

Opportunities and Constraints when Balancing Work and Family Roles in Institutional and Non-Institutional Contexts in Sri Lanka

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Abstract

This paper offers insight into Sri Lanka's institutional (state and organizational level) and non-institutional (socio-cultural) context in terms of available opportunities and constraints for achieving balance in work and non-work roles. The paper identifies that state policies, laws, and organizational work-family initiatives/practices sometimes act against their main objective of mitigating the difficulties of employees. These policies seek to advance the quality of employee's quality of life, and that of their families – especially women and children. These projected benefits can be hindered by the island's social and cultural setting. Further, it provides some implications for policymakers as well as corresponding authorities to mitigate the above-identified constraints.

Keywords

Work-life Balance; Opportunities; Constraints; Institutional and Non-institutional; Sri Lanka

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Introduction

Many developed countries show a growing attention to balancing work and family responsibilities not only for its' importance in individuals' well-being, life satisfaction, mental health and overall life harmony but also its' positive outcomes for the organizations (Russo, et al., 2016), society, and ultimately the country's economy. In contrast, developing economies have been slow to recognize this tendency and still enact policies which support gender-based work and family roles (Bhalla & Kaur, 2011), tolerate gender inequality, and underestimate the negative outcomes of imbalanced work and non-work demands. Sri Lanka is a good example of an eastern society where the change of attitudes regarding traditional labor divisions is still very slow (Kailasapathy & Metz, 2012). Sri Lankan society still considers women "care givers" and men "full-time breadwinners", so they perceive work-life balance as naturally unbalanced phenomena which don't need any remedies (Kodagoda, 2013). Therefore, the impact of work and family conflicts are not fully recognized and have not yet been adequately addressed in research or policy.

Research supports the need to attract more women to the workforce in order to strengthen the human capital of the island and to encourage development of capabilities within each household (Gunatilaka, 2013). Therefore, Sri Lanka's future economy will heavily depend on Sri Lankan women and dual-earning couples, as well as working mothers. With the entering of more female into the labor force under the above mentioned cultural and social conditions, women have to face an extra wage-earning workload in addition to their usual household chores and childcare responsibilities (Kodagoda, 2010). In parallel, men will need to pay much more attention to family responsibilities than previously. Consequently, working individuals (especially females) may face difficulties in balancing work and non-work demands.

There are several kinds of local research which have addressed issues related to balancing the demands of career and family roles, such as the impact of long working hours on family life (Kodagoda, 2018), work-life conflict of dual-earning couples and career women (Kodagoda, 2010; Kailasapathy & Metz, 2012; Kailasapathy, et al., 2014), effects of supervisor behavior on work-family conflict (Kailasapathy & Jayakody, 2017) and work-family harmony (Fernando and Cohen, 2013; Thevanes & Mangaleswaran, 2018; Welmilla & Gamage,

2018). Further, many researchers (Chandola, et al., 2004; Cinamon, 2006; Kodagoda, 2010; Kailasapathy & Metz, 2012) have pointed out that there are several adverse effects of poor balance of work and non-work demands at the individual level (psychological and physiological health problems) as well as the organizational level (low productivity and high absenteeism).

Additionally, many researchers (Gunatilaka, 2013; Gunewardena, 2015) have shown that there are many constraints including individual, cultural, household and social factors that Sri Lankan females feel obligated to address before they attempt to combine paid employment with their general childcare and household duties. Further, Fernando and Cohen (2011) have mentioned in their study that females in non-western cultures are normally controlled concerning paid employment by social norms, legislation, and state policies. This argument is supported by Kodagoda and Samaratunge (2016) who claim that females tend to change their decision in taking a particular job based on the available policies and practices in the country and/or the organization.

Even though most of these researches have been focused only on the female and simply neglected the issues with males, these shreds of evidences highlight the need of investigating the island's current institutional and non-institutional context which could affect the balance of ever competitive demands of work and non-work roles on Sri Lankans regardless of gender. Therefore, first, this article analyzes Sri Lanka's institutional (state and organizational level) and non-institutional (socio-cultural) context. Second, it discusses the available opportunities and constraints for achieving balance in work and non-work roles. In this article, work-family balance is about maintaining a supportive and healthy balance between competitive responsibilities of work and non-work roles with minimum conflicts among roles (Kirchmeyer, 2000; Sirgy and Lee, 2018). Finally, this article provides some implications for policymakers and corresponding authorities to mitigate the identified constraints.

Methodology

This is a conceptual paper which review the available government policies and welfare regimes in Sri Lanka relevant to work-life context and accordingly identify the opportunities and constraints to balance the work and personal life of the Sri Lankan employees. The paper has used a desk-research approach by considering the key government policies and welfare regimes. Such materials are review from the perspective of opportunities and constraints for balancing

the work-life. Sri Lankan affiliated researcher mainly understood, interpreted and consequently identified the relevant opportunities and constraints as it is more viable due to the familiarity to the research context and then it was discussed with the other researcher to ensure the cross validation. In this process of analyzing several opportunities and constraints were changed, and new ones were boomed. Then, prior to developing it as a paper such opportunities and constraints were discussed with few practitioners.

Institutional Context in Sri Lanka

Under this section, this article summarizes the relevant content of the government policies and welfare regimes in Sri Lanka which relate to work-life balance. At the same time, it investigates the opportunities and constraints they create for proper management of work and non-work duties of working people.

