

THE IMPLEMENTATION OF FLEXIBLE WORK ARRANGEMENTS (FWAS) AND ITS IMPACT FOR WORK-LIFE BALANCE OF WOMEN'S WORKFORCE

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Abstract: Flexible Work Arrangements (FWAs) have become attractive aspects of working models, in response to the changing needs of the modern workforce and advancement in digital technologies especially after the Covid 19 Pandemic. FWAs promote achieving work-life balance (WLB) among workers that limits stress and permits family care. FWAs are consistent with several goals of Sustainable Development Goals (SDG) in achieving gender equality, good health and well-being, decent work and economic growth. International Labour Organization (ILO) also promotes productive work, decent working time and combining work, family and personal life. Hence, this qualitative study which can be considered as action research-based will study the the implementation of (FWAs) in resolving the issue of lower rate of female labor force in employment, challenges encountered by female led households to secure jobs, and accommodate the women in professional occupation. The data is collected from previous studies and reports with regard to the issue of women participation in the workforce and work-life balance. The objective of this research is to examine Malaysian women's participation trend in the workforce and the extent the FWAs and WLB influence the trend. Additionally, it explores some practices of FWAs in promoting WLB at workplaces both in public and private sectors. Finally, the paper is aimed to investigate the Malaysian existing policies on FWAs in supporting WLB. This research found that Malaysia shows a consistent low participation of women in employment compared to men. Some prevalent reasons resulting in the trend are marriage status, female led households who had difficulty to be in employment, and higher involvement of women in informal sectors. All these reasons are closely associated with difficulty to balance work and life. The implementation of FWAs at selected workplaces either in public or private sectors is positively accepted by both employers and employees but with lack of evidence to confirm the implementation is truly motivated by WLB ideology. Lastly, the Malaysian approach is to remain the implementation of FWAs on a voluntary basis supported by general provisions in the Employment Act 1955 regarding the right to request for FWAs and internal workplace policies to manage the requests.

Keywords: sustainable development goal, women employment, work-life balance, nation building, work flexibility.

1. Introduction

In 2022, the Malaysian population was 32.7 million people (Department of Statistics Malaysia (DOSM), 2022). The male population exceeds the female population at 17.0 million and 15.7 million respectively (DOSM, 2022). However, the enrolment in higher public institutions based on gender indicated that there were 358,600 female students against 234,080 male students. Despite more women enrolled in universities and being more likely to graduate compared to men, they are still underrepresented in the labor force. According to the Graduate Statistics (2021), female graduates make up more than half of the unemployment rate (54.2%) compared to males (45.8%). However, women's labor force participation rate was evidently lower than men's participation at 55.5% in 2021, compared to 80.9% for men (DOSM, 2022). Consistently, women's labor force participation rates remained modest and low whenever the increment is only 0.4% from 55.2% in 2018 to 55.6% in 2022. It was argued that a comprehensive study on the disparity between the number of women in the labor force and the number of women in tertiary education could be carried out to determine the problems that women face after finishing their studies, as well as the problems that force them to leave the workforce (Yusof et al., 2022). Athena Communications & Research and UNFPA (2023:18) reports that one key obstacle for married women to be in employment is due to domestic responsibilities including housework, eldercare, and childcare. This employment gender gap demonstrates that the employment arrangement and working benefits offered for women in the labor force possibly could not meet the women's needs and responsibilities in both private and public spheres of women.

Furthermore, the involvement of women in the informal economy increased after the pandemic Covid-19. Mohd Hussain dan Ibrahim (2021) reported that great shifts in the informal economy are seen as a result of the instability in the job market and recruitment. Additionally, some women lost or left their formal employment when the pandemic Covid-19 pandemic struck as they faced disproportionate increases in the caregiving burden and could not cope with the jobs' demands (The Malaysian Time, 2017). According to Socio-Economic Research Centre (2019), technology advancement has changed the landscape of labor in the country. Besides, the data from World bank showed that 26% of Malaysian workers are freelancers and expected to grow in the future (Othman et al., 2020).

