

## **Providing Gender Responsive Work Facilities To Support Women's Empowerment And Child Protection**

**Rosalia Dika Agustanti<sup>1</sup>, Heru Sugiyono<sup>2</sup>, Chahya Kharin Herbawani<sup>3</sup>, Dewanto Samodro<sup>4</sup>**

**<sup>1,2</sup>Faculty of Law, Universitas Pembangunan Nasional Veteran Jakarta, Indonesia**

**<sup>3</sup>Faculty of Health Sciences, Universitas Pembangunan Nasional Veteran Jakarta, Indonesia**

**<sup>4</sup>Faculty of Social Science and Political Science, Universitas Pembangunan Nasional Veteran Jakarta, Indonesia**

**Email: [rosaliadika@upnvj.ac.id](mailto:rosaliadika@upnvj.ac.id) (Corresponding Author)**

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### ***Abstract***

*This research uses normative juridical methods. The research technique begins by sorting the laws and regulations governing Gender, and this is done to find out how available work facilities are in the Depok City Government. PPPA Ministerial Regulation No. 5 of 2015 concerning Providing Gender Responsive Work Facilities and Caring for Children in the Workplace, the aim is to fulfil the right to protection for women and children; Fulfillment of children's rights and guarantee children's growth and development; Environmental responsibility in the care and protection of children; Increase work productivity. The unavailability of lactation rooms, the availability of special waiting rooms for children in the workplace, and the implementation of curfews for female workers are the main focus, and this certainly supports SDS5, namely Gender Equality. Thus, workplaces must provide facilities and infrastructure that take into account the principles of gender equality and the best interests of children. The provision of gender-responsive facilities and infrastructure is intended to increase work productivity and pay attention to the best interests and growth and development processes of children. Apart from fulfilling and protecting the rights of women and children, this includes fulfilling the rights and protection of people with disabilities and the elderly. The result is that the Depok City Government has not yet demonstrated work facilities that have a gender perspective. Therefore, to accelerate this fulfilment, the Government should be able to utilize old, habitable buildings to fulfil work facilities with a gender perspective.*

**Keywords: Gender Equality, Policy, Women's Empowerment.**

## **INTRODUCTION**

A prosperous state is an ideal concept for state construction that prioritizes welfare for its people (Sukmana 2016). People's welfare is one of the goals of the state (Suryono 2014). rue

prosperity establishes justice and equality for all without discrimination (Karso 2021). It is the role of the State to prepare a strategic plan for sustainable development. That everyone has the same rights and obligations in national and state life based on Pancasila and the 1945 Constitution of the Republic of Indonesia.

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Public policy choices in the form of placing justice and gender equality as well as women's empowerment as national strategic issues do not necessarily make these public policies easy to implement (Nurhaeni, Habsari, and Listyasari 2011). Every person has equal status under the law and government, so the government is obliged to provide protection to every woman and child from all forms of discrimination and other exploitation.

The government's intervention in accelerating the achievement of gender equality and justice is by establishing a policy called the Gender Mainstreaming Strategy (PUG). The term PUG comes from English, namely Gender Mainstreamin." PUG is defined as a strategy carried out rationally and systematically to achieve and realize gender equality and justice in a number of aspects of human life (household, community and state), through policies and programs that take into account the experiences, aspirations, needs and problems of women and men. men into planning, implementation, monitoring and evaluation of all policies and programs in various fields of life and development.

The success of development depends greatly on the extent to which the balance of women's and men's participation continues to be maximally encouraged in all aspects of life. In increasing the participation of men and women, open equal access and balanced control are prerequisites, so that benefits can be obtained fairly and evenly. For this purpose, the urgency of gender equality is increasingly evident in all areas of development, including health, economics, education, social and political.

Now, the status of worker/labourer is not only attached to men but also women. Although some men and women choose to work in offices with various comfortable facilities, there are still women who work as laborers in companies in the production sector.

The women's empowerment program in Indonesia has been started since 1978. Through empowerment, several regions have achieved adequate results in increasing personal capacity, improving the economy, improving health, improving the quality of life of women. However, there are still many women in Indonesia who have not been touched by empowerment programs in urban areas, especially those who live in rural areas. This is related to the work facilities needed by men and women to carry out their work to be able to meet achievement targets in their work.

However, women's empowerment is a process of awareness and capacity building for greater participation such as breadth, supervision and decision making as well as transformational actions that lead to the realization of greater equality between women and men. In the world of work, women usually experience more obstacles, including external obstacles, including issues of socio-cultural values which do not yet have adequate gender awareness, then internal obstacles that come from women themselves, including readiness, willingness, willingness, and consistency in the struggle so that it can be recognized and appreciated by other parties, and finally there are obstacles from the government system, including laws and regulations (Wibowo 2012).

