

TOWARD LEGAL INSTITUTIONALIZATION OF FLEXIBLE WORK: A SOCIO-LEGAL STUDY OF WORK-LIFE BALANCE IN PAKISTAN

Arifa Naheed Rana^{*1}, Javeria Khalid²

^{*1}(Senior Lecturer, Faculty of Law, Capital University of Science and Technology, Islamabad)

²(Lecturer, Faculty of Management Sciences, Capital University of Science and Technology, Islamabad)

DOI: <https://doi.org/10.5281/zenodo.15867396>

Keywords

Constitution of Pakistan, Flexible Working Hours, Labor laws, Work Life Balance,

Article History

Received: 08 April, 2025

Accepted: 25 June, 2025

Published: 12 July, 2025

Copyright @Author

Corresponding Author: *

Arifa Naheed Rana

Abstract

This research looks at how work-life balance (WLB) and flexible work models fit together in the social and legal setting of Pakistan. As the way people work throughout the world changes, especially due to the COVID-19 pandemic, flexible work arrangements, such as remote work, flextime, and hybrid models, have become effective ways to enhance employee health, productivity, and inclusion. However, Pakistan's reaction remains unequal due to outdated laws, inadequate technological infrastructure, and deeply ingrained organizational cultures. The article uses a combination of approaches to look at how ready and legally ready Pakistani institutions are to make flexible work a normal part of their operations. It points out big problems with labor regulations, especially the Factories Act (1934) and the provincial Shops and Establishments Ordinances, which don't fit with the demands of modern workers. The Constitution of Pakistan merely makes a general, non-binding promise of decent working conditions. It doesn't make any promises that can be enforced for flexible arrangements. Real-world data shows that areas like ICT and education are more flexible, whereas older businesses still put a lot of value on presentism. Flexible work makes employees happier and less stressed, especially women and young professionals. But there are still problems, such as the lines between work and personal life being blurred, management not being built on trust, and gender inequalities getting worse when people work from home. The research says that there should be major changes to the law, a national strategy on flexible employment, and money spent on digital infrastructure and HR procedures that take gender into account. These changes are necessary to turn flexible work from one-time fixes into long-term, fair practices that follow international labor standards.

INTRODUCTION

The increasing complexity of modern work environments has brought work-life balance (WLB) and flexible work models to the forefront of organizational priorities worldwide. Flexible work arrangements, including flextime, remote work, compressed workweeks, and hybrid models, are widely regarded as effective tools for enhancing employee satisfaction, productivity, and overall well-

being (Allen et al., 2013; Kossek & Thompson, 2016). The global shift toward non-traditional work formats was notably accelerated by the COVID-19 pandemic, which compelled organizations to reevaluate their operational models (Kniffin et al., 2021).

Conversely, in Pakistan, flexible work practices remain mostly informal and are not extensively

adopted. Certain sectors, such as information technology and education, experimented with remote work during the pandemic; nonetheless, the majority of organizations continue to adhere to rigid work schedules rooted in conventional management frameworks (Sarwar & Aftab, 2016; Waqar et al., 2021). The restricted institutionalization mostly results from the absence of a comprehensive legal and regulatory framework that acknowledges and regulates flexible employment possibilities. Pakistan's employment legislation, including the Factories Act of 1934 and Provincial Shops and Establishments Ordinances, establishes work hours and leave entitlements; however, these do not accommodate modern, flexible arrangements. Furthermore, Article 37(e) of the Constitution of Pakistan (1973) stipulates that workers are entitled to satisfactory working conditions, encompassing adequate time for rest and leisure. Nonetheless, this basic right is inadequately enforced in practice. There is no specific legislation addressing telecommuting, hybrid work, or the regulation of work-from-home practices (Government of Pakistan, 1934; Constitution of Pakistan, 1973).

This study aims to explore both the organizational and legal readiness of Pakistani institutions to adopt flexible work models and to evaluate their impact on employees' work-life balance. By employing a mixed-method approach, the study seeks to bridge the gap between employee perceptions and organizational practices, while also highlighting the structural barriers posed by outdated regulatory systems.

