

The Importance of Menstrual Leave for Female Workers in Indonesia

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Abstract

This journal discusses the importance of menstrual leave for female workers in Indonesia, focusing on its impact on physical and mental health, work productivity, and overall well-being. The research is motivated by the challenges many female workers face during their menstrual period, which is often accompanied by physical and emotional symptoms that interfere with daily activities. Through a qualitative approach, this study uses data from official documents and interviews with female workers to gain an in-depth understanding of the issue. The results show that although there are provisions in Law No. 13 Year 2003 on Manpower that regulate the right to menstrual leave, many companies in Indonesia have not yet officially implemented it. The implementation of menstrual leave not only supports the physical health of female workers but also contributes to reducing the gender gap and increasing women's participation in the workforce. Thus, this journal emphasizes the need for menstrual leave policies to create a more inclusive and responsive work environment for reproductive health, as well as support gender equality in the workplace.

INTRODUCTION

The background of this study focuses on the fact that many female workers in Indonesia face challenges during their menstrual period, which is often accompanied by physical and emotional symptoms that interfere with daily activities. Menstruation is a natural part of the female reproductive cycle experienced by most women in the world. Although it is a normal biological phenomenon, menstruation is often accompanied by physical and emotional symptoms that can interfere with daily activities. Abdominal cramps, headaches and fatigue are some of the problems women often experience during this period. This is an important concern, especially in the work environment, where health and productivity have a significant impact on individual and overall organizational performance. Many studies have shown that discomfort experienced during menstruation can have a significant impact on work productivity. Women experiencing severe symptoms may find it difficult to concentrate, complete tasks, or even be physically present at work. This decrease in productivity is not only detrimental to the individual, but also to the organization, which can suffer economic losses due to absenteeism and reduced performance. Therefore, it is important to consider solutions that can support female workers in dealing with these challenges.

Some countries have taken a step forward by implementing a menstrual leave policy to support the welfare of female workers. Parts of Indonesia have introduced this policy, which entitles women to take leave without loss of pay. These policies demonstrate recognition of the specific needs of female workers and can help create a more inclusive and reproductive health-responsive work environment. The implementation of menstrual leave is also an important step towards gender equality in the workplace. Outwardly, women and men have several differences as well as regarding work, which in this case is included in acts of gender discrimination. Many people have the opinion that it should be the man who has the responsibility as the Head of the Family with the function and role of earning a living and supporting his family. While women will definitely become housewives with the role and responsibility of giving birth, taking care of children and their families. Women as citizens and as human resources for development, have the same position, rights and obligations, and opportunities as men in playing a role in all fields and levels. Women themselves basically have a unique and special position, one of the many privileges that women have is having a reproductive cycle that is experienced once a month, commonly referred to as menstruation. Menstruation is bleeding in the uterus that occurs once a month and is a criterion of a normal woman. During menstruation or menstruation, women will generally experience a 10% decrease in the endurance capacity of their patience and work. Menstruation will usually be followed by abdominal cramps and pain that sometimes make a

woman unable to do her job optimally (Najicha, 2022). By providing menstrual leave, companies not only support the physical health of female workers, but also contribute to reducing the gender gap and increasing women's participation in the workforce.

Article 81 of Law Number 13 of 2003 concerning Manpower which reads “Female workers/laborers who are in menstrual period feel sick and notify the employer, are not obliged to work on the first and second day of menstruation”. These provisions are regulated in work agreements, company regulations, or collective labor agreements” (DPRRI, 2003). This regulation guarantees women the rights of female employees to receive menstrual leave on the first and second day. Because not all women have or feel severe conditions, when undergoing the first day of menstruation, but there are women who really need time off when menstruation comes, if the female employee faces such an emergency condition, it is very wise if the company or employer with its wisdom fulfills the rights of employees with high awareness in accordance with applicable regulations. Women in general during menstruation experience a 10% decrease in the capacity of survival, psychological instability and patience at work is reduced. This condition requires rest time and a comfortable support environment (Devi Andrianti, 2022).

