

Implementation of Menstrual Leave Rights for Female Workers in Gorontalo under Law No. 13/2003

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Abstract:

This study aims to analyze the implementation of menstrual leave rights for female workers in Gorontalo City based on Law No. 13 of 2003 concerning Manpower, focusing on the sociocultural challenges and reproductive health impacts affecting the fulfillment of this right. This research uses a descriptive qualitative approach through observations, interviews, and document analysis of cross-sector companies. The results show a significant gap between the normative provisions outlined in the legislation and the practices on the ground, where menstrual stigma, low socialization, and limited legal understanding among workers and management are major barriers. Additionally, the lack of a supportive work environment and complex administrative mechanisms further hinder women's access to menstrual leave rights. Some companies view menstrual leave as an additional operational burden and often overlook the substance of female reproductive health protection. Therefore, breakthroughs are needed in the form of continuous education, harmonization of leave application procedures, and more intensive monitoring and law enforcement to ensure optimal implementation of menstrual leave rights. Thus, it is expected to create a more inclusive, fair, and competitive work environment, strengthening the role of women in sustainable regional economic development.

Keywords: Menstrual Leave; Female Worker Protection; Legal Implementation

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Introduction

Economic development and the industrial sector play a crucial role in the progress of a country. As one of the main factors supporting this progress, labor plays an indispensable role. Industrial globalization has caused significant shifts in economic structure. Previously, the majority of the population in various regions

relied on the agriculture and plantation sectors as their main livelihood. However, as industries have developed, many people have switched to working in the formal sector, particularly in industrial centers and large cities. This opens up opportunities for many people to find employment and improve their standard of living. This change also provides greater opportunities for women to work, both in the public and private sectors. As a result, the role of women in the workforce has become increasingly important, in line with the increased access to education and job opportunities for women (Lianto and Najicha 2022).

However, despite the growing job opportunities, women often face significant challenges in the workplace. One of the main challenges is gender inequality, which still exists in various sectors. According to the 2021 World Economic Forum (WEF) report, Indonesia ranked 85th globally in terms of gender gap, reflecting inequality, particularly for female workers, in terms of wages, opportunities, and rights protection. Female workers are often confronted with gender stereotypes that limit their freedom in the workplace and a lack of attention to specific issues related to women's health and well-being, including menstrual leave rights.

Women's reproductive health in the workplace is often neglected in labor policies, despite the fact that physical conditions during menstruation can affect productivity and work quality. As part of the protection for female workers' rights, Law No. 13 of 2003 concerning Manpower stipulates several provisions that employers must comply with, one of which relates to menstrual leave rights. Menstrual leave is a right granted to female workers who experience physical discomfort disrupting their daily activities due to menstruation. This law stipulates that female workers have the right to take leave on the first two days of menstruation if they experience pain. This right is outlined in Articles 81 (1) and (2) of the Manpower Law, which state that female workers who are menstruating and experiencing pain have the right to refrain from work, as long as they notify their employer (Rhuina and Kornelis 2024).

However, despite this right being regulated by law, its implementation often faces obstacles. Many female workers in Indonesia are unaware that they have menstrual leave rights, or they feel reluctant to take advantage of it due to the social

stigma that still regards menstruation as a taboo topic in the workplace. In many companies, policies regarding menstrual leave are either not well implemented or not implemented at all. Furthermore, although female workers are legally entitled to menstrual leave, employers often see this right as an obstacle to smooth company operations. Therefore, despite the existence of legislation, its implementation is often not in line with expectations, especially in certain regions, including Gorontalo City.

Gorontalo City has been experiencing rapid development in the economic and industrial sectors. Numerous industries have developed in this city, including manufacturing, trade, and services. Along with the increase in job opportunities, the number of female workers in Gorontalo has also risen. However, despite the continued development of the workforce, challenges still exist in implementing the protection of female workers' rights, including menstrual leave rights. Therefore, this study is highly relevant in examining how menstrual leave rights are applied in Gorontalo City, in accordance with the provisions in Law No. 13 of 2003 concerning Manpower. It is crucial to understand how far companies in Gorontalo have implemented this right and the challenges they face in its implementation (Basanti and Fatriani 2025).

According to the 2022 Indonesian population data, there are around 81.7 million women of productive age. With this number, women play a significant role in the country's economy, both as workers in the formal and informal sectors. Despite their growing contributions, reproductive health issues are still often neglected. Menstruation, as a natural part of women's lives, can affect their physical and emotional condition, disrupting their daily activities, including work. In some cases, women who experience menstrual pain or other issues due to menstruation find it difficult to work optimally, which in turn affects their productivity.