State Policies and Welfare Regimes relates to Work-Life Balance

Many high-income countries, especially Scandinavian countries¹ believe that state family friendly welfare policies promote the citizens to combine employment with family responsibilities (Ray, et al., 2010). Specifically, some other researchers (McRae, 2003; Esping-Andersen, 2009) have pointed out that available government policies related to work-family harmonization would make an impact on working mothers' willingness to engage in paid work in addition to or instead of their duties as "caregiver" and "homemaker".

The Constitution of Sri Lanka guarantees the "right to equality" in Article 12 (2) as mentioning "(1) All persons are equal before the law and are entitled to the equal protection of the law. (2) No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any such grounds" (Government of Sri Lanka, 1978). But Wickramasinghe and Jayatilaka (2006) argue that this guarantee is only for public servants and it does not apply to private sector employment. Further, they mentioned that the Constitution has neglected non-discrimination in other important contexts such as marital status, maternity, parental status, age, etc. Thus, it is obvious that the island's supreme law doesn't fully support balancing work and non-work roles even though it promises the equity of every citizen. Still there are many unseen barriers for working males and females especially when they become parents according to the argument of Wickramasinghe and

¹ Scandinavia is a region in Northern Europe, including Norway, Sweden and Denmark.

Jayatilaka (2006).

By supporting the above, Kailasapathy and Metz (2012) also stated in their study that, even though the Sri Lankan Constitution agrees to provide equal rights to women, the government has not signed the International Labor Organization's (ILO) Convention 156 which assures the equal opportunity and equal treatment of employment for male and female employees with a commitment to provide care and support for their children and immediate family members.

Sri Lanka has ratified the United Nations' Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) in 1981 which ensures equal opportunities in political and public life including education, health, and employment. According to the above Convention, "*The Convention is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations*". Sri Lanka has translated the fundamentals of this Convention into the "Sri Lanka Women's Charter" and approved as a state policy in 1993. This would be a positive sign for eliminating barriers for women involved in paid employment as a whole, but Wickramasinghe and Jayatilaka (2006) have mentioned that this Charter has to be integrated as a national policy and legislative framework with many more amendments in the near future and they have highlighted the need of a powerful authorized body with private sector representation to ensure the rights of women workers.

Even though there are bottlenecks for managing proper balance in work and non-work role duties, given evidence of the opportunities that create for enjoying equal rights in health, politics, education, and employment by the island's Constitution and the government ratified Conventions would keep the country in a higher position than the regional neighbors. Other than above, the main Acts that currently address balancing employees' career life and family life especially during childbearing age are:

- The Maternity Benefits Ordinance (Amendment) No.15 of 2018 (Government of Sri Lanka, 2018a).
- Shop and Office Employees (Regulation of Employment and Remuneration) (Amendment) Act, No.14 of 2018 (Government of Sri Lanka, 2018b).

- The Establishment Code-amended by Public Administration Circular No.3 of 2005 -applies to public sector employees (Government of Sri Lanka,2005).

The Sri Lankan government introduced maternity leave and maternity benefits in 1939 and many amendments have been made thereafter to the Maternity Benefits Ordinance for the purpose of widening the scope and enhancing maternity benefits for female employees. The principal legislation governing maternity leave and benefits of pregnant women are based on their place of employment (Goonetilleke, 2016).

The legislation applicable for public sector employees is the Establishment Code (Government of Sri Lanka, 2005). This Establishment Code is also applicable to University staff members as amended by the University Grants Commission Circular (Government of Sri Lanka,2013). The maternity benefits for private sector employees are governed by the Maternity Benefits Ordinance and the Shop and Office Employees Act.

Opportunities

According to the above provisions, public sector female employees are entitled to 84 working days fully paid leave (in addition to holidays and other annual leaves that employees are entitled to), 84 days leave on half pay (including Public holidays, Saturdays and Sunday) and other 84 days of no-pay leave (only if such leave is required and including Public holidays, Saturdays and Sunday) during every live childbirth. In the case of stillbirth, the mother is still entitled to 42 days of full-pay leave (Government of Sri Lanka, 2005). Moreover, it is mentioned that the granted leaves for a female employee should not adversely affect her salary increments, pensions, filling of vacancies and granting of promotions in the Establishment Code (Government of Sri Lanka,2005). More specifically, fathers who work in the state sector institution are entitled to 3 days off on behalf of the new-born baby (these 3 days should be taken during the first three months of the baby's age) as per the Public Administration Circular amendment (Government of Sri Lanka,2006). If the female worker reports for duty after the first 84 days of leave she should be allowed one hour for feeding the child until the child is the age of six months. Other than that, during the pregnancy, when the female employee reaches the 5th month she should be allowed to attend office half an hour later than the normal time of attendance, and to leave office half an hour before the normal time of departure until her

maternity leave starts.

In addition, the University Grants Commission Circular (Government of Sri Lanka, 2013) ensures female university workers 84 days fully paid leave for each live birth and 42 days fully paid leave for stillbirth. Other than the 84 days leave, female workers are entitled to another 6 months of no-pay (special) leave in the case of the abnormal condition of the child or complications raised out of childbirth. Maternity benefits such as “arriving later and early departure” as well as “feeding hour” are the same as the public sector.