The purpose of this study is to analyze the importance of menstrual leave for the female workforce in Indonesia, focusing on its impact on workers' physical and mental health, work productivity, and overall well-being. The study also aims to explore the perceptions and attitudes of workers and employers towards menstrual leave policies, and to provide policy recommendations that support the implementation of menstrual leave as part of women's labor rights. Through this study, it is hoped to increase awareness and understanding of this issue in the context of human rights and gender equality in the workplace.

METHODS

This research method uses a qualitative approach to explore an in-depth understanding of the importance of menstrual leave for female workers in Indonesia. Qualitative Research Method is a research that is usually conducted to provide an explanation of a case that will later develop a theory related to the same case. The data used is taken from official documents or records with a theoretical basis. In conducting this research, what I make as a subject guide in making observations are employees or employees of the female gender who in this case do not all know the law governing the Law on Menstrual Leave.

RESULTS AND DISCUSSION

Results

According to Law No. 13/2003 on Manpower, “employment is all matters relating to labor. This includes before, during, and after the working period.” Law Number 13 Year 2003 regulates various matters related to employment, including: Work agreements, Health and safety support facilities, Labor rights to obtain work and a decent livelihood. The objectives of labor development are: Empowering the workforce optimally and humanely, Realizing equal employment opportunities, Providing protection to workers, Improving the welfare of workers and their families (Manning & Roesad, 2007).

According to Law No. 13/2003 on Manpower, a worker is “every person capable of performing work to produce goods and/or services.(Manning & Roesad, 2007)”

Workers' rights regulated by the UUTK in Article 77 to Article 101 include normative rights of workers such as; the right to work and normal wages, the right to overtime pay, the right to holidays, the right to dispensation permission, the right to annual leave, the right to maternity leave for women workers, the right to practice religious worship, the right to religious allowances, the right to labor social security, the right to occupational safety and health, the right to organize in a labor union, the right to severance pay (Hakim, 2016).

Leave is an employee's right to be absent from work for a certain period of time as stipulated in the Manpower Law. Leave is given to ensure employee welfare and increase productivity.

Menstruation is a biologically natural and important function that contributes to reproduction for all women in the world, including in Indonesia, for almost their entire lives. Although it is a reproductive function experienced naturally by women, the experience of menstruation can vary, ranging from mild symptoms to severe symptoms (Diazani & Firmansyah, 2024).

The menstrual process generally lasts for five to eight days, but usually almost all women feel symptoms that make the body painful on the first and second day. As a result of menstrual pain on the first and second day experienced by almost all women, this causes their activities, performance and quality of life to be disrupted. This problem is the beginning of the reason why the menstrual leave policy for female workers is useful to ensure the protection of the rights of female workers due to differences in reproductive functions experienced. Menstrual leave is defined as the right that should be given to female workers to rest during their menstrual period. Despite its importance, many companies in Indonesia do not officially recognize menstrual leave in their policies.

Discussion

The right to menstrual leave is one of the rights for women workers regulated in the Law and is a protection protected by the state. Law Number 13 Year 2003 on Manpower actually contains 3 points that need to be understood

not only by women workers but also employers who in this case will also contribute to equalizing the welfare of the rights obtained by women workers. The points are:

- a. Female workers or laborers who are in the menstrual period feel and notify the Employer or superior, are not required to work on the first and second day of menstruation.
- b. The implementation of these provisions is regulated and clarified in work agreements, company regulations or even in collective labor agreements.
- c. Employers are obliged to pay wages if female workers or laborers feel pain during the first and second days of their menstrual period so that in this case they cannot do their work optimally (Najicha, 2022).

