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## **The Invisibility of Maternity Rights for Women Workers with Fixed-Term Employment Contracts (PKWT) in the Employment System: A Socio-Legal Study**

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### **Abstract**

Amidst the dominance of flexible employment relationships in the manufacturing sector, women workers with Fixed-Term Employment Agreements (Perjanjian Kerja Waktu Tertentu/PKWT) face double vulnerability: job insecurity and marginalization in the context of reproductive rights. This research aims to analyze the extent to which legal norms and social realities are aligned in relation to the fulfillment of the maternity rights of women PKWT workers in labor-intensive industries. It uses a descriptive qualitative method with a socio-legal and worker welfare approach. Primary data was obtained through in-depth interviews with three women workers. The number of respondents was intended to explore personal experiences in depth, not to generalize the population. Secondary data refers to legislation, academic literature, and academic policies, which were then analyzed thematically and comparatively with empirical findings. The results of the study show that the fulfillment of maternity rights is still partial and uneven—even for workers with formal status as PKWT. The conditions of these workers are more similar to those of casual daily workers with attendance-based wages, uncertain contracts, and limited access to maternity rights. This condition demonstrates a discrepancy between statutory labour protection and its implementation at the workplace level. This research argues that strengthening labour supervision, improving complaint mechanisms, and ensuring effective enforcement of maternity protection are necessary to protect women workers, particularly those in fixed-term and other non-standard employment arrangements.

**Keywords** maternity, women, PKWT, employment

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## 1. Introduction

Economic growth increases employment opportunities for women but does not in itself reduce gender inequality. Globally, the women labor force reached 41.9% in 2023 (Farma et al., 2024). Meanwhile, in the national context, the Women Labor Force Participation Rate increased by 1% compared to the previous year to 55.41% as of February 2024 (Rainer, 2024). Women's involvement in the labor sector is usually driven by uncertain economic conditions, rising basic needs, and stagnant household incomes, which affect the family economy (Nasution et al., 2024). Therefore, the assumption that women work only for themselves is incorrect. Some types of work that are often pursued by women include healthcare, domestic help, cleaning, teaching, cooking, and even daily labor in factories (Bayumi et al., 2022).

The labor-intensive manufacturing industry is often associated with women on the grounds that women are considered more skilled than men, making garment companies synonymous with the image of women workers (Desen et al., 2025). Regulations concerning Fixed-Term Employment Contract (Perjanjian Kerja Waktu Tertentu/PKWT) have been formulated in such a way as to protect every worker even though their employment relationship is contractual in nature. The use of PKWT itself is limited to certain types of work, such as temporary work, seasonal work, work related to new products or new activities, and also types of work that can be completed within a maximum period of 3 years (Izzati, 2021).

National regulations have stipulated the rights of women workers, including maternity rights, which cover: 1) maternity and childbirth leave; 2) breastfeeding opportunities; and 3) menstrual leave, as referred to in Articles 76, 81, 82, 83, and 84 of Law No. 13 of 2003 concerning Manpower (hereinafter the Manpower Law). The term 'worker/labourer' contained in the clause can be interpreted to mean that this provision also applies to casual daily workers. This means that women workers who work under an employment relationship or based on an employment agreement, whether it is a Permanent Employment Contracts (Perjanjian Kerja Waktu Tidak Tertentu/PKWTT) or PKWT type of employment relationship, are still entitled to the maternity rights contained in the Manpower Act.

Gender inequality in the field of employment remains an issue and a problem that frequently occurs to this day (Stephen, 2024). This empirical fact is supported by findings from the National Commission on Violence Against Women (Komnas Perempuan) that between 2020 and 2022, there have been at least a number of cases of discrimination and violations of maternity rights experienced by women workers. Forms of violation can include termination of employment due to pregnancy and childbirth, reduction of maternity leave entitlements, and deprivation of menstrual leave entitlements (Komnas Perempuan, 2022b). The National Commission on Violence Against Women, through its 2022 Annual Report (CATAHU), also noted that there have been at least 108 cases of violence against women in the workplace, including violations of basic rights, such as violations of maternity rights and restrictions on employment opportunities by companies related to women's reproductive functions (Komnas Perempuan, 2022a).