The findings are expected to provide valuable insights for policymakers, organizational leaders, and human resource professionals striving to modernize work arrangements and improve employee well-being in Pakistan's evolving labor market.

Objectives of the study

1. To examine the concept and significance of flexible working hours within the context of contemporary organizational practices.
2. To investigate the role of flexible working hours in enhancing employees' work-life balance.
3. To assess the readiness of Pakistani organizations, structurally, culturally, and legally, to adopt and sustain flexible work models.

4. To identify legal and policy gaps related to flexible work practices in Pakistan and suggest potential areas for reform.

Research Questions

1. What is the current understanding and application of flexible working hours among Pakistani organizations?
2. How do flexible working hours influence employees' work-life balance in the Pakistani context?
3. What legal and policy gaps exist in Pakistan concerning the regulation of flexible working models?

2. Understanding Flexible Work Models

Flexible work models encompass various arrangements such as flexitime, remote work, compressed workweeks, and hybrid systems. These models aim to provide employees with greater autonomy over their working hours and locations, thereby promoting efficiency and personal well-being. Flexible work models refer to alternative arrangements that allow employees greater autonomy over when, where, and how they perform their tasks. Common types include flexitime, remote work, compressed workweeks, hybrid work models, and job sharing. These models are increasingly being adopted as organizations seek to enhance employee well-being, boost productivity, and adapt to post-pandemic workplace dynamics (Choudhury, 2022; Gurchiek, 2023). The COVID-19 pandemic acted as a catalyst, normalizing remote work and accelerating digital transformation across sectors. This shift challenged traditional assumptions that physical presence is essential for productivity. Evidence shows that flexible work arrangements can lead to improved job satisfaction, reduced turnover intentions, and better work-life integration (Contreras et al., 2023; De Sio et al., 2022).

By making it easier for them to work, flexible models also promote the inclusion and equitable opportunity of women and careers (Ahmed & Shaikh, 2024). The effectiveness of these systems depends on factors such as the type of business, organizational culture, available technology, and employees' self-management capabilities (Lund et al., 2023). Flexible employment models hold significant promise; however, they are not always applicable.

Jobs like manufacturing, transportation, and retail that require substantial labor may need a constant physical presence, which limits flexibility options (ILO, 2023). Therefore, when organizations develop and implement such models, they must consider the specific needs of their unique context and workforce diversity. The pandemic and emerging technology have accelerated changes in global work practices. This has made work-life balance (WLB) and flexible job arrangements more essential. Despite increased discussions in Pakistan about employee well-being and digital transformation, legislation has not kept pace with modern workplace practices. This chapter aims to examine the current laws and regulations in Pakistan regarding flexible work and work-life balance (WLB) and identify opportunities for improvement.

2. Conceptualizing Flexible Work and Work-Life Balance

Flexible work models encompass a spectrum of practices that provide employees with greater control over the *timing*, *location*, and *manner* of their work. Common forms include remote work, flextime, hybrid models, and compressed workweeks. These arrangements have been increasingly associated with lower stress levels, enhanced productivity, and higher job satisfaction (Contreras et al., 2023; Lunde et al., 2022). Work-life balance refers to the ability of individuals to effectively manage their occupational duties without compromising personal and familial well-being. It is an essential aspect of employee well-being, particularly in today's knowledge-intensive and digitally connected workplaces. Flexible work options are now widely acknowledged as key facilitators of work-life balance, helping individuals cope with dual role demands (Ahmed & Shaikh, 2024; Eurofound, 2022).

In the Pakistani context, however, flexible work is still largely conceptualized through informal practices rather than formalized policies. Its adoption tends to be reactive, most notably during the COVID-19 pandemic, rather than a result of proactive organizational strategy or legislative support (Khan & Mushtaq, 2023). While some private sector firms and multinational corporations in urban centers have started experimenting with flexible practices, widespread institutionalization remains limited.

Cultural emphasis on physical presence, hierarchical control, and low digital infrastructure further restricts scalability and inclusivity in flexible work implementation across sectors.

