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# Legal Analysis of the Regulation of Leave Entitlements for Female Workers in the Workplace

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## ABSTRACT

The purpose of this study is to see from a juridical point of view how the leave rights of female workers in the world of work are regulated and to what extent these regulations reflect the principle of justice. Female workers have different biological and social needs, including menstruation, pregnancy, childbirth, and miscarriage, which require special legal protection. The normative legal research method is used in this research; it utilizes statutory and conceptual approaches and is supported by primary and secondary legal materials. The results show that several laws, such as Law No. 13 of 2003 on Manpower, Law No. 11 of 2020 on Job Creation, and Law No. 4 of 2024 on Maternal and Child Welfare, regulate women workers' leave rights. However, in real life, leave rights are often faced with challenges such as burdensome administrative requirements, lack of supervision, and gender-based discrimination. These conditions often lead to women workers' rights not being properly fulfilled. This research recommends strengthening the law and supervision to ensure leave entitlements are properly utilized. In addition, this research encourages the establishment of humane and equitable industrial relations. Women workers' leave rights must be legally protected. This is part of respecting human rights and the principle of gender equality in the workplace.

## KEYWORDS

Regulation;  
Leave Rights;  
Female Workers;  
World of Work



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## INTRODUCTION

Indonesia is a country governed by law that upholds a system of justice. The concept of justice is a human need throughout the world that embodies a universal moral value.<sup>1</sup> Laws are created as a form or tool to protect society.<sup>2</sup> The law, to achieve justice, is a very important element in society for creating a fair and prosperous life, one of which is justice in employment. The formation of legal norms or legal protection is a form of security and comfort to achieve success in a job.<sup>3</sup>

Employment development aims to create or provide jobs for every working person, especially women, so that they can enjoy a prosperous life worthy of humanity, as stated in Article 27, paragraph 2 of the 1945 Constitution of the Republic of Indonesia. Most people believe that women can only work in certain areas, such as domestic work, because women are stronger at certain types of work than men, who can do all kinds of work, and because of gender inequality.<sup>4</sup> However, in essence, with the existence of injustice and unfulfilled rights, the government protects female workers as a form of welfare for women in the workplace. Why does the government protect female workers? By nature, women have reproductive abilities such as menstruation, pregnancy/childbirth, miscarriage, and so on.<sup>5</sup>

Everyone in the workplace has the same rights, namely equal safety and equal welfare, regardless of ethnicity, race, physical condition, or religion.<sup>6</sup> As stated in the 1945 Constitution of the Republic of Indonesia, "Indonesian citizens have the right to obtain employment and a decent life without discrimination." Given that female workers have the natural ability to give birth, menstruate, become pregnant, and experience miscarriages, women have certain rights in the workplace, including the right to leave, such as maternity leave, childbirth leave, menstrual leave, and miscarriage leave. These rights are protected by Law No. 13 of 2003 on Labor, as amended by Law No. 11 of 2020 on Job Creation, and replaced by Government Regulation No. 2 of 2022 on Job Creation, which was then enacted into Law No. 6 of 2023 on Job Creation and Law No. 4 of 2024 on Maternal and Child Welfare (KIA).<sup>7</sup>

Labor is any person or individual who performs work and produces goods or services for the benefit of the surrounding community or individuals, while a worker is a person who works in exchange for wages or other compensation, as stipulated

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<sup>1</sup> Emmy Latifah, "Eksistensi Prinsip-Prinsip Keadilan Dalam Sistem Hukum Perdagangan Internasional" (2015) 2:1 Padjadjaran J Ilmu Huk 65.

<sup>2</sup> Adriana Mustafa, "Tinjauan Yuridis terhadap Perlindungan Konsumen dalam Pemasangan Instalasi Listrik oleh Kontraktor pada PT. PLN Rayon Makassar" (2017) 4:1 J Al-Qadau 128.

<sup>3</sup> Miftakhul Rohmah, *Perlindungan Hukum terhadap Tenaga Kerja Perempuan Menurut Undang-Undang Nomor 13 tahun 2003 tentang Ketenagakerjaan dan Hukum Islam* UIN Sulthan Thaha Saifuddin Jambi, 2019) [unpublished].

<sup>4</sup> Fitriani et al, "Perlindungan Hukum terhadap Hak Cuti Haid Bagi Buruh Perempuan di PT. Asera Tirta Posidonia" (2022) 3:2 Tadayun J Huk Ekon Syariah 153-162, online: <<https://tadayun.org/index.php/tadayun/article/view/78>>.