When viewed from an international legal framework, marginalisation of women clearly violates International Labour Organization (ILO) Convention No. 183 concerning Maternity Protection, 2000, which details the rights of women workers in the form of maternity leave, cash benefits and medical benefits during maternity leave, health protection in the workplace, the right to return to work after maternity leave, and arrangements for breastfeeding or expressing breast milk (International Labour Organization, 2000). This convention is known to apply to all working women (Thekno & Yonathan, 2023). Article 4 paragraph (2) Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) General Assembly 34/180 on 18 December 1979 also emphasises that the measures contained in this provision aimed at protecting pregnancy should not be considered discriminatory. Article 11 paragraph (1) of this convention also regulates the right to social security, including the right to paid leave (CEDAW, 1979). Article 10 paragraph (2) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) also emphasises that 'Special protection shall be accorded to mothers during a reasonable period before and after childbirth. During such a period, working mothers shall be granted paid leave' (Adnyani & Landrawan, 2023).

Women play a strategic role in development, as outlined in the Sustainable Development Goals (SDGs), which include achieving gender equality as one of the indicators of successful development (Wuryandari, 2022). The United Nations (UN) subsequently established Gender Equality as one of the 17 SDGs because gender inequality is still prevalent in almost all countries, with women and children being the most vulnerable groups in terms of losing their basic rights and opportunities (Sudirman & Susilawaty, 2022). The SDGs directly call for Gender Equality as a development initiative to achieve the empowerment of women and girls in all areas and include serious efforts to eliminate all forms of discrimination (Leal Filho et al., 2023).

Previous studies have examined the fulfilment of the specific rights of women workers based on the Manpower Law (Rini & Raharjo, 2023), maternity leave rights for women workers based on the Law and Islamic Law (Dewi, 2022), protection of women workers' reproductive health rights (K. K. D. Putri, 2021). However, most of this literature tends to examine maternity rights within permanent employment relationships, meanwhile this study will investigate how maternity rights are implemented and enforced for women workers with fixed-term employment contracts (PKWT) in the labor-intensive manufacturing industries. Using the concept of precarious employment, this study will explain how the status of PKWT can weaken bargaining power and increase women's vulnerability to labor rights violations. Female workers are particularly affected by these unstable working conditions, as their reproductive roles and pregnancy-related needs can conflict with employers' expectations of sustained productivity (Vosko F., 2000).

This study addresses that gap by examining the socio-legal dynamics that shape the invisibility of maternity rights among female PKWT workers in Indonesia. By adopting a socio-legal perspective, this research contributes to understanding how legal protections formally

guaranteed in labour legislation may remain ineffective due to structural enforcement gaps and gendered precarious employment arrangements.

## 2. Research method

This research is a qualitative study with a socio-legal approach. This approach is used to examine the fulfilment of maternity rights for casual daily workers in the labor-intensive manufacturing industries in a normative manner as contained in laws and regulations, but also looks at the empirical side through the real experiences of women workers. In its analytical framework, this study uses the perspectives of law and worker welfare as its main foundation. The study involved three women workers employed under PKWT in labor-intensive manufacturing industries, including textile-related production, food processing, and packaging industries. These sectors were selected because they share similar labor characteristics, such as labor-intensive production systems and high concentration of women workers.

Primary data were collected through in-depth interviews aimed at capturing detailed narratives of workers' lived experiences related to maternity rights. Data saturation was assessed through thematic analysis involving initial coding of interview transcripts, grouping similar codes into broader thematic categories, and interpreting the patterns in relation to labour law enforcement and gendered employment insecurity. Although the number of respondents is limited, the study aims for analytical rather than statistical generalization, focusing on in-depth exploration of legal experiences rather than representative measurement.

The limitation of this study lies in data collection, as interviews with factory management could not be conducted due to the company's refusal to grant permission. This limitation was mitigated by complementing interview findings with secondary policy resources, reports, and relevant scientific papers, which were then analysed thematically.

## 3. Results and Discussion

### 3.1 The Position of Workers in Labour Laws

According to the article 1 paragraph (3) the Manpower Law defines workers/laborers as any person who works in exchange for wages or other forms of compensation. Workers are classified based on their expertise and employment status. Classification based on employment status is divided into permanent workers and freelance workers with unlimited employment contracts or fixed-term contracts as specified in the agreement (O. E. Anggraini, 2022). Specifically, the classification of workers is based on the type of agreement – permanent workers based on an Indefinite Employment Agreement (PKWTT) and temporary workers based on a Fixed-Term Employment Agreement (PKWT) (Halim et al., 2022).