4. Sectoral Readiness and Organizational Culture in Pakistan

The readiness of Pakistani organizations to adopt flexible work arrangements varies significantly across sectors. The information and communication technology (ICT) and higher education sectors have demonstrated comparatively higher levels of adoption, largely due to their digital infrastructure, younger workforce, and alignment with international work standards (Raza & Nazir, 2023; Khan & Mushtaq, 2023). These sectors, especially post-pandemic, have integrated remote learning platforms and cloud-based solutions, enabling smoother transitions to hybrid or remote models. In contrast, traditional industries, such as manufacturing, retail, and public administration, remain entrenched in presenteeism, where physical presence is equated with productivity and discipline (Yasir et al., 2022). These sectors often rely on shift-based roles, customer-facing functions, or operational supervision, making remote or flexible arrangements less feasible. A key obstacle is the prevailing organizational culture, which is often hierarchical, rigid, and risk-averse. Many managers express skepticism over remote work due to perceived challenges in monitoring performance, ensuring accountability, and maintaining organizational control (Waqar et al., 2021; Iqbal & Javaid, 2022). Furthermore, HR systems in most traditional organizations lack the technological infrastructure and policy frameworks necessary to support flexible scheduling, virtual collaboration, or digital performance management systems. Without addressing these structural and cultural limitations, the widespread and sustainable implementation of flexible work across Pakistani industries will remain limited.

4. Employee Perspectives and Challenges

From the employee standpoint, flexible work arrangements are generally perceived positively, with many reporting enhanced ability to manage personal and professional responsibilities. This is particularly

evident among working mothers and younger professionals, who value autonomy over their schedules and reduced commuting burdens (Contreras et al., 2023; Ahmed & Shaikh, 2024). These models can lead to improved job satisfaction, reduced stress, and better work-life integration, especially when supported by clear communication and an inclusive organizational culture.

However, the effectiveness of flexible work arrangements is often constrained by certain challenges. Employees commonly report issues such as unclear performance expectations, blurred work-life boundaries, increased workload during remote periods, and limited support from supervisors (Lunde et al., 2022). Furthermore, a lack of mutual trust and accountability mechanisms between managers and subordinates can undermine the potential benefits of flexibility (Iqbal & Javaid, 2022). Gender norms and societal expectations further complicate the scenario. While flexible arrangements can theoretically promote women's participation in the workforce, entrenched cultural expectations regarding caregiving and domestic responsibilities often lead to unequal distribution of household labor, even in remote settings. As a result, women may find it difficult to fully benefit from flexible work, instead experiencing a "double burden" of professional and domestic duties (Mahmood & Yameen, 2023; Waqar et al., 2021). To ensure equitable outcomes, organizations must adopt gender-sensitive policies, provide training for inclusive remote management, and encourage shared caregiving responsibilities through broader societal change.

5. Legal and Policy Framework in Pakistan

The Constitution of Pakistan (1973) is an important, albeit indirect, source of good working conditions. Article 37(e) of the Constitution says that the government must make sure that people have "humane conditions of work" and "adequate leisure and rest" (Constitution of Pakistan, 1973). This part shows a commitment to work-life balance, but it can't be enforced by law because it has to do with the Principles of Policy. So, even though the Constitution says that work-life balance is important, the way things really are depends on the legislation and the rules that govern how things operate.

Labour laws are rules that can't be broken in a changing world. Pakistan's main labour laws are based on rules from the colonial era, with only a few changes made to make them more flexible for different types of work. The Factories Act of 1934 sets rules for how factories should be run. It sets the hours you work (Section 34), the days off you get each week (Section 35), and the pay you get for working extra hours (Section 47). You can't work from home, have flexible hours, or work shorter weeks. (The Factories Act of 1934).