Approximately, 18% of Malaysian women are single parents and the number of female-led households is increasing every year (Buku Perangkaan KPWKM 2020-2021). Meanwhile Families on the Edge (FoE) by the United Nations Children's Fund (UNICEF) Malaysia and United Nations Population Fund (UNFPA) 2020 revealed that female-led households were especially vulnerable and more likely to suffer from unemployment (Sity Daud, 2021). According to the report, about 32% of female led households have become unemployed since March while 57% have no access to social protection. The major hurdle of this segment of society to participate in employment most likely resulted from being stuck with domestic responsibilities.

According to the statistics, Malaysian women are the most highly involved in service and sales workers (32.4%) and secondly in professional employment (17.3%). However, there is a decreasing number of women professional employment in 2021 compared to 2020 which is 18.6%. The study was done by Halim et al. (2016) identified four main factors that influence female labor to exit from the labor force or to not enter the labor market from the beginning. The factors were categorized as family and children factor, spouse factor, job

related factors and childcare arrangement factor (Halim et al., 2016). Moreover, married women are less likely to participate in the labor force than single women. One possible reason for this is the “double burden syndrome”. The result of the study highlighted that care responsibilities toward children and the elderly become barriers to women’s participation in the labor force (Halim et al., 2016).

To sum up, data has confirmed a consistent lower participation of women in the labor force compared to men which is disproportionate to a higher percentage of females enrolled in the universities. Some prevalent reasons for the trend are the tendency of women to leave employment upon marriage, a relatively substantial percentage of female-led family in the society and preference of women involvement in informal sectors that are higher in risks than formal sectors that offer more secure, well paid, social protection and other working benefits. All these factors are observed associated closely with difficulty to balance between work and family among women. Hence, FWAs are perceived as a potential tool to moderate work and personal life. Khor and Tan (2023) denotes the popularity of work from home (WFH) which is one of FWAs among women, specifically young mothers with little children primarily to accommodate work-life balance. Even though Ahmad et al. (2016) reported in their research findings that FWAs have limited impact on employees’ intention to leave in the face of negative work-home interface but the findings were based on the research conducted pre-Covid-19 pandemic and involved both men and women workforce as the respondents.

2. The Flexible Work Arrangements (FWAs) and Work Life Balance for Women

Women facing three broad categories of challenges which are productive, reproductive and community work (Moser, 1993). Productive work involves the production of goods and the provision of services. Whereas, reproductive categories concerning childbearing, cooking, cleaning, and caring for family members, including youngsters, the sick, and the old. Community service is frequently related with volunteerism and focuses on improving community resources (Mc Laren et al., 2020). According to Ahmad et al. (2020), women tend to be more prone to stress because they ruminate about life stressors which can increase their anxiety. Women are managing household chores and office work at home, thus rendering women physically and mentally exhausted which may contribute to increase in anxiety levels. The national poll conducted by Newgate Research reported that women suffer from personal and professional stress and bearing a treble burden at work. This includes paid employment, caring work, and anxious mental labor (Breen, 2020). From the survey done to the various working industries in Malaysia, it is found that 63% of the workers do not have ample time with the family due to work (Ismail, 2017).

FWAs are not new for most of the developed countries. According to Abid and Barech (2017), the concept was first introduced in 1967 as a means to reduce lines for clocking on and off. Apart from this, it can also reduce traffic congestion when employees are required to start and finish at the same hours. In Germany, apart from addressing labor shortages, the implementation of FWA enabled women to return to work and also care for families. In the U.S, HP was the first company to implement flexible working hours in 1973. It allowed the employees to come early or late at work and worked a standard number of hours every day. In the UK, it was prevalent in insurance, local government, public service and white-collar groups in industry. In the Netherlands, most of the organizations have widened their use of flexi time, and there has been growth in its use in Austria, Belgium and Germany (Abid & Barech, 2017).