Private sector employees are entitled 84 days (14 days before confinement and 70 days after the child’s birth) of fully paid leave for every live birth, irrespective of the number of children they have (Government of Sri Lanka 2018a ;2018b). In the case of stillbirth, the mother is entitled to 28 days fully paid leave starting from her confinement. After returning to work, private sector mothers are entitled to two, one-hour nursing intervals per day; or two, half an hour intervals if the employer provides any suitable place where the mother would have easy access to the child, until the child is one year old (Government of Sri Lanka, 2018a;2018b). After the amendment in 2018, all private sector female employees are entitled to the above nursing interval benefit. Other than the maternity leaves benefits and nursing interval benefits, the Shop and Office Employees Act and Maternity Benefits Ordinance allow female workers to engage in safe employment for a total 6 months (3 months pre- and 3 months post-confinement-respectively).

As explained above, Sri Lanka’s currently available legislation for maternity and childcare provide various benefits especially for female workers in different employment sectors. The key benefit that working mothers require is a proper maternity leave period (before and after confinement), for preparing for the childbirth, giving the birth, caring and raising the new-born child. This requirement is guaranteed by the island’s Acts and Circulars as above. Other than that, job assurance until the female worker reports to the job and financial support (pay during leave period) also could be considered an acknowledgment of the dual roles-employment with family-of the women (Goonetilleke, 2016). Also, it highlights the abolition of discrimination against females due to engaging in reproductive behavior as stated by Goonetilleke (2016). Apart from the above benefits, health and safety of mother and child, nursing intervals and paternity leave (at least three days for public sector workers) are the other

facilities granted by the maternity legislation for promoting healthy, well-balanced families.

Constraints

Even though there is a strong coverage of maternity protection from the currently available legal framework for working mothers in Sri Lanka compared to the island's regional neighbors, still there are many policy loopholes effecting work-life balance of employees.

As the first prominent shortcoming, it is obvious according to the above-mentioned evidence that there is a lack of uniformity in laws across the female workers in different employment sectors (Wickramasinghe & Jayatilaka, 2006; Goonetilleke, 2016) in terms of the leave period, paternity leave and nursing intervals. Public sector female workers are entitled to greater benefits (long maternity leave period and nursing intervals) among other sector employees. Private sector employees aren't entitled to half-pay or no-pay leave and university staff can enjoy no-pay leave only under special situations. Goonetilleke (2016) has argued in her study that pregnancy, childbirth and need arising pre-childbirth can differ from woman to woman, not only because of employment type.

In contrast to the above-highlighted point, provisioning of long maternity leave might result in some negative effects on women employees' career advancement. Letting women employees (especially professional career women such as doctors or managerial level employees) away from the work-place for a long time period might cause them to face further discriminations in the workplace. Thus, professional women employees couldn't get the full benefits from available maternity benefits provisions (Kodagoda, 2012). In other hands, from the organizational point of view, they might think it is harmful for their organization to keep their female employees away from the work for a long time since most of the private sector employers are profit oriented (Kodagoda & Samaratunge, 2016). Therefore, women workers of childbearing age might be less attractive to employers since they look at them as liabilities for the company since the company itself has to bear the entire cost of maternity benefits as per the maternity benefit law of Sri Lanka. Hence this might adversely affect women's employment opportunities.

Another shortcoming of the current maternity benefits law in Sri Lanka is

that it mainly centers on the maternity leave of the working mothers and new-born babies' care until they complete the first year of age. It has totally neglected the care responsibility of young kids (1-15 years old). There is no any policy support in Sri Lanka for child care facilities or establishing quality childcare centers as in many western countries (Kodagoda, 2014). In the case of combining parents' employment and childcare responsibilities, many parents face the serious problem of a lack of trustworthy child care providers when they are away long hours from home. As stated by Kodagoda (2014) in her study, available state policies in Sri Lanka are framed by a gendered approach and those policies always identify the woman as the "only caregiver" for her children. Therefore, current provisions are unable to facilitate a favorable condition to balance the multiple roles of women (Goonetilleke, 2016).

Moreover, the Maternity Benefits Ordinance shelters all "working women" excluding the women workers whose employment status is "casual". But they are covered by the Shop and Office Employees Act since it is for "every" female employee work in the private sector. Similarly, it is stated that "all female employees" are entitled to the benefits in the University Grants Commission Circular (Government of Sri Lanka,2013) and Establishment Code (Government of Sri Lanka,2005). Therefore, all the "casual" female employees in the public sector are secured by the legislation, but "casual" women workers are governed only by the Maternity Benefits Ordinance such as factory female workers who are not legally eligible to get any maternity benefits (Goonetilleke, 2016). Thus, Goonetilleke (2016) has argued that female workers in garment factories (where the majority of workers are female and work as "casual" workers) have been neglected from the maternity benefits legislation of Sri Lanka even though the Constitution of Sri Lanka grants "equality" for every citizen. Additionally, she pointed out another loophole in the maternity benefit legislation in Sri Lanka as providing no legal coverage for female workers in domestic service in private household and home workers. These constraints would adversely affect their family responsibilities when they are balancing multiple roles in their life.

Other than the above, another main loophole in work-family balance related policies in Sri Lanka is not addressing the importance of paternal leave. Even though three-day leave entitlement has been introduced for fathers who work in state sector institutions this provision does not apply to the private sector employees. Three-day leave also might not enough when considering the care for a new-born baby, but it could be considered as a progressive step for

promoting a family-friendly environment at home. But, many studies (Wickramasinghe & Jayatilaka, 2006; Kodagoda, 2013; Gunewardena, 2015; Goonetilleke, 2016; Kodagoda & Samaratunge, 2016) have identified it as neglecting furthering male responsibility in child rearing and the relationship between father and child.

