *Talking Economics Digest: Bridging the Skill Gap*(1).

- Morse, J. (1994).** Designing funded qualitative research. In N. Denzin , & Y. Lincoln, *Handbook of qualitative research* (pp. 220–235). Sage Publications, Inc.
- Morse, J. (2000).** Determining Sample Size. *Qualitative Health Research*, 10(1), 3-5.
- Naqvi, F. (2011).** Perspectives of Indian Women Managers in the Public Sector. *Indian Journal of Gender Studies*, 18(3), 279–309.
- Norman, W. (2011).** *Rough Nights: The growing dangers of working at night*. New York: The Young Foundation.
- Opatha, H., & Perera, H. (2017).** Determinants of Work-Family Balance: An Empirical Study of Accounting Professionals in Sri Lanka. *Sri Lankan Journal of Human Resource Management*, 7(1), 18-34.
- Patel, R. (2006).** Working the Night Shift: Gender and the Global Economy. *ACME: An International E-Journal for Critical Geographies*, 5(1), 9-27.
- Pepin, E., Gillet, P., Sauvet, F., Gomez-Merino, D., Thaon, I., Chennaoui, M., & Leger, D. (2017).** Shift work, night work and sleep disorders among pastry cooks and shopkeepers in France: a cross sectional survey. *Occupational and environmental medicine*. doi:doi.org/10.1136/bmjopen-2017-019098
- Perera, M. (1987).** The changing status of women in Sri Lanka. *International Journal of Sociology of the Family*, 17, 1-23.
- Priyanwada, K. M. (2016, December).** *North South University*. Retrieved February 14, 2020, from Public Policy and Governance Program: Research: http://www.northsouth.edu/newassets/files/ppg-research/PPG_6th_Batch/K.B.G.M_Priyanwada_MPPG_Thesis.pdf
- Professionals and Managers in Sri Lanka. (n.d.).** *Indian Journal of Gender Studies*, 25(1), 108-126.
- Rajaguru, T. (2018, December).** Sexual Harassment of Women in Sri Lankan Public Bus Service. *International Journal of Scientific and Research Publications*, 8(12), 151-159.
- Rajapakshe, W. (2018, September 28).** An Analysis of Major Factors Affecting Labor Turnover in the Apparel Industry in Sri Lanka: Policy Alternations for Solving the Problem. *International Journal of Academic Research in Economics & Management Sciences*, 7(3), 214-231.
- Ranaraja, S., & Hassendeen, S. (2016).** Demand-side Factors Affecting Women's Labour Force Participation in Sri Lanka. In I. L. Organization, *Factors Affecting Women's Labour Force Participation in Sri Lanka* (pp. 7-42). Colombo: International Labour Organization.
- Research Directorate, Immigration and Refugee Board, Canada. (1993).** *Human Rights Briefs: Women in Sri Lanka*. Canada: Immigration and Refugee Board of Canada. Retrieved December 2, 2019, from <https://www.refworld.org/docid/3ae6a80618.html>
- Siddiqui, A. A., Jumani, M., Shaikh, S. A., Memon, S., Marri, S., Khan, M. A., & Shaikh, M. A. (2018).** Comparing the effects of day and night shifts on employees job satisfaction: A case study at cement factory. *Proceedings of the first international conference on industrial engineering and management applications*.
- Smith, D. E. . (1987).** *The Everyday World as Problematic: A Feminist Sociology*. Toronto: University of Toronto Press.

- Solotaroff, J., Joseph, G., & Kuriakose, A. T. (2017).** *Getting to Work: Unlocking Women's Potential in Sri Lanka's Labor Force*. Washington D.C.: International Bank for Reconstruction and Development/ The World Bank.
- Sri Lanka Stakeholder SDG Platform. (2018).** *Sri Lanka Voluntary People's Review on the implementation of the 2030 Agenda for Sustainable Development*. New York : Sri Lanka Stakeholder SDG Platform on behalf of all partners.
- Tara, S., & Ilavarasan, P. V. (2011).** Marriage and Midnight Work: A Qualitative Study of Unmarried Women Call Center Agents in India. *Marriage & Family Review*, 47(4), 197-212.
- The Dabindu Collective. (2001, April 01).** *Asia Monitor Resource Centre*. Retrieved December 3, 2019, from Problems Faced By Women Working in Sri Lanka's Export Processing Zones: <https://www.amrc.org.hk/content/problems-faced-women-working-sri-lankas-export-processing-zones>
- The Government of Sri Lanka. (1982).** *Wages Boards Ordinance*. Colombo: The Government of Sri Lanka.
- The World Bank. (2018, June 14).** *World Bank*. Retrieved December 3, 2019, from Work or Family: Sri Lankan Women Shouldn't Have to Choose: <https://www.worldbank.org/en/news/feature/2018/06/14/work-or-family-sri-lankan-women-shouldnt-have-to-choose>
- Thompson, E. (2009).** *Understanding how night work influences the everyday family lives of nurses, their husbands and children*. PhD Dissertation, University of Surrey, England, Department of Sociology,.
- Tomlinson, J., & Durbin, S. (2010).** Female part time managers. *Equality, Diversity and Inclusion*, 29(3), 255-270.
- UNFPA. (2017).** *Sexual Harassment on Public Buses and Trains in Sri Lanka*. Colombo: United Nations Population Fund Sri Lanka.
- Weerakkody, D. (2018, December 14).** *Daily FT*. Retrieved December 3, 2019, from <http://www.ft.lk/columns/Getting-more-women-in-the-workforce/4-668819>
- Wickramasinghe, M., & Jayatillake, W. (2006).** *Beyond Glass Ceilings and Brick Walls - Gender at the Work Place*. Colombo: International Labour Organization (ILO).
- Wijesekera, M. (2017).** *Sri Lankan Garment Factories Boost Wages and Benefits as Labor Shortage Looms*. Washington DC: Global Press Journal. Retrieved 12 02, 2019, from https://globalpressjournal.com/asia/sri_lanka/sri-lankan-garment-factories-boost-wages-benefits-labor-shortage-looms/?utm_content=bufferbe5bcandutm_

Appendix

Table 3
Background Characteristics of the Sample

Characteristics	Number of Respondents		
	Channeling Centre	Supermarkets	
		Supermarket 1	Supermarket 2
<i>Highest educational/training qualification</i>			
A-Levels Science & Diploma/training in nursing	1	-	-
A-Levels (Science)	1	-	-
A-Levels Commerce & Diploma/ training in nursing		1	-
A-Levels (Commerce)	1	-	1
A-Levels Arts & Other Diploma and Training courses (IT, English, Computer Software, Youth Services)	-	3	-
A-Levels Arts & Diploma/ training in nursing	6	1	2
A-Levels (Arts)	2	2	2
Courses after O-Levels (Nursing, English, IT, HR)	1	1	-
O-Levels	1	-	-
Below O-Levels	1	-	3
Mean age	42	25	25
<i>Marital status</i>			
Married	12	1	-
Unmarried	2	7	7
Divorced	0	0	1
Young children (below 15)	8	2	2
<i>Ethnicity and religion</i>			
Sinhala Buddhist	12	8	8
Other	2	0	0

Source: Authors' own compilation.