FWAs implies not only variation in time and place of the job, but also sharing of the job, career breaks (maternity/paternity leaves), part-time and term-time working (Shagvaliyeva & Yazdanifard, 2014). FWAs can be divided into three broad categories (flexibility in scheduling), telehomeworking (flexibility in location), and part-time (flexibility in length of the work). It is noted that FWAs offer convenience in planning, and only in special circumstances allowing reduction of working time. Thus, FWAs secure employees' freedom to control and manage their working time as well as location of work (Shagvaliyeva & Yazdanifard, 2014).

FWAs are one of the efforts needed for a balanced life. Through FWAs, women will enjoy work-life balance and the degree of individual satisfaction to manage different roles and activities in life. The employer at the same time will get the benefit from the implementation of FWAs whenever it increases productivity with lower absenteeism, less power energy used at the office and solving the family problems. Moreover, technological advancement has reached beyond expectation and transcends the boundary of place and time. Therefore, productivity and commitment of work cannot only be measured by the number of hours the employees spend behind their office desks anymore; as technology has changed the nature of work to be more smart and not limited to specific time or place. It is because most companies have their own Key Performance Index (KPI) which can be measured individually and collectively (Nurulbahiah & Nassar, 2019).

FWAs allow employees to choose when and how they will best perform their responsibilities, while maintaining consistency expected from employers. Rahman et al. (2021: 14-16) in their study finds out FWAs have a positive and direct effect on innovative work behavior. Looking from the women employee perspective, FWAs will provide them with the ability to properly care for their children, elderly family members or other matters without compromising the quality and output of their work. Consequently, it helps to ease burdens associated with the traditional office setting. Indirectly, FWAs provide WLB to the women workforce the most.

2.1 The Implementation of FWAs in Malaysia

In Malaysia, the application of FWAs became prevalent during the Covid-19 pandemic when the government imposed the movement control orders that forced all the sectors to implement WFH arrangement in order to control the spread of Covid-19 disease in the society. Not long before that, starting from 1st August 2019, the public sectors' workforce has fully enjoyed the flexible working hour system. It is explained that through the implementation of flexible working hours, the employee can arrive and return within a period of time, provided the period of one working day is fulfilled. The implementation of flexible working hours at the government civil servants now is that they can choose to start work between 7.30 am to 9.00 am and leave the office between 4.30 pm to 6.00 pm on working days (Monday-Friday), as long as they have completed a total of nine hours of work per day (Pekeliling Pengurusan Sumber Manusia, 2019). From the circular, it is understandable that schools, educational institutions and health facilities are not able to enjoy the flexible working hours. It is only applicable for those working in offices at ministries and federal departments (Nurulbahiah & Nassar, 2019).

On the opposite side, it was reported that the percentage of the private sectors' employers that allowed female workers to work on FWAs is lower than the government sector (Berita Harian, 2018). TalentCorp has actively and consistently advocated for the wider adoption of FWAs in private sectors since 2015 as the agency under the Ministry of Human Resources (MOHR). TalentCorp's efforts in this area are also in line with the MOHR agenda to develop a competent, productive, responsive and resilient national human capital base. In 2014, United Nations Development Programme (UNDP) and the Ministry of Women, Family, and Community Development published a study on participation of women in Malaysia's labor force. The study identified that a majority of Malaysian women that were outside the labor force wanted to work but were hindered by caregiving responsibilities and other barriers. The study further laid out a wide range of recommendations for policy and practice, including family-friendly work practices, many of which were adopted by the Government in the 11th Malaysia Plan. It is stated that FWAs, when implemented well, can improve both employees' quality of life (QOL) and productivity. The Organisation for Economic Co-operation and Development (OECD) notes that WFH benefits for employees include less time spent commuting, fewer interruptions, and cost savings—which can translate into productivity gains and increased engagement (TalentCorp-UNDP, 2021).