Minister of Women's Empowerment and Child Protection Regulation Number 5 of 2015 concerning Providing Gender Responsive Work Facilities and Care for Children in the

Workplace as a reference for Government and Private Agencies in the context of providing work facilities that are gender responsive and care for children in the workplace. At least in the stage of increasing work productivity, this can be done through providing work facilities that are gender responsive and pay attention to the best interests and growth and development processes of children in government and private institutions.

This can be realized in several ways, including the availability of breastfeeding rooms; child care room/day care center; health service facilities; and other supporting work facilities including Human Resources as the manager.

The unavailability of breastfeeding rooms, day care centers, health service facilities and of course the implementation of curfews for female workers is the main focus of this research. This is also in line with Sustainable Development Goals 5, namely Gender Equality. Thus, workplaces should provide facilities and infrastructure that take into account the principles of gender equality and the best interests of children (Agustanti 2020).

Children are potential human resources for national development whose rights must be protected and their growth and development guaranteed. So, caring for and protecting children in the work and family environment is not only the duty and responsibility of women, but also the duty and responsibility of the entire family and the concern of everyone in their environment. That in order to increase women's work productivity in the workplace and protect their rights, work facilities that are gender responsive and care for children are needed (Agustanti, Satino, and Bonauli 2021).

Several cases related to workers/labourers who were victims of sexual harassment, victims of bullying in the workplace environment, and cases of violence due to feelings of hurt from fellow workers/laborers and even superiors, cannot be separated from the assumption that this was due to poor working environment conditions. toxic (Agustanti, Dirkareshza, and Taupiqqurrahman 2022).

The provision of gender responsive facilities and infrastructure is intended to increase work productivity and pay attention to the best interests and growth and development processes of children. Apart from fulfilling and protecting the rights of women and children, this includes fulfilling the rights and protection of people with disabilities and the elderly.

## **RESEARCH METHOD**

Based on the title and problems that will be discussed in this research and in order to provide useful results, this research was carried out using normative juridical research (normative legal research methods). The normative juridical research method is library legal research which is carried out by examining library materials.

The problem approach used in this legal research is the statutory approach. The statutory approach is carried out by examining all relevant regulatory laws related to the problem being handled. The Legislative Approach is an approach that uses legislation and regulations (Peter Mahmud Marzuki 2022).

The data source used in this research is a secondary data source. Secondary data in this research is divided into two, namely primary legal materials and secondary legal materials.

### **a. Primary Legal Materials**

- 1) The 1945 Constitution of the Republic of Indonesia;
- 2) Law Number 39 of 1999 concerning Human Rights;
- 3) Law Number 23 of 2002 concerning Child Protection;
- 4) Law Number 36 of 2009 concerning Health;
- 5) Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection;

- 6) Regulation of the Minister of Women's Empowerment and Child Protection Number 5 of 2015 concerning Providing Gender Responsive Work Facilities and Caring for Children in the Workplace. Secondary Legal Materials
- b. Secondary legal material is data obtained by researchers from existing sources, namely obtained from the results of research through literature study or review of various literature or library materials related to the problem or research material.

In Normative Juridical research, data collection is carried out by means of library research, which means collecting data through documents, research journals that explain relevant data related to the topics discussed to support evidence of the writing carried out. In this research, the author uses descriptive methods as an analysis technique. The aim of this method that researchers use is to be able to provide a more detailed, in-depth and comprehensive explanation and description of the legal issues being studied.

## **DISCUSS AND ANALYSIS**

### **Gender Responsive Work Facilities**

For more than two decades, the government has implemented women's empowerment, the results of which can be seen from the increase in the role and position of women in various fields of life (Aslichati 2011). Just like people in Eastern countries, Indonesian people also live in a patriarchal culture. Patriarchal culture makes Indonesian society's life dominated by men, especially society's life in the public sphere. It seems that the idea of women's emancipation which was introduced and fought for by R.A Kartini in Indonesia has not been fully accepted by Indonesian society. It is still easy to find various facts in all fields, be it economics, politics, industry, health, education and others that point to the domination of men over women. Another term for this is gender bias (Wiyani 2017).

Gender is a concept that refers to the differentiation of roles and responsibilities of men and women which occurs as a result of and can change by the social and cultural conditions of society. In the development of women's empowerment that has occurred so far, the fundamental problem that is still experienced is the low participation of women in development, in addition to the existence of various forms of discriminatory practices against women. The low quality of life for women occurs on various fronts, including socio-cultural, environmental, educational, health, economic and political.