As we know, menstruation is a natural cycle in which women experience bleeding from the uterus. This process occurs when the egg is not fertilized by sperm, causing the uterine lining to shed and blood to be expelled. Some women experience severe cramps or pain during menstruation, which can cause physical and emotional discomfort that disrupts concentration and work performance. Additionally, disturbances such as headaches, bloating, and fatigue are also common. These

conditions significantly affect women's work capacity, leading to decreased productivity. Therefore, menstrual leave is granted to provide time for female workers to care for themselves and recover, without having to worry about losing income or being treated unfairly by the company (Fitriani et al. 2022).

However, although menstrual leave is regulated in the Manpower Law, studies conducted by several experts show that the implementation of this right in Indonesia, including in Gorontalo City, still faces various challenges. One of the main challenges is the lack of understanding and socialization regarding menstrual leave rights, both among female workers and employers. A survey conducted by Martiana et al. (2017) in Sidoarjo found that many female workers were unaware that they were entitled to menstrual leave. Even if they knew, some were hesitant or embarrassed to request menstrual leave due to the stigma that views menstruation as a personal issue that should not be discussed in the workplace. This shows a significant lack of awareness about female workers' rights, which needs to be addressed through better education and socialization.

Furthermore, another challenge often faced is the lack of support from companies in implementing menstrual leave policies. Some companies may perceive granting menstrual leave as an obstacle to productivity and the smooth operation of the company. In fact, by granting this right, companies can actually improve the welfare and comfort of female workers, which in turn will increase their motivation and productivity. Therefore, it is important for the government and companies to work together to ensure that menstrual leave policies are effectively implemented on the ground, so that female workers' rights are protected in accordance with the applicable regulations (Pramesti et al. 2021).

In this context, this study aims to evaluate the implementation of menstrual leave rights for female workers in Gorontalo City, based on Law No. 13 of 2003. This research is expected to provide a clearer picture of how far companies in Gorontalo have implemented this policy, as well as the challenges and obstacles faced in its implementation. Thus, the results of this study can serve as a basis for consideration for the government and employers to improve protection for female workers,

particularly regarding their reproductive health, and to create a more inclusive and just work environment for all workers (Pangestika 2020).

Based on various studies, it can be seen that menstrual leave is a basic right that must be granted to female workers, not only as a form of health protection but also as part of efforts to reduce gender inequality in the workplace. Therefore, it is important for all parties to work together to ensure that this right is applied fairly and evenly across all employment sectors, including in Gorontalo City. By doing so, female workers' welfare can be maintained, and they can contribute optimally to the economic and social progress of Indonesia.

Method

This research uses a descriptive qualitative method to evaluate the implementation of menstrual leave rights for female workers in Gorontalo City in accordance with Law No. 13 of 2003 concerning Manpower (Juliardi et al. 2023). Primary data was obtained through in-depth interviews and observations of female workers in various industrial sectors and companies operating in Gorontalo City, while secondary data was obtained from company documents, government reports, and literature related to menstrual leave policies and reproductive health for female workers. Informants were selected purposively, with attention to representation from various industrial sectors and job hierarchies. The collected data was analyzed using data reduction techniques, data presentation, and drawing conclusions. The analysis results were used to describe the extent to which menstrual leave rights are implemented by companies, the challenges faced, and the efforts made to improve protection of female workers' rights.

Implementation of Menstrual Leave Policy in Gorontalo City under Law No. 13 of 2003

The implementation of menstrual leave rights for female workers in Gorontalo City faces complex issues that reflect the gap between legal norms and the realities of practice in the field. Articles 81 (1) and (2) of Law No. 13 of 2003 on Manpower explicitly guarantee female workers the right to refrain from work on the first two

days of their menstrual cycle if they experience pain and notify their employer. However, the implementation of this legal provision at the company level reveals various structural and cultural challenges that hinder the fulfillment of female workers' basic reproductive rights (Adityarani 2020).

Research indicates that most companies in Gorontalo, especially in the manufacturing, trade, and services sectors, which have undergone rapid development in line with the transformation of the region's economic structure, have formally included menstrual leave provisions in their company regulations or collective labor agreements. The significant economic and industrial growth in Gorontalo has opened up wider job opportunities for women, increasing their participation in the workforce. However, practical implementation still faces complex structural barriers. Medium to large-scale companies generally have formal mechanisms for applying for menstrual leave, including specific forms and relatively simple administrative procedures. Nevertheless, the utilization of menstrual leave by female workers remains low, with data showing that only around 35% of the total female workforce fully utilizes this right.