According to given evidence, the only policy support for both working mothers and fathers in Sri Lanka is maternity leave legislation except three days leave for public sector fathers in relation to child rearing and care. The alternative is using annual leave entitlement (for the public sector: 21 personal leaves and 20 sick leaves/ for private sector: 14 days of personal leave and 7 days of sick leave) if any emergency happens thereafter. Additionally, the island's social policy has totally ignored the elder care responsibilities of employees and hasn't provided any benefits so far.

Conclusively, the legislation relating to maternity benefits seems family friendly theoretically, but when it comes to practical application, it has become a hollow and unsupportive parents-families and work life.

Apart from the above, long working hours has become another challenge for maintaining a healthy environment in work-family spheres of working males and females all over the world (Ng & Feldman, 2008; Cha, 2010). In Sri Lanka, the main Act and Circulars that regulate the number of working hours, resting intervals and different type of holidays for the public and private sector employees are:

- Public Administration Circular: 9/2006 -for public sector employees (Government of Sri Lanka,2006)
- Shop and Office Employees (Regulation of Employment and Remuneration) Act No. 19 of 1954 -employees working in a shop or an office (Government of Sri Lanka,1954)
- Wages Board Ordinance No. 27 of 1941-employees in trades (Government of Sri Lanka,1941)
- Factories Ordinance No.45 of 1942 -workers in factories (Government of Sri Lanka,1942)

Opportunities

According to the Public Administration Circular (Government of Sri Lanka, 2006), the public sector employees' working hours are generally limited to eight hours (including the 30 minutes lunch break) per day. All employees except for minor-staff employees are supposed to work from 8.30 a.m. to 4.15 p.m. and it is slightly changed for minor workers as 8.00 a.m. to 4.45 p.m. Additionally, all public workers are entitled for 13 public holidays², 12 *Poya*³ days (one day per every month), and 21 personal leaves and 20 sick leaves per annum.

In the private sector, it seems like three legislative enactments pertinent to work time, resting intervals and holidays. According to the Shop and Office Employees Act (Government of Sri Lanka, 1954), the period of work for a day is 8 hours, and for a week it is 45 hours. Therefore, any additional hours of work are considered overtime. However, this provision is not applicable to managers and executives in private institutions. Every person employed in a shop or office shall be allowed one whole day and one-half day as paid holidays per week (Government of Sri Lanka, 1954). Further, if the employee has not worked for less than twenty-eight hours, exclusive of any period of overtime work, during that week, full remuneration should be given by the employer. Other than that, all the workers covered under Shop and Office Employees Act, are entitled to 8 public holidays⁴ and 12 *Poya* holidays (one day per each month) except 14 days of personal leave and 7 days of sick leave per year.

As per the Wages Board Ordinance (Government of Sri Lanka, 1941), the normal working week for employees who work in the trade sector cannot exceed 48 hours (including not less than one-hour interval per day for meal and rest). If someone works over 48 hours per week, that exceeded period is considered overtime. The maximum number of overtime hours per week is 12 hours (if no overtime rate has been determined, then payment must be calculated at 1.25 times the rate normally applicable to regular work).

² National Day, Thaipongal day, Mahashivarathri day, the day previous to the Sinhala Tamil new year day, the Sinhala Tamil new year day, Good Friday, Mayday (International Labour Day), the day following Vesak Poya day, Ramazan Festival day, Hadji Festival day, Deepavali Festival day, Holy Prophet's Mohammed's Birthday and Christmas Day (Government of Sri Lanka, 1971)

³ *Poya* is the name given to the Lunar monthly Buddhist holiday in Sri Lanka.

⁴ Same as Footnote 2 except Mahashivarathri day, Good Friday, Ramazan Festival day, Hadji Festival day and Deepavali Festival day.

Employers should allow one day per week with or without remuneration as a holiday for all workers.

According to Section 67 of the Factories Ordinance (Government of Sri Lanka,1942), every woman or young person employed in a factory shall not exceed 9 hours per day and 48 hours per week exclusive of intervals allowed for meals and rest. Further, the ordinance prohibits more than 12 working hours per day for a person, age 14-16 years and these hours cannot fall before 6 a.m. or after 6 p.m. In the case of young persons who have not attained the age of 18 the period of employment shall not end later than 8.p.m., and not on less than one day in the week, 1 p.m. Other than that, a woman or young person shall not be employed continuously for a spell of more than 4.5 hours without an interval of at least 30 minutes for a meal or rest. Particularly, pregnant mothers, nursing mothers until the completion of 1st year for the child and women who delivered a stillborn child (for three months of the period from the delivery date) are prohibited to be engaged in overtime work in factories by the ordinance.

As mentioned in Section 67 A of the Factory Ordinance (Government of Sri Lanka,1942), all workers should give written agreement prior to the employment to work after 10 p.m. at night. There is a special protection over women in the factory ordinance for their night shifts. No woman shall be forced to work throughout the night against her will. The maximum number of days that women employees can work night shifts each month is 10 days. Furthermore, after working 6 a.m. to 6.p.m. no women worker can be employed after 10 p.m. on any day. In order to assure female workers security and health during night duties, employers should provide a female warden (for checking the welfare of female workers) restrooms and refreshments. In addition, a young person shall not be employed in a factory on a Sunday and every woman or young person employed in a factory shall be allowed six whole days as holidays on six consecutive weekdays per year according to Section 73 of the Factory Ordinance (Government of Sri Lanka,1942).