<sup>5</sup> Ketut Satria Wiradharma Sumertajaya & Kadek Ary Purnama Dewi, "Perlindungan Hukum Bagi Pekerja Perempuan Yang Mengalami Pemutusan Hubungan Kerja Sepihak Oleh Perusahaan Saat Cuti Melahirkan" (2024) 18:1 J Yustitia 96-103.

<sup>6</sup> *Ibid.*

<sup>7</sup> Rensy Budihardjo, "Hak Pekerja yang Harus dipenuhi oleh pengusaha", (2023), online: *Huk Online* <<https://www.hukumonline.com/berita/a/ini-hak-pekerja-perempuan-yang-harus-dipenuhi-pelaku-usaha-lt645b2e354c4ed/>>.



in Law No. 13 of 2003, Article 1, point (3).<sup>8</sup> The workforce referred to above includes civil servants and formal or informal workers. This journal discusses the regulation of leave entitlements for women based on fairness in granting leave entitlements, particularly for female workers, by Article 81 of Law No. 13 of 2003 concerning labor law. Women in their professional sectors are still far from being considered well-off, but the system for women workers has improved. However, what happens in the field is that women do not receive their rights at work. From various studies available on the internet, journals, and theses or articles, many female workers do not have their leave rights fulfilled when working, such as menstrual cramps, pregnancy, and miscarriage, the right to wages, the right to workplace safety, the right to protection when working at night, and some companies terminate employment unilaterally.<sup>9</sup>

Female workers have lower/weaker job quality compared to male workers, who have a stronger position in terms of socioeconomic status.<sup>10</sup> With this in mind, there is also gender equality in the workplace. Companies treat all male and female employees equally, but it is important to note that women face different challenges than men, such as pregnancy, childbirth, and menstrual cramps.<sup>11</sup> As gender equality in the workplace is regulated in Article 5 of Law No. 13 of 2003 concerning Manpower, namely “Every worker has the same opportunity without discrimination to obtain employment.” Workers will contribute to the success of the company if the company respects its workers, and workers will also respect the company in return.<sup>12</sup> The relationship between workers and employers is mutually beneficial. Companies need innovative workers to realize or drive their rapidly growing businesses, while workers need their rights to be fulfilled in terms of protection at work, comfort, health, livelihood, and justice. It is clear that companies not only fulfill the needs of the company but also fulfill justice and welfare at work. The objective of this research is to ensure that all female workers are aware of the rights they are entitled to when taking leave from work.<sup>13</sup> Employees will bring success to the company. If the company can show respect to its employees, then the employees will also show respect to the company.<sup>14</sup>

The National Commission on Violence Against Women has raised a crucial issue that has emerged in recent years regarding the employment of women today, namely women working in the informal sector, the entertainment industry, women with disabilities, and women with specific social identities such as race, ethnicity, religion, sexual minorities, and gender orientation who experience multiple layers

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<sup>8</sup> Muhamad Rizal, “Pengaruh UUCipta Kerja (Omnibus Law) Pada Kesejahteraan Pekerja Perempuan” (2021) 5:2 J Sekr Adm Bisnis.

<sup>9</sup> Rudi Febrianto Wibowo & Ratna Herawati, “Perlindungan Bagi Pekerja Atas Tindakan Pemutusan Hubungan Kerja (PHK) Secara Sepihak” (2021) 3:1 J Pembang Huk Indones 109–120.

<sup>10</sup> Anik Iftitah et al, “Kesetaraan Gender Dalam Hukum Ketenagakerjaan” (2023) 1:2 Eksekusi J Ilmu Huk Dan Adm Negara 31–46.

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*



of vulnerability in the workplace.<sup>15</sup> There is also a crucial issue that has arisen recently, namely, workers experiencing violence and violations of workers' rights, such as maternity rights or women's reproductive health, regarding the imposition of difficult conditions on women taking menstrual leave.<sup>16</sup> Menstrual leave is considered an illness that requires a doctor's examination and a doctor's certificate, so that sexual harassment does not occur. Menstrual leave interferes with annual leave, the assignment of heavy work to pregnant women, and unilateral termination of employment due to maternity leave because the leave contract has expired, thereby violating labor regulations.<sup>17</sup> Satyawanti also reported to the National Commission on Violence Against Women that there is gender-based discrimination against female workers in the workplace due to differences in structure, wages, and promotions.<sup>18</sup>

## METHOD

This research was compiled and prepared using normative legal research, namely, problem analysis conducted by combining legal materials obtained through secondary data. Secondary data is data obtained in literature studies, such as scientific papers, analysis of laws and regulations, and documents obtained from agencies related to the research object and issues raised.