This means that every female workforce is given the right to leave on the first and second day of menstruation in order to maintain uninterrupted performance at work, because basically pain at the beginning of menstruation can interfere with work. In addition, at the beginning of the menstrual period, the mood is also not good. However, even though the regulations regarding menstrual leave have been stipulated in the Labor Law, there are still many companies that have not implemented this menstrual leave right for their employees. In fact, it is very important to apply.

In taking menstrual leave, it should be regulated further and more clearly in the employment contract or company regulations because Article 81 paragraph (2) of Law Number 13 of 2003 does not regulate this in detail, but whatever is indeed a requirement in applying for menstrual leave should not be allowed to have conditions that are obstacles or complications in obtaining menstrual leave for female workers, because this will be subject to criminal threats according to Law Number 13 of 2003, Article 186 paragraph (1) and (2) jo. Law Number 11 of 2020 which reads:

“Anyone who violates the provisions referred to in Article 35 paragraph (2) or paragraph (3), or Article 93 paragraph (2) is subject to imprisonment for a minimum of 1 (one) month and a maximum of 4 (four) years and / or a minimum of Rp.10,000,000 (ten million) and a maximum of Rp. 400,000,000 (four hundred million rupiah)” (Van Boven, 1996)

Why Should There be a Menstrual Leave Regulation?

There are several reasons why menstrual leave needs to be implemented in all companies in Indonesia.

1. **Physical and Mental Health:** Menstrual leave gives women time to take care of their physical and mental health. During menstruation, many women experience physical symptoms such as cramps, headaches, and fatigue. Providing menstrual leave allows them to rest and reduce stress that can affect productivity.
2. **Increase Productivity:** By providing menstrual leave, companies can increase productivity. When female workers feel valued and supported in their health condition, they tend to be more focused and dedicated when they return to work. This helps create a more positive work environment (King, 2021).
3. **Reducing Stigma:** Adopting a menstrual leave policy can help reduce the stigma surrounding menstruation. By recognizing that menstruation is a natural part of a woman's life, companies can create a more inclusive and supportive work culture, which in turn can improve employee well-being (Hayman, 2024).
4. **Gender Equality:** Menstrual leave is a step towards gender equality in the workplace. By granting this right, companies demonstrate their commitment to fairness and equality for all employees, and recognize the biological differences that affect women.
5. **Reduced Absenteeism:** Menstrual leave can reduce employee absenteeism caused by severe menstrual symptoms. By providing appropriate time to rest, companies can reduce the likelihood of unannounced absences (Chaudhury et al., 2006).
6. **Support for Families:** Menstrual leave benefits not only female workers but also their families. When women feel supported at work, they can better care for their children and other family members, creating a work-life balance.
7. **Attracting Top Talent:** Companies that implement a menstrual leave policy can attract top talent. Many workers, especially women, are looking for a work environment that understands and supports their health needs. A progressive policy can be attractive to potential employees (Beuel, 2023).
8. **Increases Employee Loyalty:** When companies show concern for the well-being of employees, their loyalty towards the company increases. Employees who feel valued are more likely to stay and contribute positively to the organization.
9. **Examples from Other Countries:** Several countries have implemented menstrual leave policies successfully, showing that these policies can be implemented effectively. Following the lead of other countries can help Indonesia be at the forefront of protecting workers' rights (Olson et al., 2022).
10. **Long-term Welfare:** Menstrual leave policies contribute to the long-term well-being of female workers.

By safeguarding their physical and mental health, companies invest in the future of their employees, which in turn benefits the growth and sustainability of the company itself.

For these reasons, menstrual leave should be part of the employment policies of all companies in Indonesia to create a healthier and more inclusive work environment.