According to the above explanation, it is apparent that Sri Lankan employees in all sectors are protected by the state legislation from long working hours at workplaces. As in most parts of the world, the standard working duration of 8 hours per day and 48 hours per week, should be observed in Sri Lanka too (Kodagoda, 2018). Additionally, special attention has been paid for women with regards to their security and welfare during night shifts by the state

legislation. Even though the government of Sri Lanka has not fully recognized the consequences of less family-friendly policies in Sri Lanka and there is no discussion on dangers to the families and employees due to the burden of balancing high demands of work and family life, at least citizens benefit from this kind of legal protection compared to other South Asian countries.

Constraints

In Sri Lanka, the formal working arrangement is limited to permanent, temporary or contract basis categories, and there is no part-time work, flexible working hours or home-based working arrangements (Kodagoda, 2018) as in most developed countries. Because of this limitation, many working people struggle when they seek to perform work, family and other social roles. Especially, for women workers who have to quit their job when they are unable to find faithful and quality formal or informal childcare⁵ service. This would not be an easy decision for educated career women who have already invested a lot of money, time, and effort into their education and training. Thus, they have to face plenty of practical difficulties when they deal with family care responsibilities alongside high demands of professional managerial jobs. Accordingly, professional women employees are less benefited by the current legal framework (Kodagoda, 2014, 2018; Kodagoda & Samaratunge, 2016) compared to female factory workers since factory workers are especially cared by the Factory Ordinance (Government of Sri Lanka, 1942) against work under long and irregular working hours.

Recently, the Sri Lankan government has taken a positive step during the budget proposal for 2018 in parliament, towards family-friendly policies by changing laws that will enable private sector workers to choose flexible working hours and by considering giving increased benefits to public sector employees as well. According to the proposal, the Shop and Office Employees Act (Government of Sri Lanka, 1954) will be amended allowing the employees flexibility in choosing their working hours and the Wages Boards Ordinance (Government of Sri Lanka, 1941) will also be reviewed in the future. But most of these promises and proposals still remain aspirations which may remain empty election promises, rather than being effectively implemented (Wickramasinghe & Jayatilaka, 2006).

⁵ Formal Childcare- Public or Private childcare facilities
Informal Childcare- Child caring by husband, parents/in laws or domestic workers

It is obvious that there is still inequality in Sri Lankan government legislation as it relates to employees working hours, resting hours, and holidays among all the employment sectors in the island. The public sector employees enjoy more benefits than other sector employees due to less workload, less working hours and more holiday entitlement. The private sector managerial and professional level employees have to struggle with irregular and long working hours without overtime wage entitlement. Yet, there is not any monitoring facility to ensure that women workers in factories are provided the necessary facilities for night duties (Government of Sri Lanka,1942). So, there is a great chance of involving illegal long working hours in factories which are always run with the purpose of earning more profits. Even though the plantation sector employees are covered by the Wages Board Ordinance (Government of Sri Lanka,1941), the women “tea pickers” have to work longer hours than their male counterparts who are engaged in other plantation works (Wickramasinghe & Jayatilaka, 2006). Other than that, domestic workers/ workers at home-based industries are not covered by any of the legislation which has been discussed above.

Conclusively, the above review of Sri Lanka’s state legislation framework for work-life balance highlights that policymakers haven’t fully considered the importance of properly balanced work-family life from the employees’ perspective or the organizations’ perspective. Further, policymakers are not ready to listen or be concerned with these issues yet. Since work-family balance is not considered a labor issue at present, the realization of the real needs of the labor force hasn’t been identified as a vital phenomenon in Sri Lanka as it has been in other developed countries.

Organizational Legal and Welfare Facilities Related to Work-life Balance

Not only do a country’s social policies impact on balancing work and family commitments, but also the workplace’s family-friendly policies and welfare facilities affect employees’ negotiation of their competitive work and family role demands (Kailasapathy & Metz, 2012). Although Sri Lanka’s legislative framework acknowledges the need for maternity leave, a maximum level of working hours, holidays, and resting interval; it is obvious that the legal framework becomes an “empty shell” in the practice (Kodagoda, 2012). Therefore, it is less likely that organizations operating in Sri Lanka have family friendly policies and still, “work-life balance” is considered an individual personal issue.

Further, the government has not signed ILO's Convention 156 which assures equal opportunity and equal treatment in employment for male and female employees with care and support responsibilities for their children and immediate family members. As stated by Kailasapathy and Metz (2012), this loophole allows Sri Lankan organizations to avoid officially initiating work-family friendly practices for their employees.

Opportunities

With globalization, many domestic organizations are trying to operate their business aiming at a global market. Thus, these organizations are influenced by global strategies of work and employment management practices (Budhwar & Khatri, 2001). Since this situation is the same in Sri Lanka, some organizations especially those which collaborate with global companies, have introduced some of the family-friendly initiatives and welfare facilities common to other nations.

Some organizations have introduced a "supportive supervisor" concept to reduce the work-family conflict by increasing emotional support and the freedom to negotiate work demands by employees. It is very important especially in eastern societies such as Sri Lanka where very sound state and organizational level family-friendly policies are absent. Thus, the immediate supervisors' support is essential for combining ever challenging career-family and social demands (Kailasapathy, et al., 2014).

As a step towards establishing more supportive work environments to help employees engage in multiple roles, some firms in the IT sector have introduced "flextime" for managerial and professional employees (Wickramasinghe & Jayabandu, 2007). "Flextime" allows employees to develop their own work pattern which facilitates them to harmonize their work and family demands. Wickramasinghe and Jayabandu (2007) mentioned that organizations have gained employee commitment, loyalty and increased employee potential after introducing "flextime" practices.