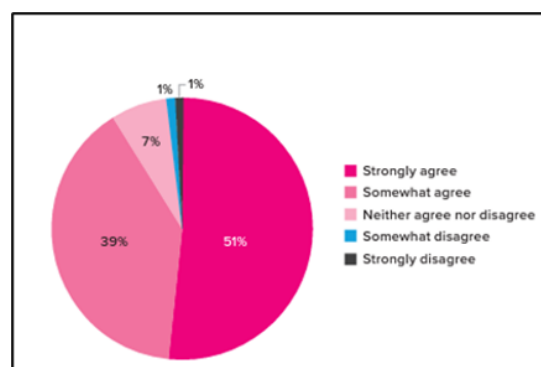


Figure 1. Perception of Malaysian employers toward WLPs as a key strategy for addressing workforce needs of the future (Pre-Covid 19) (TalentCorp-UNDP, 2021)

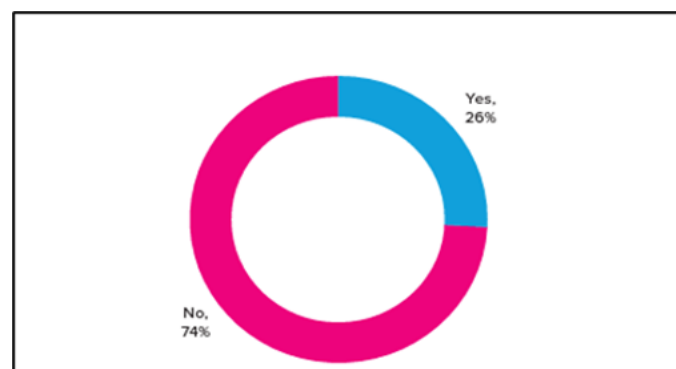


Figure 2. Extent Perception of Malaysian employers toward WLPs are formalized in policy by Malaysian employers (Pre-Covid 19) (TalentCorp-UNDP, 2021)

The Life at Work Survey shows that employers cited improving employee's well-being as the top reason for offering WLB practices including FWAs (76%), followed by improving workforce productivity (65%) (Figure 3). The WFH experience during the MCO confirms the benefits of FWAs/WFH to employee well-being and productivity. In the Life At Work Survey, employers perceived that the employees who would benefit most from WLPs were women with children, millennials, and people with caregiving responsibilities. However, the WFH Survey showed substantial Quality of Life (QOL) and productivity benefits were experienced across gender, age, and childcare-giving categories. In terms of QOL, men and women childcare givers were both more likely to report improvements compared to their non-child giver counterparts; interestingly, men caregivers were reported to experience the highest benefits.



Figure 3. Top reasons Malaysian employers adopt WLPs (Pre-Covid 19) (TalentCorp-UNDP, 2021)

Another private company applied for FWAs is Universiti Tenaga Nasional (Uniten). Uniten is a private university with a Government Link University (GLU) status; wholly owned by Tenaga Nasional Berhad (TNB). Uniten has implemented the staggered working hours since 1st July 2012. The workers are given options to choose whether to start work at 8.00 am or 8.30 am and leave the office at 5.15 pm or 5.45 pm. The selected time chosen is consistent. However, for academic staff it is stated that at the discretion of the company, the schedule may differ from the schedule of normal working hours provided that the total average working hours shall not be less than forty hours per week (Terms & Conditions of service for academic staff, revised version 1st January 2014). It is stated in the circular that the objective of staggered working hours is implemented to enable workers to manage their time efficiently and work productively (Pekeliling Pengurusan Sumber Manusia, 2012).

In 2019, Uniten has improved the implementation of FWAs whereby the staff can choose to start working either from 8 am or 8.30 am everyday but has to complete the minimum period of working hours per day (Pekeliling Pengurusan Sumber Manusia, 2019). In 2022, after the Pandemic, there were changes on the implementation of FWAs at Uniten following TNB and the new policy in the Employment Act. Besides, the new FWAs is aimed in order to achieve work life balance, efficiency and motivation for the workers. The implementation of the new FWAs in the pioneer mode until June 2023 gives more flexibility of time and place for the workers to do their job. The clock in and clock out can be made within 24 hours but still has to complete the minimum period of working hours per day. There are three categories of workers which are academicians, executive and non-executives based on the nature of work. For the academicians, they may work at home or from anywhere but he or she has the responsibility to clock in and clock out within 24 hours and complete the minimum hours of working. They have to make sure that they can be contacted and could come to the office within 2 hours whenever it is requested. However, for executive and non-