## RESULT & DISCUSSION

### I. Regulations on Leave Entitlements for Female Workers

#### 1. Women's Leave Entitlements in the Perspective of Labor Law

Leave entitlement for female workers is a fundamental right that must be fulfilled by companies as a form of welfare and justice for all citizens, as stated in Article 27, paragraph 2 of the 1945 Constitution, which states that "every citizen has the right to obtain work and a decent livelihood for human welfare." The regulations in this article serve as the legal basis for ensuring every right for workers in the Republic of Indonesia and have been established as the legal foundation of the 1945 Constitution of the Republic of Indonesia.<sup>19</sup> State policies aimed at achieving fair, balanced, and harmonious industrial relations involve labor protection. By regulating the rights and obligations of each party in an employment relationship, this protection is provided not only to workers but also to employers. The regulation of women's rights, which often requires a different approach than men's rights, is an important component of this protection.<sup>20</sup> Female workers not only carry out professional duties in their workplace, but they also perform social roles in society,

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<sup>15</sup> Komnas Perempuan, "Peringatan Hari Buruh Perempuan", (2024), online: <<https://webbaru.komnasperempuan.go.id/siaran-pers/siaran-pers-komnas-perempuan-tentang-peringatan-hari-buruh-internasional-2024>>.

<sup>16</sup> Ana Fauzia & Fathul Hamdani, "Aktualisasi nilai-nilai Pancasila dan konstitusi melalui pelokalan kebijakan Hak Asasi Manusia (HAM) di daerah" (2021) 2:2 J Indones Berdaya 157-166.

<sup>17</sup> Komnas Perempuan, *supra* note 15.

<sup>18</sup> Satyawanti, "Peringatan Hari Buruh Perempuan" (2024) Article.

<sup>19</sup> Muhammad Rahmadzani Hidayat & Qurrotul Aini, "Perlindungan Hak Tenaga Kerja Terhadap Buruh Perempuan Yang Mendapatkan Ketidakadilan di Tempat Kerja (Studi Kasus PT. AFI)" (2024) 2:2 Media Huk Indones 648-651.

<sup>20</sup> Rizki Widya et al, "PREMATUR" 9:3 208-218.



particularly in terms of managing the household and playing an important role in the reproductive process. The regulations established by the government are *Lex Specialis* in nature because they are not limited to the general provisions of the Labor Law, but are also supported by company regulations, ministerial regulations, and ratified international conventions.<sup>21</sup> The following are the regulations regarding leave entitlements for female workers in the workplace:

a. Menstrual Leave Rights

Article 81, paragraphs 1 and 2 of Law No. 13 of 2003 concerning Labor regulates menstrual leave rights for female workers, stating that every female worker who is experiencing menstrual pain is required to notify the employer or company owner and is entitled to rest/leave during the first and second days of menstruation. These menstrual-related regulations are not only stipulated in the Law but also company regulations and employment agreements. Companies are required to establish company regulations or employment agreements; however, this does not mean that the Labor Law, which has been enacted by the government, is nullified.<sup>22</sup>

b. Miscarriage Leave Entitlement

Article 82 paragraph 2 of the Labor Law regulates the right to miscarriage leave, stating that “every female worker who experiences a miscarriage is entitled to leave or rest for 1.5 months,” but if the doctor does not require full rest, the duration of leave can be shortened, for example to 2 weeks or 1 month, depending on the worker's medical condition.<sup>23</sup>

c. Maternity Leave Rights

Article 4 paragraph 3 letter a, 4, and 5 letters a and b concerning Maternal Rights, Law No. 14 of 2024 concerning Maternal and Child Welfare Article 4 states that “every female worker who is pregnant is entitled to leave for at least the first 3 months before and after giving birth”, and up to three additional months, provided that the mother is experiencing special conditions as determined by a doctor, and mothers in such special conditions must provide proof in the form of a medical certificate from a doctor. Female workers who are pregnant while working and wish to take maternity leave must obtain permission for maternity leave from their employer or company. If the mother who has given birth is experiencing special conditions such as health issues, postpartum complications, or miscarriage, and requires extended rest, she is permitted to receive an additional three months of leave after childbirth, as stipulated in paragraph 5(a) and (b).<sup>24</sup>

## 2. The Urgency of Regulating Leave Entitlements for Female Workers

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<sup>21</sup> Muhammad Raihan Nugraha, “Aturan Cuti Haid, Cuti Melahirkan, dan Cuti Keguguran”, (2025), online: *Huk Online* <<https://www.hukumonline.com/klinik/a/aturan-cuti-haid-cuti-melahirkan-dan-cuti-keguguran-cl3890/>>.