Other than that, the option to work compressed hours, reduced hours, home-working, job share schemes, specialized leave policies, dependent care benefits and options for health and lifestyle at work (e.g. corporate gyms, leisure events, and sessions on stress management) have been initiated in some organizations, as mentioned by Fernando (2018) in her magazine article.

The benefits given under each work-family balance practices and the way of regulation are specific to each organization. More specifically the success of these initiatives is also doubtful.

Constraints

As in many legislation and welfare facilities in Sri Lanka, even the employers want to introduce an attractive work-life balance agenda theoretically, but there are many loopholes in this initiative when it comes to real life scenario.

As in many eastern cultures, the power distance of organizational hierarchy in Sri Lanka is relatively high compared to western countries such as the USA, UK, and Australia (Kailasapathy, et al., 2014). In such a context, it is not practical to find high-quality supervisor support for subordinates in order to achieve a proper balance in work and family demands. On the other hand, the work environment in Sri Lanka is male-dominated and highly gendered (Kodagoda, 2013). Such a work environment hardly helps to negotiate employees' work and family demands. Especially for women subordinates, their male supervisors rarely support balancing career responsibilities with caring responsibilities since they believe "caring" is solely a woman's (primary) responsibility.

Sri Lankan work organizations' practices are still based on the traditional "male model ideal worker" norm (Kodagoda, 2013; Fernando, 2018). Many work and family-friendly practices become useless in this context. Because many workers might think they would be seen as "unprofessional or irresponsible worker" and it would be harmful to their career advancement/prospects if they take up flexible working arrangements rather than having long working hours while keeping as much visibility in the office as possible. On the other hand, the workers who would like to utilize the benefits granted by work-family friendly policies in the workplace might think that they would experience lower career growth than others who were dedicated enough to work fulltime. As stated by Fernando (2018) in her article, some non-standard work arrangements are considered "special flavors" rather than "employee entitlements" in many Sri Lankan organizations and therefore, traditional minded employees resist to use such benefits for balancing their work-family and social commitments. Especially, male workers may be unwilling to use flextime entitlement since they think other workers may negatively react to their use of flextime working arrangements (Wickramasinghe & Jayabandu, 2007).

OPPORTUNITIES AND CONSTRAINTS WHEN BALANCING WORK AND FAMILY ROLES IN
INSTITUTIONAL AND NON-INSTITUTIONAL CONTEXTS IN SRI LANKA

Not reducing employees' workload and not changing the usual way of performing tasks are the most common shortcomings that mitigate the proposed benefits of introducing "flextime" and "work compressed hours" policy initiatives. Likewise, employees have to face practical difficulties to complete the workload within a short time period while they use such practices, especially under unsupportive supervisors.

Some companies organize "weekend training sessions" as well as "social gatherings" as a leisure option and work harmonization opportunity, but with the hidden purpose of making more chances to keep their employees in the work setting. As stated by Fernando and Cohen (2013) and Kodagoda (2013), these kinds of events make more conflicts among career and family commitments since they have to dedicate time they have saved for the family. Therefore, they believe these kinds of initiatives are useless and tend to avoid these occasions by just calling in sick or leaving such events early.

As many state policies which relate to work-family balance, many organizational level work-family practices, and welfare facilities are mainly focused on women workers. This is because of the belief regarding women as "care givers" and "homemakers" (Kodagoda, 2013) due to the heavy gendered working background. This could be considered gender discrimination for male workers since it has neglected their importance in family responsibilities and child-father relationship. On the other hand, it automatically constrains the women workers career advancement by inspiring the traditional gendered ideologies of management (Fernando & Cohen, 2013).

Even organizations recognize women workers as "caregivers", they consider childcare as a private problem but not as a labor problem. That's why they aren't sensitive to working mothers' struggle in combining employment and care responsibilities. Thus, employers in Sri Lanka still lag behind other countries in terms of launching workplace facilities such as on-site childcare and nurseries for young kids, or in providing a better work environment and reduce the stress related to family commitments (Kodagoda, 2010). Furthermore, organizations have totally ignored the culturally sanctioned eldercare responsibilities of Sri Lankan employees and introduced some leave and welfare facilities for their employees.

It is obvious that Sri Lankan organizations haven't fully understood employees' genuine needs and their ground-level barriers when combining commitments in career-family and social life. The only thing they have done is, introduce a theoretically attractive work-family agenda to have a shine for their organizations and to improve their recognition without concerning the applicability to the social and cultural setting of Sri Lanka.

The other point that has been highlighted by the above review is that, there are some psychological and operational factors that might hinder policy implementation and proposed benefits in organizations such as employees' backward/negative feelings on utilizing work-family balance initiatives, heavy workload and traditional working arrangements. Therefore, the organization should pay attention to developing strategies to mitigate such bottlenecks which limits the work-life arrangements.

Non-Institutional Context in Sri Lanka

Although the government and some organizations have recognized the need of legal assistance on working women and men up to a certain level compared to regional neighbors, it is understood that those provisions are not enough and focused only the organized sectors of the society. In such background, the island's non-institutional socio-economic context plays an important role in balancing individuals' ever competitive demands in career-family balance and in society.

Sri Lanka has a rich cultural diversity with a multi-ethnic and a multireligious society. The culture and the society of Sri Lanka are enriched mainly by the Theravada Buddhism and it exposed to British and European culture since it has been ruled by three western nations: the Portuguese, Dutch and British over a period of 450 years. More specifically, Sri Lankans' beliefs, norms, and cultural values are influenced by traditional Indian culture due to its closeness to the island. Therefore, the island's family and social interactions show many Eastern characteristics. In contrast, its' governing strategies and legislation are heavily influenced by British and European colonial governance while their working culture displays a mixture of Eastern and Western philosophies.