Provisions regarding the employment relationship between employers and employees can be found in the Manpower Law and its derivative regulations. Article 56 paragraph (1) of

Manpower Law regulates two types of agreements, namely: Fixed-Term Employment Agreements (PKWT) and Indefinite-Term Employment Agreements (Perjanjian Kerja Waktu Tidak Tertentu/PKWTT), which are then explained in Article 56 paragraph (2) as PKWT being based on the duration and completion of a specific job.

Law No.6 of 2023 concerning the Stipulation of Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (hereinafter the Job Creation Law) amends several provisions of articles concerning PKWT and PKWTT in the Manpower Law in Article 81 paragraph (15), which reads: 1) Fixed-term employment agreements can only be made based on the type and nature of the work, namely: a) work that is temporary or one-off in nature, b) work that is expected to be completed within a relatively short period of time, c) seasonal work, d) work related to new products, new activities, or additional products that are still in the experimental or exploratory stage, e) work that is not permanent in nature and type. 2) Fixed-term employment contracts may not be made for permanent work. 3) Fixed-term employment agreements that do not meet the criteria specified in paragraphs (1) and (2) shall automatically become indefinite employment agreements. 4) Further provisions regarding the type and nature of work, duration, and extension limits for fixed-term employment agreements are regulated in Government Regulations.

The derivative regulations of the Manpower Law concerning PKWT can be found in Government Regulation No. 35 of 2021 concerning Fixed-Term Agreements, Outsourcing, Working Hours and Rest Periods, and Termination of Employment (hereinafter GR 35/2021). These regulations contain provisions on the implementation of PKWT, types of PKWT, types of employment agreements, agreement periods, agreements, wages, working hours and rest periods, working hours in certain business sectors or jobs, overtime, long breaks, and rights in the event of termination of employment. In the context of employment agreements for PKWT, this PP stipulates the company's obligations to: 1) draw up an employment agreement; 2) draw up the employment agreement in writing or orally, with the provision that written agreements must be implemented in accordance with the provisions of the law; and 3) draw up employment agreements for a fixed term or an indefinite term, as mandated in Article 2 of this PP. Fixed-term contract workers also have the same rights as other workers. Referring to GR 35/2021, the rights of fixed-term contract workers include: 1) the right to social security and health insurance; 2) the right to fair wages; 3) the right to religious holiday allowances; and 4) the right to rest periods or leave.

### 3.2 Women Workers with Fixed-Term Employment Contracts and Maternity Health Rights

The Statistics Indonesia (BPS) reported that the proportion of the workforce in Indonesia in 2023 reached 73.90%, with women workers accounting for 60.18% (Badan Pusat Statistik, 2024). Women's involvement in economic aspects can be reflected through their participation in the labour market, which is both a driver and an outcome of economic growth and development (Astutiningsih et al., 2024). Previous studies have shown that many women tend to become casual

daily workers due to their husbands' income, the desire to help support the family economy, family responsibilities, and the women's own needs (Yogi et al., 2022).

Other studies also show that flexibility and the absence of complicated requirements are also reasons why women prefer to work under the PKWT system (Amanda et al., 2025). According to GR 35/2021, one of the rights of PKWT employees is the right to rest and leave. Maternity leave for women workers is one type of leave as stipulated in the general provisions of the Manpower Law. The National Commission on Violence Against Women defines maternity rights as part of human rights that are specific and inherent to women due to their reproductive functions, which include menstrual leave, maternity/childbirth leave, and breastfeeding leave (Nopianti et al., 2024).

In the context of international law, recognition and protection of workers' rights can be found in the conventions of the ILO and CEDAW (Alvianto & Sutrisno, 2023). Article 3 of ILO Convention K-183 regulates the protection of the health of mothers and children, Article 4 regulates maternity leave, Article 5 regulates leave due to illness or complications experienced by women, Articles 8 and 9 cover work protection and non-discrimination against women workers, while Article 10 regulates workers' rights to breastfeeding time. In global terms, maternity leave guidelines should ideally be regulated by law and largely funded by the state. Some countries even implement maternity/childbirth leave that far exceeds ILO recommendations, taking into account the physical and psychological health of women. Bulgaria, for example, implements a minimum maternity leave of 58.6 weeks, equivalent to one year and one month (Nopianti et al., 2024).