Provincial Shops and Establishments Regulations are not the same all over the country. These laws in the provinces provide rules for things like working hours, vacations, and other conditions of employment in non-industrial industries. You can't work from home, have a hybrid schedule, or take flexible leave. These rules make presentism a part of the work culture, which means that being there in person is important for getting things done. These rules are too strict, which goes against the basic idea of being flexible. There are big holes in the policy and a lack of communication about the National Policy on Flexible Work. There is no centralized national policy in Pakistan that defines or controls flexible work rights now. Because of this, employers are in a legal murky area when they set up remote or hybrid work practices. They also don't have any protection against being taken advantage of, including having to work longer hours without pay or losing benefits when working from home. Pakistan does not legally recognize telework as a protected method of employment, unlike Germany, the Netherlands, and India, which have made rules for nations that allow people to work from home after COVID-19. The COVID-19 epidemic sped up remote work in Pakistan, notably in the ICT, education, and financial industries. But this change was mostly reactive, informal, and not well-organised; official HR rules or legal standards did not support it (Khan & Mushtaq, 2023). Return to in-office standards continued after the epidemic, showing the unsustainable nature of flexible employment in the absence of official law (Iqbal & Javaid, 2022). Although flexible employment has the potential to improve women's labor participation and mitigate gender prejudice, the absence of legal frameworks enables the continuation of gender disparities.

Consequently, there is no safeguard against the "double burden" women have when remote employment coincides with household obligations. Furthermore, Pakistani legislation lacks gender-sensitive human resource strategies and shared caring incentives (Mahmood & Yameen, 2023). Observing other jurisdictions, such as the European Union and India, reveals that they have implemented legislation concerning work-life balance (The EU Work-Life Balance Directive, 2019) ensures flexible working entitlements for parents and carers. Provides legally binding rights to telecommuting, reduced hours, and flexible scheduling. Post-2020, India promulgated proposed regulations under the Occupational Safety, Health and Working Conditions Code, acknowledging work-from-home arrangements for designated industries.

6. Recommendations

To align with global trends and meet the evolving needs of its workforce, Pakistan must undertake comprehensive legal and organizational reforms that promote and regulate flexible work arrangements. To make sure that flexible work is done the same way everywhere, there should be a national policy that defines what it is, who may do it, and what employers are responsible for. To make sure that employees working from home have the same rights and protections as those working in a typical office, existing labour laws need to be changed to officially recognize and regulate remote work and flextime. At the same time, investments in digital infrastructure should be a top priority to make it easier for people to work from home in both cities and rural regions. This will help close the technology gap that makes it hard for people to use telework. Inclusive human resource strategies are also very important. For example, gender-sensitive policies that encourage flexibility while also addressing cultural norms that sometimes put too much of a caring duty on women. Lastly, companies should work on growing their capacity by teaching managers and team leaders how to create trust, manage remote performance properly, and help their staff's mental health in virtual settings. These initiatives together will make sure that flexible employment becomes a fair and long-lasting paradigm in Pakistan's job market.

In order to satisfy the evolving needs of its workforce and adhere to global standards, Pakistan must implement modifications at multiple levels. Legislative revisions that contain legal definitions of telework, hybrid work, and flexible hours include the Factories Act (1934) and the Shops and Establishments Ordinances. Providing remote laborers with additional rights and safeguarding them from excessive online workloads. Establish a national policy that delineates the prerequisites for flexible arrangements, the obligations of employers (including health and safety and working hours), and the rights of employees (including the right to work without discrimination and the establishment of specific work hours). It should also specify the amount of money that will be allocated to cybersecurity, cloud platforms, and rural internet to ensure that all individuals have equal access to remote employment opportunities. These plans should be meticulously crafted to incorporate shared caregiving leave, flexible scheduling for working women, and an on-site nursery when working from home is not feasible. The government should allocate funds to enhance broadband connectivity in rural regions and establish initiatives to educate individuals on the use of technology. This will facilitate the implementation of flexible work arrangements in urban and suburban areas. This transformation may be expedited through public-private partnerships. It is crucial to offer mental health support, virtual communication, and training to human resources and management personnel on how to evaluate performance from a distance. Establish performance evaluation systems that prioritize accountability while simultaneously acknowledging employees' autonomy. In order to promote inclusive growth and mitigate structural gender imbalances, it is imperative that laws provide women with the opportunity to pursue flexible employment opportunities without incurring penalties. To assist working women, prioritize remote work, shared parental leave, and caregiving leave. Encourage organizations to implement gender equity training in virtual environments. A transition from presentism to performance-based assessment should be facilitated by regulatory incentives and initiatives to increase awareness. In order to ensure that flexible models are sustainable,

it is necessary to establish an environment that fosters trust, innovation, and initiative.