Opportunities

In comparison with other developing countries, especially regional neighboring countries, Sri Lankan women have the great privilege to attain education and labor market participation (Kailasapathy & Metz, 2012; Kodagoda, 2013; Herath, 2015). Likewise, paid work provides both income and social status to the family. Thus, the huge expansion could be seen in the number of women entering into the labor force and dual-earning couples in society. As a result of it, the nuclear family pattern becomes a norm in society today with the difficulties around caring responsibilities and less government and organizational level family-friendly policy support. Still, some scholars (Kailasapathy & Metz, 2012; Kodagoda & Samaratunge, 2016) have pointed out that a special social characteristic- “family-based arrangement” in Sri Lanka which is not found in most Western countries. Many dual-earner couples in Sri Lanka heavily depend on their extended family members such as parents, parents’ in-laws, unmarried sisters/brothers or relatives for child care responsibilities and household duties. As stated by Kodagoda (2010), the extended family structures allowed mothers to combine paid work easily with domestic work.

Despite the fact, Sri Lankan society displays many collective behaviors in familial and other social relations which is one of the prominent characteristics of many Eastern cultures, at present it can be seen everywhere especially, in urban settings. Hence, Kailasapathy and Metz (2012) argue that many dual-earning couples have to accept and combine Eastern values with Western values in order to face the challenge of mitigating work-family conflict. Because of the higher education and urban living style, traditional gender ideologies have become less rigid than societal expectation, but still they might depend on their extended family for household chores and child-rearing.

Other than the help of extended family members, many working couples get the help of paid domestic workers. Though, the service of domestic workers was comparatively cheap and available in Sri Lanka two or three decades ago, now it has become expensive and less available. Due to the huge change in the social and economic environment over the last three decades, even economically poor or, unskilled women have plenty of opportunities to find socially recognized employment without engaging in domestic work. Some high earning couples are able to get the help of workers, but the reliability and trustworthiness are a matter of debate.

There is a belief in Sri Lankan society that women are the “caregivers” and “housemakers” and should be recognized as a negative influence on female involvement in paid employment and their career advancement. On the other hand, it can be considered a positive thought in terms of the wellbeing of the family and children. Sri Lankan women also believe themselves to be the only caregiver within the family and accept they will spend more time on household chores and childcare than their husbands, even if both are engaging in paid employment. This belief positively affects children’s psychological wellbeing and harmony within the family.

Constraints

As identified by many scholars (Fernando & Cohen, 2011; Kailasapathy & Metz, 2012; Gunatilaka, 2013; Kodagoda, 2013; Gunewardena, 2015; Herath, 2015) the main barrier to equal participation of female and male in household chores and caring obligations directly helped to maintain a healthy work-family balance in traditional social attitudes, gender ideologies, and norms of Sri Lankan society. Kailasapathy, et al. (2014) also mentioned that Sri Lankan families are still valued and obeyed to gender role norms.

With the social, economic and political change, it is totally acceptable for married women with children to go out for paid employment, and still be expected to bear the full or primary responsibility for child care and housework even if they undertake paid work outside their homes. As mentioned by Kailasapathy and Metz (2012), Sri Lankan husbands still do not fully tolerate having working wives and sharing family responsibilities with them. A working woman can get her husband’s support for sharing household duties and childcare responsibilities only if he holds a non-traditional gender ideology.

Another bottleneck for achieving the proper balance between employment and family responsibilities is the backward attitudes of both male and female employees in Sri Lanka. As mentioned in the earlier section, Sri Lankan women also accept the gendered societal expectation of the male as a “full-time standard worker” and female as a “caregiver”. Thus, they don’t try to break the stereotype since they have been normalized by the existing cultural context from their birth (Wickramasinghe & Jayatilaka, 2006).

Moreover, Sri Lanka is a country with high power discrepancy in employment, compared with neighboring countries and in contrast with more

developed Western countries (Fernando & Cohen, 2011; Kailasapathy & Jayakody, 2017). Not only in power structure in the supervisory relationship, but also in the family, there is a power distance between husband and wife even if both are earning, or if the wife earns more than the husband. Therefore, Sri Lankan husbands are not much familiar to “being requested to help with household duties and childcare responsibilities” by wives in Sri Lankan society. According to many researchers, this also acts as a barrier in Sri Lankan society for achieving a proper balance among multiple life roles by negotiating the commitments of the couple.

As Kodagoda (2010, 2014) has found out in her researches with professional career women in Sri Lanka, many working women are suffering from the limited availability of publicly funded “quality” childcare or on-site childcare services provided by the workplace. Not only childcare but also centers for elderly care are virtually absent in Sri Lanka.

“Culturally sanctioned eldercare responsibilities” is another factor that keeps capable Sri Lankan women away from the workforce and makes them unable to combine family duties with paid employment (Østbye, et al., 2010; Kaluthantiri, 2015). The image of “elder care centers” is not much appreciated in Sri Lankan society since they believe caring for their parents and other elderly people is all about keeping them at home and feeding them, even if they don’t have much time to spend with these people. This belief might be acted upon three or four decades ago, but not with the modern dual-earner, nuclear family setting. They rarely think about the elderly in their care in terms of mental and physical fitness (physiotherapy). In developed societies, there are centers for elderly people (same as child care centers they come in the morning and leave in the afternoon) which offer all the necessary mental and physical treatment during the daytime until their children come to take them home. The negative attitudes characterizing such facilities in the Sri Lankan traditional society constrain the overall harmony of the life by facilitating much more conflict among role responsibilities. Thus, these kinds of psychological barriers should be treated through innovative, practical and context-specific approaches for the betterment of entire society by achieving a proper balance in work and family spheres (Gunewardena, 2015).