International instruments such as CEDAW, adopted by the UN General Assembly on 18 December 1979, are international agreements that emphasise equality between men and women, namely the recognition of equal rights, opportunities and non-discriminatory treatment in all areas. The formulation of this convention was initiated by the UN as a draft convention on the Elimination of All Forms of Discrimination against Women. The convention was ratified in 1981 and approved by 20 member states with the aim of protecting and promoting women's rights internationally (Gill & Wolbring, 2022). The CEDAW's 30 articles were legally and validly declared an international document (entry into force) on 3 September 1981 and were officially ratified by Indonesia on 24 July 1984 in Law No. 7 of 1984 concerning the Ratification of the Convention on the Elimination of All Forms of Discrimination against Women (Bangun, 2020).

**Table 1.** Classification of Women Workers' Rights According to the Convention on the Elimination of All Forms of Discrimination Against Women

Women Workers' Rights in the Field of Reproduction	<ul style="list-style-type: none"> <li>● Right to maternity leave and miscarriage leave</li> <li>● Right to breastfeed</li> <li>● Right to sick leave due to menstruation</li> </ul>
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Women Workers' Rights in Occupational Health and Safety	<ul style="list-style-type: none"> <li>● Prevention of workplace accidents</li> <li>● Determination of working hours in accordance with regulations</li> <li>● Providing sufficient rest time</li> </ul>
Women Workers' Rights in the Field of Women's Honour	<ul style="list-style-type: none"> <li>● Provision of security personnel</li> <li>● Provision of adequate toilets</li> </ul>
Women Workers' Rights in the Field of Wage Systems	<ul style="list-style-type: none"> <li>● Equal pay for women and men for the same type and workload</li> <li>● Paid leave</li> </ul>

Source: I. F. A. Putri & Yoel (2022)

To date, the issue of gender equality seems to remain unresolved if it is only explored through existing legal instruments. This also includes the issue of equal rights for women workers in the employment sector (Radha & Uwiyono, 2023). Studies have shown that discrimination in wages and welfare benefits, including the deprivation of reproductive health rights for women workers, is still prevalent in Indonesia (Intan Nailul Muna et al., 2025). These findings are in line with the concept of precarious employment, which has a gender dimension, proving that women often experience greater impacts than men, especially in terms of job insecurity, including issues related to reproduction and maternity (Gunn et al., 2022). To prove the findings in the literature, the author interviewed three women PKWT workers to ascertain the implementation of maternity rights for women workers .

**Table 2.** Distribution and Respondent Criteria

Name	Age	Company	Work Section	Employment Status	Length of Service
TW	31	Foodpack	Finishing check	PKWT	12 tahun
RS	26	Textiles	Sewing	PKWT	6 tahun
ED	29	Tea	Packing	PKWT	10 tahun

Source: Primary data processed by researchers

TW (31) is a woman worker at a food packaging factory in Yogyakarta. TW has been working in the finishing check department on a fixed-term contract, which has been renewed every six months for 12 years. Another respondent, RS (26), has been working in the production department as a tailor at a textile factory in Yogyakarta. He has been a fixed-term contract worker since graduating from vocational school (SMK) until now. RS has a work contract that is renewed every six months for a six-year period. ED (29), who has been working as a jojo in the packing section of a tea production factory for ten years, has a similar experience. ED has a work contract that is renewed every six months and only became a PKWT after working for more than five years.

The practice of contract extension experienced by the three respondents is certainly not in line with the provisions of Article 59 paragraph (4) of the Manpower Law, which limits the maximum duration of a fixed-term employment contract to two years and can only be extended once for a maximum period of one year. This provision is further reinforced in Articles 6 and 8 of GR 35/2021, which stipulate that the implementation of fixed-term employment contracts, based

on the provisions regarding duration and extension, may not exceed a cumulative total of five years. This means that the practice of renewing six-month contracts for up to a dozen years shows that there has been a violation of the principle of job security and legal protection for contract workers. In the context of PKWT, contract extensions are often used as a mechanism for flexibility for companies. For women workers employed under PKWT arrangements, the possibility of contract renewal becomes a critical factor shaping their workplace decision, including whether to exercise maternity rights. This finding is supported by studies showing that women often have uncertain employment durations and are highly dependent on employer decisions, limited job protection, and no certainty about their future employment (Perri et al., 2024). Consequently, maternity rights may become practically invisible, as workers prioritize maintaining their employment over asserting legal protections.