<sup>22</sup> Hutri Dirga Harmonis, “Sederet Fakta soal Cuti Haid yang Kata Kemnaker Tak Perlu Pakai Surat Dokter”, (2024), online: *Kumparan Woman* <<https://kumparan.com/kumparanwoman/sederet-fakta-soal-cuti-haid-yang-kata-kemnaker-tak-perlu-pakai-surat-dokter-23Y2Y1UK8Nd>>.

<sup>23</sup> Nugraha, *supra* note 21.

<sup>24</sup> Kanya Anindita Mutiarasari, “Aturan Cuti Melahirkan Menurut UU No 4/2024 tentang KIA”, (2024), online: *Detik News* <<https://news.detik.com/berita/d-7455414/aturan-cuti-melahirkan-menurut-uu-no-4-2024-tentang-kia>>.



a. Legal protection for female workers

This is a form of guaranteeing the rights of every citizen. The state must provide protection, one of which is the right of workers to take leave from work.<sup>25</sup> This protection covers various aspects, ranging from the right to menstrual leave, maternity leave, miscarriage leave, to childbirth leave.<sup>26</sup> This right is not merely a form of fulfilling biological needs, but is part of fundamental human rights and must be guaranteed by the national legal system.<sup>27</sup>

b. Preventing discrimination and supporting gender equality

Leave entitlements for female workers are an important part of efforts to prevent gender discrimination in the workplace.<sup>28</sup> This right is not only related to technical labor issues, but also reflects the principles of justice and equality, which are the foundation of human rights.<sup>29</sup>

c. Improving good relations between workers and employers

Healthy and harmonious industrial relations between employers and workers can be achieved if leave entitlements for female workers are applied fairly and consistently.<sup>30</sup> Good leave entitlements demonstrate a company's compliance with laws and regulations and its moral commitment to the welfare of its employees. If a female employee feels that her rights are protected and respected by the company, she will feel safe and comfortable at work. Feeling valued increases loyalty, commitment, and morale, all of which have a positive impact on productivity, efficiency, and quality of work.<sup>31</sup>

## II. Female Workers' Leave Entitlements From the Perspective of Justice Theory

### 1. Women's Leave Entitlements from the Perspective of Justice Theory

For some time now, the current economy has been highly vulnerable to the effects of globalization, and this has had an impact on the business sector. One of the main consequences is the emergence of an increasingly free and intense competitive environment between domestic and international businesses.<sup>32</sup> Businesses are currently facing major challenges to survive and grow, namely, improving efficiency to achieve corporate goals. To remain competitive in the global market, companies must be more efficient.

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<sup>25</sup> Article 86 of Law No. 13 of 2003 concerning Manpower.

<sup>26</sup> Fregy Andhika Perkasa, M Adaninggar & Mustika Mega Wijaya, "Perspektif Perlindungan Hukum Terhadap Hak-Hak Pekerja Dalam Sistem Ketenagakerjaan Indonesia" (2024) 3:1 *Civilia J Kaji Huk dan Pendidik Kewarganegaraan* 48–62.

<sup>27</sup> *Ibid.*

<sup>28</sup> Articles 5 and 6 of Law No. 13 of 2003 concerning Manpower.

<sup>29</sup> Renata Christha Aulia, "8 Prinsip dan Sifat Hak Asasi Manusia Beserta Penjelasannya", (2022), online: *Huk Online* <<https://www.hukumonline.com/klinik/a/sifat-hak-asasi-manusia-lt62ff47f03be06/>>.

<sup>30</sup> Article 1 paragraph 13 of Law No. 13 of 2003 concerning Manpower.

<sup>31</sup> Nayla Putri Yandika & Christine S T Kansil, "Perlindungan Hukum Terhadap Hak Cuti Pekerja Perempuan Dalam Sistem Ketenagakerjaan Indonesia" (2024) 2:2 *JERUMI J Educ Relig Humanit Multidisciplinary* 1244–1249.