executive, the working hour is the staggered working hours and he or she must clock in and clock out at the office. For executives, WFH is given only by application and necessity by the supervisor or immediate manager. It is required that for executives, 70:30 must be in the office. On the part of the management, it is the responsibility of the supervisor or immediate manager to clearly plan the work and output for the subordinate when implementing WFAs (Pekeliling Pengurusan Sumber Manusia, 2022).

2.2 Malaysian Policy on Women's Empowerment in Economic Sector

The Malaysian policy on women's empowerment is consistent. WLB is a kind of women empowerment in the economic sector. However, a study showed that WLB policy in Malaysia is still not widely practiced and further study should be done to ensure its implementation in the future since both work-life balance and career advancement can be pursued with strong social support. Women empowerment must be within both the private and public spheres of women. Women's employment benefits must be in line with the roles and responsibilities of women in domestic work. In order to empower women for sustainable development, women need transformation and cooperation comprehensively from family members around them, organisation they are working for, lucrative government policy and interactive neighborhood circle to support their life (Nurulbahiah, 2021).

The Malaysian government, through the Ninth Malaysia Plan 2006–2010, has made efforts to provide better benefits in the workplace to attract the least utilized labor resources. It also facilitates greater female participation in the labor market through provisions that take into account the multiple roles and responsibilities of women within government agencies and the private sector. These include FWAs such as teleworking, part-time work, job-sharing and home office settings for small businesses (Ahmad et al., 2016).

In Malaysia, the National Policy on Women was introduced in 1989 with an action plan that covers 13 sectors and Women and Economy was the number one strategy. Women's economic empowerment includes women's ability to participate equally in existing markets; their access to and control over productive resources, access to decent work, control over their own time, lives and bodies; and increased voice, agency and meaningful participation in economic decision-making at all levels from the household to international institutions (unwomen.org).

The Malaysian Government supports women rights with the establishment of the Ministry of Women, Family and Community Development (MWFCDD). The ministry has been established since 17 January 2001. Among the objectives of the ministry are to empower women and achieve common well-being. To achieve the objectives, a few strategies have been planned. Firstly, is to review the existing laws and regulations and propose a new legislation if needed. Secondly, the access of information and communication technology (ICT) has to be expanded to women, families and society. Thirdly, the information on facilities and services available at various agencies and organizations that provide services to assist women should be appropriately and timely disseminated (Yusoff et al., 2022).

Malaysia embeds both the UN SDGs at a national level and the Ministry of Human Resources has incorporated ILO's decent work agenda in its department strategic plan for instance Strategic Plan 2021-2025 of the Department of Labour for Peninsular Malaysia

(JTKSM). The strategic objectives potentially achieved from the practice of FWAs is well aligned with 2030 Agenda for Sustainable Development Goal (SDG) which are SDG 1 for Ending Poverty, SDG 2 on Food Security, SDG 3 on Good Health and Well-being and SDG 5 for Gender Equality and SDG 8 for Decent Work and Economic Growth and SDG 10 for reducing inequalities. ILO promotes productive work, decent working time and combining work, family and personal life. These elements of a decent work agenda strongly supported FWAs. Nevertheless, a lack of research works particularly in the Malaysian context debates on the issue of aligning all these standards into the national law.

In 1995, Malaysia ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Article 1 of CEDAW states that “For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. This provision supports women empowerment in economics, social, political and making gender equality central to national development planning and budgeting.