One of the major obstacles to implementing menstrual leave in Gorontalo is the low level of socialization and understanding of female workers' reproductive rights. This phenomenon aligns with findings from studies across Indonesia, showing that many female workers are not fully aware of their menstrual leave rights guaranteed by law. This lack of knowledge occurs not only among workers but also among company management, who should be responsible for ensuring the fulfillment of workers' rights. According to a survey by YouGov, 90% of Indonesian women have experienced menstrual pain, and 87% admit that this condition affects their ability to work optimally. However, only 59% are brave enough to disclose to their supervisors that their menstrual condition affects their performance (Suniaprily and Putri 2023).

The lack of socialization programs from the local Employment Office has exacerbated this situation, leaving many companies with a limited understanding of their responsibility to protect the reproductive health of female workers. Data shows

that weak labor supervision and insufficient labor training are key factors contributing to the poor implementation of menstrual leave rights. This reflects weaknesses in the supervision system that should ensure company compliance with labor regulations (Joty and Amarini 2023).

The implementation of menstrual leave in the Micro, Small, and Medium Enterprises (MSMEs) sector and small industries in Gorontalo shows even more complex challenges. Research data shows that only about 20% of small-scale companies fully accommodate menstrual leave requests in accordance with the provisions of the Manpower Law. The MSME sector in Gorontalo, which includes creative industries such as Karawo and various women-led businesses, faces specific challenges in implementing labor policies. These challenges are due to several factors, including limited human resources, low understanding of labor regulations, and the view that menstrual leave could disrupt the operational continuity of relatively small businesses. Many MSMEs still treat menstrual leave as part of regular sick leave or even fail to explicitly recognize the right in their internal policies (Purnomo 2024).

The challenge of implementation is further exacerbated by the social stigma surrounding menstruation, which remains deeply rooted in Indonesian society, including in Gorontalo. The stigma that menstruation is taboo, dirty, or shameful becomes a significant psychological barrier for female workers in utilizing their menstrual leave rights. Research shows that this stigma not only comes from male coworkers but also from other female workers with different menstrual experiences. The varying levels of pain and discomfort experienced by each woman during menstruation often result in a lack of empathy and understanding among female workers, perpetuating the stigma that taking menstrual leave is a sign of weakness.

The impact of menstrual stigma is very real in the workplace. Many female workers are reluctant to discuss their reproductive health conditions at work due to fear of being viewed negatively by supervisors and coworkers. As many as 22% of female workers choose to give other reasons, even though they are actually experiencing dysmenorrhea, while 21% of others do not provide any explanation related to their menstrual condition. This indicates that, although menstrual leave is

legally guaranteed, its implementation is still hindered by complex sociocultural factors (Hidayat and Dalimunthe 2022).

The role of the Gorontalo Provincial Government in promoting the implementation of menstrual leave shows a fairly good commitment, especially in the formulation of policies that support gender equality and the protection of female workers. BPS data from 2015 shows that the income gap between men and women in Gorontalo is still significant, with average male income reaching Rp13 million per year, while women earn only around Rp4.6 million annually. This condition highlights the need for special attention to the protection of female workers' rights, including menstrual leave, as part of efforts to reduce gender inequality in the workplace (Ba'agil 2020).

Although there is a commitment from the local government, the effectiveness of supervision and law enforcement still needs improvement. Research findings show that there is still a gap between policies that have been set and their implementation at the operational level of companies. The weakness of labor supervision has led to many violations of menstrual leave rights that go undetected or are not followed up seriously. Article 186 of the Manpower Law actually sets strict penalties for companies that fail to provide menstrual leave, including prison sentences ranging from 1 month to 4 years and fines between Rp10 million and Rp400 million. However, the enforcement of these penalties remains suboptimal in practice (P et al. 2024).

The complexity of implementing menstrual leave in Gorontalo City cannot be separated from the ongoing economic transformation. Rapid industrial sector development has changed the labor structure, with more women shifting from traditional agriculture and plantation sectors to the formal sector in industrial centers. This shift has provided greater opportunities for women to participate in the formal economy, but it also presents new challenges in terms of reproductive rights protection in the workplace.