<sup>32</sup> Abdul Gafur Thalib & Alimatus Sahrah, "THE IMPACT OF DISTRIBUTION AND PROSEDURAL JUSTICE TOWARDS WOMEN WORKER STRIKE INTENTION IN ' GABUNGAN SOLIDARITAS PERJUANGAN BURUH ' UNION IN BEKASI Pada tahun 1870 Pemerintah Kolonial Hindia Belanda mengumumkan berlakunya kebijakan ekonomi liberal . Hind" (2020) 22:1 61–72.



However, companies often face various internal problems when trying to improve efficiency, one of which is human resource management, especially labor. Quality, productivity, and labor protection are important issues in modern management strategies.<sup>33</sup> On the other hand, Indonesia's socio-economic conditions also influence employment dynamics. High poverty rates in various regions, especially in areas with limited economic access, encourage people, including women, to seek alternative livelihoods in the industrial sector.<sup>34</sup> In addition, demands to open up more space for women's participation in various areas of life, including the economy and industry, have accelerated the increase in female labor mobility towards the formal sector. However, despite the increase in the number of female workers, the reality shows that their position in the employment structure is still relatively weak.

Women's entry into the industrial world is often not accompanied by a strengthening of their bargaining position vis-à-vis employers. This situation creates inequality in industrial relations, making it difficult for female workers to obtain justice, both in terms of legal protection, fulfillment of basic rights, and recognition of their specific needs as women.<sup>35</sup> To address the above human resource issues, Law No. 13 of 2003 Article 6 regulates labor and stipulates that every worker is entitled to fair treatment without discrimination from employers. Labor laws are very important to regulate the rights and obligations of both employers and workers in implementing a production relationship mechanism. There are several concepts of justice theory applied in research on women's leave rights, including:

a. Procedural justice (rules and management)

This type of justice does not only focus on results or profit distribution, but rather on the process used in decision-making, particularly in terms of resource allocation or needs within an organization, including industrial relations between employers and workers. From this perspective, justice is viewed through the decision-making process itself, not the outcome or distribution of benefits. For example, a complex, cumbersome, or discriminatory leave application process can hinder the fulfillment of such rights. Additionally, procedural justice is needed to protect female workers from threats or pressure that may prevent them from exercising their leave rights.

b. Distributive Justice

The principle of justice focuses on how resources, rights, and obligations are distributed proportionally to each individual in a social system based on their needs, contributions, or unique conditions. In the context of employment, distributive justice is essential to ensure that every employee is treated fairly, particularly in terms of fulfilling their rights. Distributive justice requires the recognition and fulfillment of the unique needs of female workers, especially those related to their biological functions and social roles. Leave rights such as menstrual leave, maternity leave, childbirth leave, and miscarriage leave are not

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<sup>33</sup> *Ibid.*

<sup>34</sup> Tria Ratna Dewi, "Kemiskinan di Indonesia yang Tak Kunjung Usai", (2025), online: <<https://jdih.sukoharjokab.go.id/berita/detail/kemiskinan-di-indonesia-yang-tak-kunjung-usai>>.

<sup>35</sup> Thalib & Sahrah, *supra* note 32.



privileges; they are the implementation of the principle of distributive justice, which recognizes that female workers have the same biological conditions as others. The Indonesian government has adopted these principles through various laws regulating labor. As part of efforts to create fair legal protection, Law No. 13 of 2003 on Labor establishes special leave rights for female workers. Government Regulation No. 36 of 2021 on Wages further strengthens these provisions by ensuring that workers' rights, including the right to leave, are granted by the regulations without any reduction in wages or penalties. These policies demonstrate how the national labor law system applies distributive justice.<sup>36</sup>

c. Substantive justice

This concept focuses on the tangible benefits of leave entitlements, assessing whether their implementation truly provides benefits and protection for female workers. This principle not only considers applicable legal regulations but also evaluates how these rights are applied in practice and whether they can achieve their primary objective of protecting and improving the welfare of workers. In terms of leave entitlements, substantive justice includes ensuring that female workers continue to receive full pay during leave, are protected from unlawful termination of employment for exercising their rights, and are free from social pressure, discrimination, or stigma in their workplace. This protection is crucial to ensure that women do not hesitate to use their leave entitlements out of fear of losing their jobs or facing unfair treatment upon returning to work. Therefore, it is important for the state and employers to ensure that leave rights are implemented comprehensively, as they must provide tangible benefits, such as helping to maintain physical and mental health, creating a sense of safety and appreciation at work, and supporting women's dual roles as workers and family members.<sup>37</sup>