The government has established SDGs governance structure in Malaysia which is headed by National SDG Council (Council). This Council plans and monitors direction for implementation, set national agenda and milestones, roadmap formulating, monitoring the targets’ progress, identify issues and prepare reports to the UN High Level Political Forum. (SDG Roadmap for Malaysia Phase I 2016-2020, 2021). The goal has been incorporated in RMK11 under one of its strategic thrusts which is to enhance inclusiveness that aims for an equitable society, more specifically under its strategy B3 which will focus on reinforcing the involvement of women in development (Eleventh Malaysia Plan, 2015). This goal has continued to be the nation’s focus in the Twelfth Malaysia Plan (RMK12).

At present, the Ministry of Human Resource (MOHR) is the central agency responsible for matters that relate to the labor market and labor standard. The MOHR plays a key role in shaping human resources management policies and practices in Malaysia, and is responsible for developing labor administration policy, promoting the welfare of employees and good relations between employees and employers. To meet the responsibilities, the MOHR administers various laws, notably the Employment Act 1955 (EA 1955) and the Industrial Relations Act 1967 (IRA 1967). The EA 1955 is very pertinent as it outlines the minimum conditions of employment for the private sectors (Mohd Noor,2015) whereas, IRA 1967 promotes harmonious industrial relations.

Regarding FWAs, starting from January 1, 2023 EA 1955 recognised the rights of employees to apply for FWAs with their respective employers (Section 60P of the EA 1955). The application must be made in writing, to seek changes in working hours, working days and place of work (section 60P (1) and 60Q (1) of the EA 1955). Upon the receipt of the request, the employers are obliged to respond to the employee in writing within 60 days and must give reasons if the application was rejected (section 60Q (2)-(3) of the EA 1955). However, it is not mandatory for employers to put in place a Flexible Working Policy. In other words, employers are not statutorily obliged to allow FWAs in their workplaces and are given complete freedom to decide on their FWAs policies. Hence, it is argued that the law may not be able to function as an effective mechanism to accommodate the needs of the women workforce to shift to FWAs considering lack of force element and clarity of the law.

In summary, WLB is well embedded into the strategic objectives of international agencies that promotes the well-being of the women workforce for instance ILO through decent work agenda, UN through SDGs and CEDAW. Whilst, FWAs are generally regarded as tools to achieve such objectives including WLB among the women workforce. At national level, those strategic objectives have been adopted into the strategic plans of related government agencies particularly MOHR and its agencies.

2.3 Conclusion

After the Covid-19 pandemic, FWAs undeniably became more acceptable both by employers and employees in private as well as public sectors. The positive impacts of WFH practices for instance improved employee well-being, improvement in productivity, high performance of work, reduced costs, family care, and improved social responsibility, shift from traditional working arrangements to FWAs. Even though it understandably take time, the government has set some good practices of FWAs through the amendment of EA 1955. The relevant policies governing FWAs in the public sector have been improved regularly. These improved policies cover both flexible location and flexible time options and also include strategies to support employees in accommodating their non-work commitments.

In the Malaysian culture and religious context, women hold great roles and responsibilities in childcare and elderly care. Many workplaces still do not provide sufficient and suitable places for childcare. Therefore, it is suggested that FWAs are implemented professionally and effectively in public and private sectors for WLB. Clear guidelines have to be made regarding this implementation of FWAs by the company. It must be founded on local culture and norms. A clear guideline also means there will be certainty for all parties on how FWAs applications will be handled, and the Flexible Working Policy can be supplemented by an internal guidance document for HR/management. The government has started the ball rolling by initiating the incentives and deliberating the relevant laws. Nevertheless, the legislative measures to improve WLB (which include FWAs) will only work if they are promoted through a supportive workplace environment (Sharija & Sharifah, 2020). Therefore, to ensure that working women continue to be productive, employers in this country are encouraged to implement FWAs by optimising the various ranges of FWAs options and practices. This may include an introduction of a rotation system of work schedules between husband and wife with small children and so on. Despite the challenges of the adoption of FWAs, this move helps many women, especially those with families, to continue contributing to the economic development of the country by taking full advantage of advanced communication technology while protecting their physiological and mental health from being exposed to unnecessary stresses.

3. Acknowledgments

The Authors would like to express their gratitude to the IRMC Uniten and Bold Grant 2022 for funding this project.

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