



Configuration Of Maternity Leave Policy In The Job Creation Law: Implications For Gender Equity

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Abstract. This study investigates the effect of the maternity leave provisions in the Job Creation Law on gender equality in the labor market. The regulatory reforms enacted by Law No. 11 of 2020 relieve companies to determine the maternity leave rights of female workers, but on the other hand, it creates some challenges from an implementation perspective. This study adopted a qualitative strategy and found that a substantial number of women workers face pressure to take their full leave, loss of benefits or suffer discrimination upon return to work. The outcomes further indicate that this policy did not complete justice as justice is defined as echoing equal rights and protection, particularly to female workers. An analysis from the perspective of John Rawls' theory of justice reveals that the policy is unjust structurally, aggravating gender inequality in the workplace. When compared to other ASEAN countries, indeed Indonesia needs to improve the quality of regulations and supervision so that the rights of mothers during pregnancy and maternity leave are really protected. Our study emphasizes on policies and law enforcement to strengthen inclusive working workplaces to promote gender equality.

Keywords: Maternity Leave, Gender Justice, Job Creation Law, Female Workers

1. Introduction

Maternity leave is an important worker benefit that shields the health of mothers and children, but it is also an integral aspect in establishing gender equality in the workforce (1, 2). Law No. 11 of 2020 regarding Job Creation ("Job Creation Law"), as part of its 1,028 pages of regulations, determined the configuration of maternity leave for private employees, which demanded further investigation into how its implementation affects the rights of women in the workplace. Consequently, understanding the interplay between this policy and gender equity is critical (3, 4). According to the data, the number of women in the Indonesian workforce are still increasing and contribute a lot to our economy growth (5). Nevertheless, it is directly policy to either have full rights or close to it for workers to take parental leave. Poor maternal leave policies leave women to make career versus family choices that we all know ultimately undermine women's place in the workforce and perpetuate gender gaps. This urgency is becoming more pressing as evidenced by the importance of maternity leave policies and women's choice of jobs. As stated in (6); a lot of women prefer to work at a company that offers a better maternity leave rights among the main consideration in choosing where to work. Maternity leave policies do not only influence the welfare of female workers, but also the competitiveness of companies to attract quality workers depending on the configuration of these policies.

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The work by (7) investigated the impact of maternity leave policy on female workers work-family balance in Indonesia. The study findings demonstrate that although maternity leave policies are governed by employment regulations, actual rights for female workers are perceived to be not fully supported by the company when female workers have to implement their maternity leave rights. That is because the firm did not have an appreciation for the necessity of maternity leave and because management pressurized workers to get back to work immediately. Full support for female workers to take their maternity leave means having a better work-family balance and thus this policy significantly supports gender equity in the work-place. Figure 1 shows that Indonesian maternity leave policy is still better than several countries in ASEAN, meaning the Maternity leave policy in Indonesia, while still better than several countries in ASEAN, needs to be reviewed(7). The study results indicate that while the Job Creation Law attempted to strengthening maternity leave rights, Indonesia remains behind some other ASEAN countries on the length and certainty of paid maternity leave. Longer, fully paid maternity leave in other ASEAN countries has been shown to improve women's labor force participation rates and workplace gender equality. Our study demonstrates how the duration and the paid nature of maternity leave need to be accounted for when directly considering their role in fostering a more equitable gender balance.

The research is conducted on the implementation of maternity leave policies against the background of the Job Creation Law(9) in the manufacturing industry. Results demonstrate that despite the existence of maternity leave policies, challenges remain in implementing them, particularly in the manufacturing sector. Many businesses offer limited leave for maternity and female workers complain of discrimination or lack of career capital after their leave period. A lack of supervision and law enforcement, then, would threaten the objectives of gender equity and female worker rights due to the maternity leave policy in the Job Creation Law.

The gap in research is the absence of thorough studies analyzing the impact of the arrangement of maternity leave policies in the Job Creation Law on gender equality in the workplace in Indonesia. Previous research on maternity protection legislation has largely excluded the popular nomenclature differences the special amendments resulted in the Job Creation Law. Further, numerous papers have remained silent on the impacts of this policy on different employment sectors that require different implementation features and face unique problems in their implementation.

The originality of this paper is to present the configuration of maternity leave policies in the context of the Job Creation Law and its implications for gender equality from a much broader point of view. This study emphasizes women in four industrial sectors identifying not only the regulatory environment but also how these policy changes influence their livelihood. This work has the potential to add new insights to the literature and help policy makers in their efforts to create environments that are more equitable and inclusive in the workplace.

States that despite the regulation of the maternity leave policies, there are still many challenges to its implementation and application including the implementation of maternity rights and the acceptance of the company in honoring these rights(10). Some female workers are still presented with impediments to exercising their entitlement to maternity leave; pressure not to take the full allocation, or even the threat of losing the job altogether. This demonstrates a disconnect in some policy and practice that requires more research.