Consequences If The Company Does Not Provide Menstrual Leave For Its Female Workers:

1. **Neglected Health:** Without menstrual leave, female workers may be forced to work despite painful menstrual symptoms. This can result in long-term health issues, such as hormonal disruptions and reproductive problems, which can affect their quality of life (Balabanič et al., 2011).
2. **Decreased Productivity:** When women are forced to work in uncomfortable circumstances, their productivity can drop dramatically. Physical and mental discomfort can distract them from the tasks that need to be completed, negatively impacting the overall performance of the company (Vischer, 2007).
3. **Increased Absenteeism:** Without a menstrual leave policy, female workers may experience frequent absences due to not being able to handle menstrual symptoms in the workplace. These unplanned absences can disrupt work processes and result in losses for the company.
4. **Stigma and Discrimination:** Forcing female workers to continue working during menstruation can reinforce the stigma surrounding menstruation. This can create a discriminatory work environment, where women feel uncomfortable talking about their health needs.
5. **Low Job Satisfaction:** Without support from the company, women's job satisfaction can suffer. This dissatisfaction can cause them to feel unappreciated and potentially seek employment elsewhere, leading to high turnover rates.
6. **Family Conflict:** Female workers who feel uncomfortable or unwell may face challenges in maintaining a balance between work and family life. This can cause additional stress and conflict in their personal relationships.
7. **Decreased Employee Loyalty:** When a company does not provide menstrual leave, employee loyalty to the company may decrease. Employees who feel neglected in terms of their health needs may not be committed to giving their best to the company (Guest, 2017).
8. **Difficulty Recruiting Talent:** Companies without a menstrual leave policy may struggle to attract top talent, especially women. In a competitive job market, potential employees are more likely to choose companies that support employee welfare.
9. **Mental Health Crisis:** The pressure to keep working despite being unwell can lead to mental health issues, such as stress, anxiety and depression. Poor mental health not only affects individuals but can also affect team dynamics and overall company productivity.
10. **Poor Company Reputation:** Companies that do not provide menstrual leave may suffer from a poor reputation among employees and the public. A negative reputation can affect relationships with clients and business partners and reduce future partnership opportunities.

Thus, not providing menstrual leave can have a serious impact not only on female workers but also on the overall health and sustainability of the company.

Rules Companies Can Make to Avoid Fraudulent Employee Excuses for Menstrual Leave

We can understand that it is likely that there are still some companies that have not applied menstrual leave permits for their employees because there are likely to be many female employees who use this excuse not to come to work even though they are not in menstrual conditions. To avoid this happening, we can see from several companies in Indonesia that have implemented the rules of the right to menstrual leave in accordance with the applicable law, however, in its implementation, there are several requirements that must be met by workers in taking menstrual leave, such as:

1. A doctor's certificate
2. Letter of permission from the doctor regarding menstrual leave
3. Permission for menstrual leave is a maximum of two times in one month and a maximum of three days in one leave.
4. Leave permission will be granted if there is someone to replace her. This is done to minimize the risk of work in the company.

In accordance with Article 81 paragraphs (1) and (2) of Law Number 13 Year 2003 that this has been implemented effectively, with the requirement of a doctor's letter saying that the Female Worker is in the menstrual period where the menstrual certificate from the doctor is obtained through the company's polyclinic doctor.

CONCLUSION

This study looked at how important the right to menstrual leave is for women workers in Indonesia. Results show that the research objectives were well achieved. Menstrual leave policies have been shown to improve the health and well-being of female workers. Serious menstrual symptoms, such as cramps and fatigue, affect the productivity



of female workers. Workers can also be more focused and productive when returning to work after menstrual leave.

In addition, this study found that menstrual leave policies increase job satisfaction and make employees feel more valued in the workplace.

Therefore, regulations governing menstrual leave should be an important part of Indonesia's labor regulations. The results encourage the creation of more inclusive policy models that take into account employee well-being and productivity. This study advocates menstrual leave as a tangible way to achieve gender equality and health in the workplace.

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The authors hope that the results of this research can provide a better understanding of the importance of menstrual leave rights and encourage a broader discussion on the welfare of the female workforce in Indonesia. Hopefully, this research can serve as a reference for the development of more equitable and supportive policies for women workers in the future.

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