Likewise, the balance in work-family and social commitments of Sri Lankan people are constrained by prevailing traditional stereotypes and

prejudices in the society according to the above review. As stated by many researchers (Kodagoda & Samaratunge, 2016) available state policies, organizational family-friendly practices, and welfare facilities have an impact on working males and females' attitudes and behavior regarding combining employment with household and caring duties. In contrast, the projected benefits of these state and organizational work-life agendas could hinder the existing socio-cultural context of the Sri Lankan society.

Conclusion

This article had an insight into Sri Lanka's institutional (state and organizational level) and non-institutional (socio-cultural) context and discussed available opportunities and constraints for achieving balance in work and non-work roles.

According to the above review, there are few government policies and welfare regimes in Sri Lanka which relate to work-life balance, maternity benefits and childcare, working hours of employees, resting intervals and holiday entitlement. Even though these legal provisions are not enough, Sri Lanka stands above many of its' regional neighbors in the face of state legislation related to work-family balance.

Sri Lanka's currently available legislation for maternity and childcare provide various benefits especially for female workers in different employment sectors such as proper maternity leave (before and after confinement), job assurance until the female worker reports to the job and financial support (pay during leave period), health and safety of mother and child, nursing intervals and paternity leave (at least three days for public sector workers). Still, there are many loopholes in the current legislation which mitigate the working people's work-life balance, such as lack of uniformity in laws across the female workers in different employment sectors, provisioning of long maternity leave, totally neglected care responsibility of young children (1-15 years old), no policy support for child care facilities/eldercare facilities, and most importantly not addressing the importance of paternal leave (except three days leave for government workers). Therefore, maternity benefits legislation seems family-friendly theoretically, but in practice, it has become ineffective and its' projected benefits are a matter of debate.

It is obvious that Sri Lankan employees in all sectors are protected by the

state legislation framework to prevent long working hours at workplaces, but there is no part-time work, flexible working hours or home-based working arrangements, and still Sri Lankan working arrangements are limited to fixing working hours. Further, inequality in employees working hours, resting hours, and holidays among all the employment sectors is another shortcoming of the state legislation.

In Sri Lanka, the organization level work-family balance initiatives are not very common, as is the case in many developed countries due to the absence of governmental attention. Some organizations which operate aiming to address a global market, use some strategies related to supportive supervisory systems, “flextime”, work compressed hours, reduced hours, home-working, job share schemes, specialized leave policies, and dependent care benefits, as well as options for health and lifestyle at work (e.g. corporate gyms, leisure events, and sessions on stress management). Unfortunately, different psychological and operational barriers hinder the projected benefits.

Under the context of less practical state and organizational level legislative framework, the island’s non-institutional context plays an important role in balancing individuals’ ever competitive demands in career-family and society. Even though, there are many barriers in Sri Lankan society which keep individuals away from properly balanced work and non-work roles such as traditional gender role ideologies, social norms, backward attitudes, and culturally sanctioned eldercare responsibilities; fortunately, there are some positive behavioral characteristics which support work-life balance which could be identified. Special “family-based arrangements”- support received from extended family members for household chores and caring duties and a combination of Eastern and Western values in urban dual-earner couples can help individuals recognize opportunities for combining paid employment with family and social responsibilities.

It is understood that state policies, laws, and organizational work-family initiatives/practices sometimes act against their main objective of mitigating the difficulties of employees in combining career and family commitments. They may even lead to advance employees, especially women’s and children’s wellbeing. On the other hand, these projected benefits are hindered by the island’s social and cultural setting.

As per the above critical review, it is clear that the study objectives indicated at the introduction have been appropriately achieved. Further, the below section provides some implications for policymakers as well as corresponding authorities to mitigate the above-identified constraints.

Implications

First, each legislation should be equal to everyone in every employment sector as mentioned in the Constitution of Sri Lanka.

Since, there is no policy support for fathers or mothers in connection with childbirth, childcare or child sickness except maternity leave, paternity leave might thus be a good policy direction for promoting gender equality in the workplace and a family- friendly environment at home. If the government can introduce leave arrangements which allows parents to share parental leave between them it would be a good opportunity to prevent the harmful effect on the mother's career due to the length of her maternity leave and could promote gender equality at work as well as at home by encouraging the father-child relationship.

Nevertheless, the most important resource in an organization is the human resource. It is important to provide favorable conditions for employees to gain high loyalty, commitment and, productivity. Thus, organizational family-friendly practices and policies should have a better fit between organizational goals as well as individual values and their true needs. Local organizations can follow the guidelines and manuals formulated by the Employers' Federation of Ceylon (EFC) and ILO for improving the gender justice and the well-being of both men and women at work (Wickramasinghe & Jayatilaka, 2006).

As mentioned by Gunewardena (2015) attitude changes could be made through creative and inspiring projects such as television programs. Sri Lanka is a good example to prove that popular entrainment could have considerable effect on socio-cultural norms.

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OPPORTUNITIES AND CONSTRAINTS WHEN BALANCING WORK AND FAMILY ROLES IN
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