### 3.3 Implementation of Maternity Rights

#### 3.3.1 Maternity Leave

Maternity leave is one of the components of maternity protection for workers. Studies show that many countries have essentially regulated maternity leave rights for women, but implementation is often hampered by structural factors such as power relations in the workplace and weak labor supervision (Pereira-Kotze et al., 2023). Indonesia is one of the countries that normatively guarantees maternity leave rights in its labor system, whereby leave is granted for a certain period of time, workers are still entitled to receive wages, and cannot be terminated due to pregnancy or childbirth. But in the context of this study, not all companies implement maternity leave for women contract employees, even though the majority of contract workers in these companies are women. Respondent TW, for example, said that her company gave PKWT employees the freedom to continue working while pregnant or to resign if it was not possible to work. This became a dilemma for TW, so she decided to continue working while pregnant.

*“that’s because I needed money, so even though I was pregnant, I was forced to stay on so that my needs could be met, so that I could be called back again....” (Author’s Interview with TW (31), Yogyakarta, 2024).*

RS experienced something similar. The company where RS works also gave RS the freedom to continue working or to stop working during her pregnancy and childbirth. This is because the company only provides maternity leave for permanent employees. Due to this condition, RS continued working during her pregnancy.

*“It is automatically arranged by the company. Leave is only for permanent employees for 1.5 months....” (Author’s Interview with RS (26), Yogyakarta, 2024).*

Unlike ED, when she had her first child in 2018, ED received maternity leave from her company for three months. In the context of daily wages for casual workers, ED received a daily wage of Rp. 70,000 - 90,000 with working hours from 07:00 to 16:00 plus overtime pay calculated at Rp. 30,000 per hour - wages were paid monthly. However, this wage was not paid when ED took maternity leave because the company implemented a wage system based on attendance.

This meant that during her maternity leave, ED did not receive her usual wage. During her second pregnancy, ED was not granted leave due to the increase in Covid-19 cases at the end of 2021, so the company offered to terminate her employment if she wanted to take maternity leave. ED then continued to work until she was 8 months pregnant due to the many family needs that had to be met and the work system based on calls made by the company based on needs and previous passing grades when working.

*“My first child was three months old, but I couldn't take leave for my second child because of COVID-19, so the factory offered me to quit if I wanted to take leave because of the risk...” (Author's Interview with ED (29), Yogyakarta, 2024).*

This indicates that two out of three respondents did not have effective access to maternity leave as mandated under relevant labour regulations, reflecting gaps between normative legal protection and workplace practices. In cases where leave was granted to ED, it was unpaid leave. In addition, economic circumstances and concerns about losing job opportunities were the dominant reasons why TW and ED decided to continue working while pregnant. This is in line with studies on the implementation of maternity protection in the industrial sector, which show that female workers are relatively more vulnerable when they want to use their maternity leave rights, especially when employment relationships and economic conditions are unstable (Oceanio, 2022).

*“Yes, because I needed money. My first child was still small at the time, so I had a lot of needs, including childbirth expenses...” (Author's Interview with TW (31), Yogyakarta, 2024).*

*“I often worry because I am not a permanent employee, so it is uncertain whether I will be able to return. I have to wait to be called back, and even then, it will definitely be those with higher grades who are called back...” (Author's Interview with ED (29), Yogyakarta, 2024).*

The failure to fulfil maternity leave rights for PKWT workers clearly contravenes Manpower Law regarding leave entitlements for women workers. In Indonesia, specific provisions regarding the state's responsibility as a 'duty barrier' in terms of protecting and fulfilling the maternity rights of women workers, including maternity leave, can be found in several clauses contained in the Manpower Law.