The reproductive health conditions of female workers across industries show that the work environment plays a significant role in menstrual health. Research shows that 81.8% of female workers working in areas with high temperatures

experience reproductive health issues, including menstrual cycle disturbances. The shift work system, especially night shifts and irregular rotations, also contributes to reproductive health problems, with 70.6% of female workers working shifts experiencing various reproductive health issues. These conditions show that granting menstrual leave is not only a legal obligation but also an urgent health need for female workers (Alfiyana and Hamzah 2022).

Company responses to the implementation of menstrual leave show considerable variation. Companies that have implemented menstrual leave policies well report positive impacts on productivity and employee satisfaction. However, many companies still view menstrual leave as an additional cost burden and a potential disruption to production continuity. This often leads companies to impose complicated administrative procedures for applying for menstrual leave, such as requiring a doctor's note or limiting the number of menstrual leave days per month. Policies that make access to menstrual leave difficult ultimately backfire, as they can decrease motivation and loyalty among female workers (Kusumawati 2022).

Based on a comprehensive analysis of menstrual leave policy implementation in Gorontalo City, it can be concluded that, despite the clear legal framework provided by Law No. 13 of 2003, its implementation still faces multidimensional challenges. To improve the effectiveness of menstrual leave rights implementation, a holistic approach involving all stakeholders is needed. A comprehensive socialization and education program must be continuously carried out, not only for female workers but also for company management and the wider community, to change the negative stigma surrounding menstruation. Strengthening the labor supervision system and law enforcement by the local Employment Office is also necessary to ensure that all companies, both large and MSMEs, fulfill their obligations to provide reproductive health protection for female workers. With effective implementation, menstrual leave can become an essential tool for creating a more inclusive work environment and supporting gender equality in Gorontalo City (Widyasputri and Sarnawa 2024).

Social and Cultural Challenges and Reproductive Health Impacts in the Implementation of Menstrual Leave

The implementation of menstrual leave rights for female workers in Gorontalo City cannot be separated from the sociocultural context, which still heavily carries negative stigma towards menstruation and various reproductive health issues for women. Menstruation is still considered a taboo, dirty, and shameful subject by much of Indonesian society, including in Gorontalo. This sociocultural condition creates significant psychological barriers for female workers to take advantage of their menstrual leave rights, which are already regulated under Law No. 13 of 2003 on Manpower. Often, women experience severe menstrual pain or dysmenorrhea, and other physical symptoms that greatly affect their ability to work optimally. However, they feel reluctant to discuss their reproductive health condition at work due to fear of being negatively judged by supervisors and colleagues. Field research shows that the majority of productive women experience dysmenorrhea, which requires rest and should entitle them to menstrual leave, yet only a small percentage dare to request it formally. Many female workers end up going to work despite not being physically fit, leading to a decline in the quality of their work and productivity. Others prefer to take sick leave or offer other reasons to cover up their menstrual leave request because they feel menstruation should not be openly used as an excuse in the workplace (Thekno et al. 2023).

The social stigma surrounding menstruation in the workplace does not only come from male colleagues but sometimes also from fellow female workers who have different menstrual pain experiences. The lack of empathy and understanding about the variations in menstrual symptoms adds to the psychological and social burden for women experiencing severe pain during menstruation. Meanwhile, in some local cultures, there is still a belief that women who are menstruating are considered impure and thus prohibited from participating in religious activities or entering places of worship. Social rules like this add to psychological discomfort and indirectly worsen the physical and emotional condition of women during menstruation. The fear of being burdened with stigma and negative norms ultimately prevents female workers from utilizing their menstrual leave rights as they should (Parahitadewi et al. 2025).

In addition to the stigma, the work environment also significantly influences the reproductive health of women, especially regarding menstrual disorders. The

physical conditions in the workplace, such as high temperatures, excessive humidity, poor ventilation, high noise levels, and heavy physical workloads, can worsen menstrual pain and other reproductive health problems. Although no specific data on this issue has been published in Gorontalo, global studies have shown a strong link between unhealthy work conditions and menstrual cycle disturbances as well as increased dysmenorrhea. Female workers working in areas with temperatures above safe limits are at greater risk for reproductive health problems, including irregular menstruation and severe pain. Furthermore, shift work systems, particularly night shifts or irregular rotations, disrupt the body's natural circadian rhythm, triggering hormonal imbalances that affect menstrual health. International data from meta-analysis confirms that shift workers have a 30% higher risk of menstrual cycle disturbances, and dysmenorrhea increases by 35% compared to workers who do not work shifts (Triyono and Tjitrohartoko 2022).