Conclusion

Organizations are trying to meet the changing needs of their employees by offering more flexible work hours. This study looks at the possible pros and cons of flexible work schedules. These kinds of models have worked well in some areas, especially in knowledge-based or intellectual labor, where activities may be done from anywhere. However, they don't work for everyone. In fields like manufacturing, where being there in person is important for getting things done, sticking to set timetables and following the rules at work is still very important.

How well flexible work arrangements function relies a lot on how they are set up and put into action. Policymakers and HR professionals need to plan carefully to make sure that flexibility increases production without hurting the culture of the organization. Also, variances between people have a big effect on the results. Some individuals are self-motivated and can do their jobs well with little supervision. Others, on the other hand, may need systematic management and set procedures. Some people like working with others, while others do better when they can work alone. Because of this variety, it's doubtful that a one-size-fits-all solution will work.

The current laws and regulations in Pakistan don't do a good job of reflecting how modern jobs function. Constitutional values provide a moral basis for good working conditions, but old laws and a lack of proactive policies make it hard to make flexible work arrangements a normal part of business. Without clear laws, employers and employees have to rely on informal institutions with different expectations and protections. Pakistan has to quickly change its labor laws, make policy changes, and put money into digital and organizational infrastructure in order to create work environments that are long-lasting, welcoming, and productive. Pakistan can only really combine work and life and follow global labor standards by making a lot of changes in law.

Pakistan has to make big changes to its laws and organizations to enable flexible work so that it may keep up with global trends and fulfill the changing

requirements of its workers. This involves developing a national policy that makes it clear what flexible work is, who may do it, and what employers are responsible for. Changes to labor legislation should officially recognize remote work and flexible hours, making sure that all employees, no matter where they work, have the same safeguards. Investing in digital infrastructure is very important for making telework possible, especially in areas that aren't well developed. Also, HR policies that are gender-sensitive and open to all are essential to make sure that flexibility doesn't promote conventional caring roles, especially for women. It's also important to provide managers the skills they need to lead from a distance, develop trust, and promote the health and happiness of their employees. With these steps, flexible working hours may become a long-lasting and fair model that improves job satisfaction, work-life balance, and the general resilience of organizations in Pakistan. This study reveals that flexible work models might greatly increase employee well-being and the ability of organizations to adapt, but they are hard to put into practice in Pakistan because of old laws, cultural resistance, and a lack of infrastructure. Article 37(e) of the Constitution of Pakistan (1973) says that working conditions should be fair and humane. However, because there are no enforceable rules or up-to-date legal definitions, this ideal has not been realized in practice. Labor laws, such as the Factories Act (1934) and the provincial Shops and Establishments Ordinances, are deeply rooted in traditional employment systems. They don't recognize or protect remote or flexible work arrangements.

According to the literature, Pakistani businesses, especially in ICT and education, were somewhat ready to embrace flexible models during the COVID-19 pandemic. This adoption was largely informal, unstructured, and short-lived, as it lacked both legal and institutional support (Khan & Mushtaq, 2023; Iqbal & Javaid, 2022). Also, what employees say about flexibility shows how it may be good and bad, especially when it comes to gender equality, mental wellness, and trust-based management (Ahmed & Shaikh, 2024; Mahmood & Yameen, 2023)

In Pakistan, legal, legislative, and organizational frameworks must all evolve simultaneously to make work-life balance and flexible work a permanent

part of society. We need a unified framework that includes changes to the law, an inclusive human resources policy, digital readiness, and cultural change. Only then can flexible work models go from being tested in small groups to being used in a way that is fair and long-lasting and follows both global and local rules.