Article 82 paragraph (1)

*“Women workers/labourers are entitled to 1.5 (one and a half) months' leave before giving birth and 1.5 (one and a half) months' leave after giving birth, as calculated by an obstetrician or midwife.”*

Article 82 paragraph (2)

*“Women workers/labourers who experience miscarriages are entitled to 1.5 (one and a half) months' leave or in accordance with a letter from an obstetrician or midwife.”*

The provisions regarding the length of maternity leave for each mother are then extended to 6 months with reference to Article 4 paragraph (1) point b of Law No. 4 of 2024 concerning the Welfare of Mothers and Children (hereinafter Law 4/2024) which states that; "nutritional security during pregnancy, childbirth, postpartum, until the child is 6 (six) months old." Article 12 paragraph (1) and (2) of the CEDAW Convention also mandate the fulfilment of women workers' reproductive rights regarding the obligation of States Parties to enact appropriate regulations in order to eliminate discrimination against women in the field of health care, including the guarantee of adequate services related to pregnancy, childbirth and the post-natal period, by providing rest periods and nutritious food during pregnancy and breastfeeding (Mokaliran et al., 2023).

ILO Convention No. 183 of 2000 concerning Maternity Protection is also one of the supplementary conventions in the effort to protect the health of women and fetuses and/or newborns from discrimination against women workers. This convention broadly covers several matters, including:

a) Pregnancy Phase

Article 3 mandates the protection and guarantee of health for pregnant and breastfeeding women by exempting them from work by companies where it could harm the health of the mother and child, with a maternity leave period of 14 weeks or the equivalent of 3.5 months. This article also regulates the types of work that are not mandatory for women workers/labourers who are pregnant or breastfeeding.

b) Prohibition of Discrimination

Article 8 of this convention mandates the elimination of discrimination against women workers who return to work after maternity leave.

c) Women Who Have Experienced Miscarriage

Article 10 stipulates that women workers who experience a miscarriage are entitled to 1.5 months of leave, as evidenced by a letter from an obstetrician or midwife, during which time the woman worker is entitled to receive her full salary.

This situation shows that there is inconsistency between written legal norms (law in the books) and the practical implementation of the law in the field (law in action). Normatively, maternity leave is clearly protected by law, but in reality, the granting of this leave is highly dependent on the dynamics of labor relations within the company, company management policies, and the bargaining position of workers in labor relations. These findings are in line with previous studies showing that the implementation of maternity protection, especially in developing countries, is greatly influenced by the structure of labor relations and internal company regulations (Franzoi et al., 2024). Other studies also show that in the context of labor-intensive manufacturing industries, factors such as productivity pressure, flexibility, and unstable labor relations are dominant factors that influence a company's implementation of maternity leave rights for female workers (M. S. Anggraini et al., 2022).

This weakness in implementation is also complexly related to the employment status of workers, especially those under PKWT, who basically have the same rights to maternity protection as permanent workers. However, in reality, workers' dependence on contract extensions becomes a factor that hinders them from effectively obtaining their rights. The findings in this study show a pattern that the implementation of maternity leave is not always consistent. Some respondents were granted maternity leave, but others had experiences that indicated uncertainty in its implementation, especially in relation to the vulnerability of losing their jobs. In some cases, it is this situation that makes female workers very cautious in exercising their rights, even though these rights are normatively guaranteed by law. This means that the effectiveness of maternity leave protection cannot depend solely on the existence or absence of applicable laws and regulations, but also on how labor supervision mechanisms are implemented, how companies comply with applicable regulations, and the structure of labor relations that create this vulnerability.

### 3.3.2 Provision of Breastfeeding Areas and Opportunities for Expressing Breast Milk

Another phase after giving birth is that a woman worker must breastfeed her child. Article 83 of the Manpower Act contains provisions regarding women workers/labourers who are still breastfeeding, stating that they must be given the opportunity to breastfeed their children by being given time to express breast milk during working hours, as well as the provision of a suitable room for expressing breast milk (Maudina & Nurdin, 2023). In the international context, Article 10 of ILO Convention No. 183 of 2000 also emphasises that women workers have the right to rest or take breaks between working hours to breastfeed their babies or express breast milk. Various studies show that workplace support, including providing opportunities and facilities for breastfeeding, is an important component of maternity protection policies (Hernández-Cordero et al., 2022). Other studies also show that this kind of support correlates with increased rates of exclusive breastfeeding success while helping women balance their reproductive and work responsibilities (Sundjaya et al., 2024).