Over the last decade, women's participation in the labor market has increased quite significantly, although the percentage is small compared to men. This change shows an increase in the very significant role of women in economic activities in Indonesia. However, the structure of the female workforce has a low level of education. Thus, the majority of women are still active in the informal sector or jobs that do not require sophisticated or specific qualities of knowledge and skills. From a gender perspective, the proportion of women and men workers in the informal sector is 40% women and 60% men. The proportion of female workers in the informal sector covers 70% of the total female workforce (Khotimah 2009).

Jobs intended for men are generally considered to be in accordance with the biological, psychological and social capacities of men, which are generally conceptualized as people who have stronger muscles, higher levels of risk and danger due to working outside the home, and higher levels of risk and danger. skills and cooperation are higher. The work intended for women is conceptualized as weak people with a lower level of risk, tends to be repetitive, does not require concentration, and is more easily interrupted. Therefore, women's skill levels are considered to be on average lower than men's.

In the workplace, there should be facilities which are interpreted as tools, places and/or everything which is the main support that must be provided by government and private agencies in order to support increased work productivity. It is important to pay attention to several gender responsive aspects. Gender Responsiveness is a condition that consistently and systematically

pays attention to the differences between women and men in society which is manifested in attitudes and actions to overcome injustices that occur because of these differences.

Women are included in groups vulnerable to human rights violations such as people with disabilities, children and other groups. On the other hand, female workers/workers are vulnerable to violence, harassment and violations of reproductive health rights in the workplace. Therefore, there must be affirmative action to protect female workers/employees in the workplace (Sihombing 2016).

The equal rights of male workers and female workers are guaranteed in the constitution. The 1945 Constitution of the Republic of Indonesia Article 28D paragraph (2) emphasizes that every person has the right to work and receive fair and decent compensation and treatment in employment relationships. In this case, the state guarantees fair treatment of workers, both in terms of type of work, job placement, and wages. Even though normatively there are equal rights between female workers and male workers, the condition of women in the field of employment in general is still far from expectations, both in terms of quantity and quality. There is still gender inequality in the employment sector between female workers and male workers. Gender inequality in the employment sector can be identified by looking at the Labor Force Participation Rate (TPAK) of women and men.

In certain sectors such as social services, the number of female workers almost equals the number of male workers. Data from the International Labor Organization (ILO) also shows that the growth in the number of female workers increases every year. These regulations are also contained in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW Convention) which has been ratified by Law Number 7 of 1984 and other related conventions.

According to Soepomo, labor protection is divided into 3 (three) types, namely:

- a. Economic protection, namely protection of workers in the form of sufficient income, including if workers are unable to work against their will;
- b. Social protection, namely protection of workers in the form of occupational health insurance, and freedom of association and protection of the right to organize; And
- c. Technical protection, namely protection of workers in the form of work safety and security.

Several forms of legal protection for female workers are contained in Law Number 13 of 2003 concerning Employment, especially Article 76, Article 81, Article 82, Article 83, Article 84, and Article 93; Minister of Manpower Decree No. 224 of 2003 as well as Company Regulations or company collective work agreements which include: protection of working hours, protection during menstruation (menstrual leave), protection during maternity leave, provision of breastfeeding locations, recognition of work competency, prohibition of laying off female workers, and the right to health checks, pregnancy and delivery costs (Susiana 2019). So it is important for the Depok government to provide gender responsive work facilities such as breastfeeding rooms; child care room/day care center; health service facilities; and other supporting work facilities including Human Resources as the manager. For this reason, this provision does not require the construction of new buildings, some workplaces can utilize unused space and use it as breast milk rooms, child care rooms and even health service facilities.

## **CLOSURE**

### **Conclusion**

The unavailability of gender-responsive work facilities can reduce work productivity. So, it is important for workplaces to provide breastfeeding rooms, child care rooms and health service facilities. This is not limited to whether the worker/laborer is male or female. Government and private agencies are obliged to provide equal opportunities to every woman and man to carry out their duties, functions, rights and responsibilities to work in accordance with the provisions of statutory regulations. One of the ways this can be realized is in the form

of giving time to express breast milk and/or giving exclusive breast milk to babies during work time. For this reason, in order for it to be implemented well, it is necessary to have operational policies and regional policies that support the success of increasing work productivity.

### **Suggestion**

The government should support the provision of gender responsive work facilities, this apart from supporting work productivity will also have an impact on the feeling of comfort and security for workers, especially those who need it. This does not mean building new buildings, but can utilize empty buildings that are habitable and equipped with good work facilities and a gender perspective.

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