REFERENCES

- Ahmed, S., & Shaikh, F. (2024). *Gender, Remote Work, and Labor Market Inclusion in South Asia: Post-Pandemic Evidence*. *South Asian Journal of Human Resource Management*, 11(1), 45–63.
- Allen, T. D., Johnson, R. C., Kiburz, K. M., & Shockley, K. M. (2013). Work-family conflict and flexible work arrangements: Deconstructing flexibility. *Personnel Psychology*, 66(2), 345–376. <https://doi.org/10.1111/peps.12012>
- Ali, A., & Kundi, G. M. (2020). Work-life balance practices in Pakistan: Challenges and policy implications. *Journal of Business and Social Review in Emerging Economies*, 6(1), 61–72.
- Choudhury, P. (2022). *Work-from-anywhere: The productivity effects of geographic flexibility*. *Strategic Management Journal*, 43(5), 940–965.
- Contreras, F., Baykal, E., & Abid, G. (2023). *Remote work and employee well-being: A longitudinal perspective*. *Journal of Business Research*, 161, 113818. Constitution of Pakistan, 1973.
- De Sio, S., Buomprisco, G., Perri, R., et al. (2022). *The impact of remote working on job satisfaction, productivity, and mental health*. *International Journal of Environmental Research and Public Health*, 19(1), 509.
- Eurofound (2022). *Telework and work-life balance: The impact of telework during the COVID-19 pandemic*. European Foundation for the Improvement of Living and Working Conditions.
- Greenhaus, J. H., & Allen, T. D. (2011). Work-family balance: A review and extension of the literature. In *Journal of Management*, 37(1), 17–45. <https://doi.org/10.1177/0149206310382450>
- Gurchiek, K. (2023). *Future of Work: Hybrid Models are Here to Stay*. Society for Human Resource Management (SHRM).
- Government of Pakistan. (1934). *Factories Act*.
- Iqbal, N., & Javaid, M. (2022). *Organizational response to COVID-19: Rethinking HR practices in the Pakistani context*. *Journal of Management and Research*, 9(2), 23–40.
- ILO (2023). *Working Time and Work-Life Balance Around the World*. International Labour Organization.
- Khan, M. A., & Rasheed, A. (2015). Human resource practices and organizational performance in Pakistani public sector organizations. *Pakistan Economic and Social Review*, 53(1), 121–148.
- Khan, M. A., & Mushtaq, M. (2023). *The Evolution of Remote Work in Pakistan: Lessons from the COVID-19 Era*. *Pakistan Journal of Management Sciences*, 20(2), 105–119.
- Kossek, E. E., & Thompson, R. J. (2016). Workplace flexibility: Integrating employer and employee perspectives to close the research-practice implementation gap. *The Oxford Handbook of Work and Family*, 255–270.
- Kniffin, K. M., Narayanan, J., Anseel, F., et al. (2021). COVID-19 and the workplace: Implications, issues, and insights for future research and action. *American Psychologist*, 76(1), 63–77. <https://doi.org/10.1037/amp0000716>
- Lund, S., Madgavkar, A., & Smit, S. (2023). *The future of work after COVID-19: Shifts and trends*. McKinsey Global Institute.
- Lunde, L. K., Fløvik, L., Christensen, J. O., Johannessen, H. A., & Finne, L. B. (2022). *Flexible working hours and mental health: A review of systematic reviews*. *Scandinavian Journal of Work, Environment & Health*, 48(3), 168–181.

- Mahmood, K., & Yameen, H. (2023). *Work-from-home and women professionals in Pakistan: Navigating productivity and domestic responsibilities*. *Pakistan Social Development Review*, 5(1), 88–104.
- Raza, H., & Nazir, S. (2023). *Digital Work Transformation in Pakistani Higher Education: Opportunities and Challenges Post-COVID-19*. *Asian Journal of Distance Education*, 18(1), 112–123.
- Sarwar, S., & Aftab, N. (2016). Exploring work-life balance and organizational performance in Pakistan. *South Asian Journal of Management Sciences*, 10(2), 18–32.
- Waqar, S., Farooq, A., & Nazir, T. (2021). Organizational culture and flexible work arrangements: Evidence from Pakistan's ICT sector. *Journal of Management and Research*, 8(1), 35–52.
- Yasir, M., Majid, A., & Fatima, T. (2022). *Presenteeism in South Asian Organizations: Cultural Barriers to Remote Work*. *Asian Business & Management Review*, 11(3), 301–317.