However, in practice, not all companies provide lactation rooms and give women workers the opportunity to express breast milk. Respondent TW, for example, returned to work after resigning due to her pregnancy while still breastfeeding. However, while at work, she quickly discarded her expressed breast milk because her work environment did not allow her to express milk. She also did not have the opportunity to express milk due to the daily production targets set by the company.

*“I still express breast milk, but when I'm at work, I don't throw it away because it hurts, so I just don't express it or we save it...” (Author's Interview with TW (31), Yogyakarta, 2024).*

*“The thing is, there's no place for it. I mean, my work environment doesn't allow for expressing breast milk...” (Author's Interview with TW (31), Yogyakarta, 2024).*

Unlike TW, the company where the RS respondent works does not provide a lactation room but allows women employees to pump for 30 minutes, which is often done in a place of worship.

*“There is no specific place, but we are given the opportunity to pump for half an hour once. We take turns, but we cannot stay long because there is a daily production target...” (Author’s Interview with RS (26), Yogyakarta, 2024).*

A similar situation was experienced by respondent ED, whose company did not provide a lactation room but allowed women employees to express breast milk on the condition that production targets were met.

*“We usually express breast milk in the prayer room. The supervisor doesn’t say anything about expressing breast milk, ma’am, but we just make time for it. Because we also have production targets, ma’am, so often the supervisor monitors whether the daily target has been achieved or not...” (Author’s Interview with ED (29), Yogyakarta, 2024).*

The findings in this study indicate that the implementation of opportunities and availability of breast milk pumping facilities still face challenges. This is evident from some respondents stating that their companies provide opportunities for breast milk pumping. However, none of the companies where the respondents work provide specific breast milk pumping rooms. In addition, studies show that PKWT status increases this vulnerability due to concerns about job stability (Darus et al., 2023). This is in line with the findings of this study that tight schedules and production targets are often cited as reasons that influence respondents’ use of opportunities. This happens because workers are dependent on contract extensions, so they tend to be cautious in exercising their rights, which are formally protected by law. This study argues that opportunities and facilities for breastfeeding for female workers need to be viewed in a broader context related to the structure of employment relationships and labor management practices within companies. This is because flexibility and employment status are correlated with the extent to which breastfeeding rights and facilities are adequately accessible to female workers.

#### **4. Conclusion and Recommendations**

The findings in this study are contextual and based on the subjective experiences of respondents, so the results of the study are not intended to represent female PKWT workers in general. However, the findings in this study can still provide an overview of the dynamics of maternity rights implementation in the context of PKWT, which can be used as a basis for understanding the patterns of vulnerability among female workers. The studies show that companies extend contracts beyond the maximum period of five years as stipulated in GR 35/2021. This practice reflects the abuse of the PKWT scheme, which obscures employment status and weakens the bargaining position of women workers. As a result, maternity rights such as maternity and childbirth leave and the right to access and opportunities to express breast milk are difficult to access – even though, normatively, the protection of these rights is included in Indonesian labour regulations. These findings represent a form of gendered precariousness and invisibility that further creates structural vulnerability for women workers – both economically

and reproductively. From a socio-legal perspective, this condition is evidence of the gap between legal norms and social reality at the worker level.

In response, this paper attempts to formulate several recommendations as efforts to strengthen maternity rights protection for women workers, which can be achieved through the following measures: 1) The government needs to take concrete steps to strengthen oversight of PKWT implementation, especially in sectors that employ large numbers of women. Oversight can be strengthened by developing a more targeted labor inspection system, particularly for companies that employ large numbers of female workers; 2) The government needs to provide effective and secure complaint mechanisms through the development of easily accessible reporting channels, including online reporting mechanisms that guarantee the confidentiality of reporters; 3) Developing a compliance-based incentive and disincentive schemes based on labour compliance law, for the example through potential tax incentives for companies that demonstrate consistent compliance with labour and maternity protection regulations; and 4) Companies need to integrate maternity protection into their management policies. This can be done by developing a “care policy” that clearly regulates maternity leave, breastfeeding opportunities, and the provision of adequate lactation facilities.

### **Ethical Considerations**

This research was conducted in accordance with the principles of social research ethics. All respondents gave their informed consent voluntarily and without coercion prior to the interview process. The data obtained through the interview process was used solely for academic purposes and was listed anonymously to ensure the confidentiality of the respondents' identities.

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