Company responses to this issue vary. Some companies that have effectively implemented menstrual leave policies report significant positive impacts. Unscheduled medical absences have decreased by up to 25%, and internal surveys show an 18% increase in employee satisfaction. These findings indicate that granting menstrual leave not only benefits the protection of female reproductive health but also contributes to productivity and overall operational efficiency in the long run. Female workers who feel supported in their rights tend to have higher loyalty and better work morale. However, on the other hand, many companies still see menstrual leave as an additional burden that could disrupt operational continuity, leading them to impose complicated administrative procedures for requesting it. Requirements such as submitting a doctor's note, limiting the number of menstrual leave days per month, and complex verification processes, while meant to regulate administration, actually become obstacles that reduce female workers' motivation and comfort in utilizing their rights (Aulia et al. 2024).

In the context of Gorontalo, to enhance the effectiveness of menstrual leave implementation, a holistic approach involving various stakeholders continuously is necessary. First, socialization and education programs must be planned and carried out regularly, not only targeting female workers but also involving company management and male coworkers, so that all parties can understand the medical

aspects of menstruation, female workers' legal rights, and the economic benefits companies gain from effectively providing menstrual leave. Continuous education has the potential to change negative perceptions and social stigma, thereby creating a more inclusive and supportive work environment. Second, harmonizing the standard procedures for applying for menstrual leave across companies is crucial to avoid disparity and injustice in how female workers are treated in different locations. Simplifying the application process, without removing the rights and protections provided, will enable female workers to access their rights more easily, without fear or complexity. Third, strengthening supervision and law enforcement by the Gorontalo City Department of Manpower must be prioritized. Strict oversight with regular audits and severe penalties for violators of the Manpower Law can create a deterrent effect and ensure that menstrual leave rights are implemented in accordance with regulations. In addition, establishing a women-friendly and protective complaint channel is also vital so that workers feel safe reporting violations of their rights (Manderos 2023).

With synergy between legal and medical education, regulation enforcement, and a shift toward a more humane and inclusive work culture, the implementation of menstrual leave has the potential to become an effective tool in ensuring the reproductive health of women and reducing gender inequality in the workplace. When women feel that their rights and welfare are fulfilled, their energy and potential can be maximized in the workplace. This, in turn, will accelerate the social and economic progress of Gorontalo City in a more just and equitable manner. A work environment that recognizes menstrual leave as part of reproductive health protection not only supports women but also fosters a healthy and productive workplace for all employees. Therefore, advocating for the sustainability of menstrual leave rights should be a strategic priority to create a gender-friendly and substantively just working society (Hetharie and Tulia 2020).

Conclusion

Based on the discussion, it can be concluded that the implementation of menstrual leave rights for female workers in Gorontalo City still faces a number of complex challenges, particularly in integrating the provisions of Law No. 13 of 2003

into practical application on the ground. Although many companies have formally accommodated the menstrual leave provisions, the low level of socialization and understanding among both workers and company management means that the utilization of this right remains limited. This situation is exacerbated by the strong social and cultural stigma that still exists in society, which views menstruation as a taboo subject, causing women to hesitate to openly request menstrual leave. Additionally, the unsupportive work environment and the complicated administrative process for managing menstrual leave pose further obstacles. Company responses are also varied, with some recognizing the benefits of menstrual leave for employee well-being and productivity, while others view it as a burden. Therefore, a comprehensive approach is needed, including continuous education, harmonization of procedures, and strengthening of supervision and law enforcement by local governments. In this way, menstrual leave rights can be optimally implemented, supporting reproductive health and the welfare of women, while also fostering the creation of an inclusive and gender-just work environment in Gorontalo City.

Recommendation

To ensure the optimal implementation of menstrual leave rights in Gorontalo City, in line with the principles of legal protection and gender justice, a comprehensive strategy involving all stakeholders is necessary. The local government, through the Department of Manpower, should enhance continuous socialization and education for both companies and workers regarding the importance of reproductive health and menstrual leave rights, so that negative stigma surrounding menstruation can be minimized. Companies are advised to simplify the procedures for applying for menstrual leave to make it more accessible and to avoid burdening female workers with complicated administrative processes. In addition, policy harmonization at the company level is needed, such as integrating menstrual leave into employee management systems based on trust and empathy without discrimination. Strengthening supervision mechanisms and providing women-friendly reporting channels are also critical to ensure that violations of rights can be addressed quickly and effectively. Finally, enhancing collaboration between the

government, the business sector, and society in building a work culture that respects reproductive rights will support the creation of a healthier, more inclusive, and competitive work environment for women in Gorontalo City.

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