## 2. Analysis of the Fulfillment of Fairness in Women's Leave Entitlements

After explaining how women's leave entitlements are regulated in terms of fairness, we will analyze whether these fairness elements have been fulfilled by the provisions established by the government. Many economies are highly dependent on the potential of female workers, both on a micro and macro scale, but every female worker also faces challenges at work.<sup>38</sup> They not only serve as complements in the workplace, but have grown to become important players in various economic fields, from manufacturing to trade. They truly help increase business productivity and strengthen the nation's economic structure.<sup>39</sup>

The presence of women as workers is also very important in the context of the family economy.<sup>40</sup> Many families in Indonesia depend on women to earn household income, as they serve as the main breadwinners and economic supporters of their

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<sup>36</sup> *Ibid.*

<sup>37</sup> Nimas Calista Anggita et al, "Implementasi Hak Pekerja Memperoleh Cuti Haid Dalam UU Ketenagakerjaan" (2024) 2:2022 Gudang J Multidisiplin Ilmu 27–31.

<sup>38</sup> Noor Halimah Anjani, "Potensi dan Tantangan Wirausaha Perempuan dalam Perekonomian Indonesia", (2022), online: *Cent Indones Policy Stud* <<https://www.cips-indonesia.org/post/opini-potensi-dan-tantangan-wirausaha-perempuan-dalam-perekonomian-indonesia?lang=id>>.

<sup>39</sup> Yandika & Kansil, *supra* note 31.

<sup>40</sup> Article 4 letter d of Law No. 13 of 2003 concerning Manpower.



families. As a result, the increase in the number of women participating in the workforce over the past few decades can be considered one of the successes of women's empowerment programs that continue to be promoted by the government and civil society organizations.

The larger number of female workers also indicates a shift in social paradigms that increasingly recognize gender equality in the public sphere. Despite their important role, female workers still face difficult problems that their male counterparts often do not experience.<sup>41</sup> These challenges are not only cultural and structural, but also related to the legal protection of women's rights and biological roles.<sup>42</sup> One of the main issues that remains a concern is the fulfillment of leave rights for female workers. These leave rights include menstrual leave, maternity leave, and miscarriage leave, which are basic protections for women's biological and reproductive conditions under labor law. However, many obstacles in the field often hinder the implementation of these regulations, such as the requirement to provide a doctor's note to prove menstrual leave, the lack of lactation facilities, and unilateral termination of employment by employers.<sup>43</sup>

Everyone has different backgrounds, mental resilience, and perspectives, so the psychological reactions of female workers to their experiences in the workplace cannot be generalized.<sup>44</sup> When they see fair treatment, such as respect for their normative rights, they tend to feel valued, more motivated to work, and more loyal to the company. Conversely, when they are faced with unfair situations, such as denial of leave rights, requirements for menstrual leave that include a doctor's note, or discriminatory treatment after taking leave, this can hurt their psychological well-being. Disappointment, stress, anxiety, or even trauma may arise, which can ultimately affect work productivity and long-term mental well-being. Therefore, fairness in the treatment of female workers is not merely an administrative or legal issue; it also involves psychological and humanitarian aspects.<sup>45</sup>

## CONCLUSION

Employment regulations are a means of protecting female workers as equal subjects in the employment system by regulating their leave rights in the workplace. These regulations not only serve as a way to recognize the biological and reproductive conditions of women, but also serve to implement the principles of gender equality and the protection of human rights. Normatively, various legal provisions have provided a strong legal basis for the leave rights of female workers. Among these, the right to leave is established as a form of protection to ensure that the workplace is a safe, humane environment, free from violence and sexual harassment, and respectful of women's dignity.

In the workplace, women's leave rights are not yet fully fair. Although there are laws in place, violations and disregard for these rights often occur. Such injustices include: complex administrative procedures (requiring employees to submit a doctor's note every month for menstrual leave), (reduction in wages or

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<sup>41</sup> Yandika & Kansil, *supra* note 31.

<sup>42</sup> *Ibid.*

<sup>43</sup> *Ibid.*

<sup>44</sup> Thalib & Sahrah, *supra* note 32.

<sup>45</sup> *Ibid.*



failure to pay full wages during maternity leave or miscarriage), (unilateral dismissal as a result of taking maternity leave, giving birth, or breastfeeding), (insufficient time and lactation rooms for breastfeeding), (limited awareness among female workers about their rights at work), and (insufficient government oversight of companies).

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