Changes in rules about wages for employees taking maternity leave based on the Job Creation Law (11). Why This Is Also An Issue: Because This Affects The Finances Of Women Workers On Maternity Leave Given this alteration, it is essential to examine the degree to which this new policy promotes or obstructs gender equity in the workplace.

The purpose of this research is to find out how the maternity leave policy through the Job Creation Law response towards gender equality in the workplace. This is relevant as ILO reports that safeguarding the rights of women workers is key to the agenda towards the attainment of the Sustainable Development Goals (SDGs) focused on gender equality and empowerment of women (12, 13, 14, 15, 16, 17).

Against the background of global competition, a reasonable maternity leave policy can be a decisive factor in attracting and retaining high-quality female workers. In fact, companies that grant maternity leave rights are often perceived as being more attractive, and are thus considered more labor-friendly. It also promotes an inclusive work culture that is accommodating for gender, increasing productivity and overall perception of the company amongst the public.

Therefore, this study intends to elaborate on the configuration of maternity leave policies in the Job Creation Law and its impact on gender equality in Indonesia. This research would provide the government and private sector with practical recommendations on how to implement fairer maternity leave policies and support gender equality in the workplace.

2. Method

More specifically, we employed qualitative research to gain a close understanding of how the configuration of maternity leave policies mandated by the Job Creation Law impacts on gender equity in employment (18, 19). The selected approach is because the study intends to reflex about how female workers have experienced and perceived maternity leave policies. The qualitative methods used enable the researcher to obtain data that could give a panoramic view of the influence of the policy on the welfare and rights of female workers, as well as how the policy is actualised in different sectors of industry (20).

We collected data by conducting in-depth interviews with informants; these included women workers who have experienced maternity leave, union representatives, employers, and experts on employment policy. Besides these 8 focus group discussions, the researchers also based their study on literature studies and document analysis of the Job Creation Law, the regulation(s) issued to implement that law and company policy documents related to maternity leave. While document analysis helped understand how the policy is implemented in practice, in-depth interviews were used to explore the experience and perception of female workers about the fairness of implementation of maternity leave.

This study employs the justice theory of John Rawls [21, 22] to examine the consequences of maternity leave policies on gender equity. Now, Rawls makes it clear that justice can only be ensured insofar as every individual has equal rights and access to equal opportunities (23). Understanding maternity leave policies through this theory requires looking at how this policy provides equity and equality for female workers,

and whether this policy provides female work-ers with an opportunity to balance their work and family life without facing discrimination or inequity.

Methods Data analysis was a thematic analysis of interviews and policy documents[24–26]. Such themes include the accessibility of maternity leave, the treatment of those female workers who performed the leave, and how maternity leave affects the careers and well-being of workers. The analysis results were than compared to the principles of justice on Rawls' theory, to assess whether the maternity leave policies, that the job creation law has, met the gender justice standards.

Aims This paper aims to help identify the gaps between the outcome of policy and its implementation and to better make recommendations to enhance fairness for the way that statutory maternity leave legislation is implemented for women workers. This study has the potential to provide an insight as well as empirical data based on the equity theory perspective in assessing the regulates of maternity leave in the Job Creation Law for the context of gender equity rate development, and as well as a foundation in formulation a fairer and inclusive policies in the future.

3. Findings And Discussion

3.1 Analysis of Maternity Leave Policy in the Job Creation Law: Comparison with Previous Regulations

Maternity leave policy is a tool of male working protection, maintains the right of women employees to meet their reproductive roles with-out terror of losing jobs or earnings. The law de facto has led to adjustments in maternity leave as it is regulated in the LawNo. 11 Year of 2020 Some of the legal adjustments related toJob Creation or more called Omnibus Law. This comparative study might be useful to see how much effect the maternity leave changes due to the Job Creation Law.

This statement is based on the results of the study which states that previously the Manpower Law (Law No. 13 of 2003) has regulated the rights of female workers to take maternity leave for 3 months, which can be used 1.5 months before and 1.5 months after childbirth. Citing Job Creation Law, it goes on to say that the amount of time for maternity leave is still the same; however, it is more flexible on its utilization. This would allow female workers to determine what is the best way to enjoy their leave allowance, according to their individual needs and health. However, this change heralded as granting freedom from draconian control has raised fears that without stringent oversight companies will exploit this leeway to bully employees back to the office quicker than they might otherwise do.

Aspect	Previous Employment Law (Law No. 13 of 2003)	Job Creation Law (Uu No. 11 of 2020)
Duration of Maternity Leave	3 months (1.5 months before and 1.5 months after giving birth)	Fixed 3 months, more flexible use
Allowance During Leave	Full benefits during maternity leave	Benefits policy is unclear, can vary from company to company

Job Guarantee During Leave	Job guarantees are firmer, protecting the rights of female workers	Less firm in providing job guarantees
Impact on Gender Equity	More support for gender equity	Vulnerable to abuse, less supportive of gender equity

Table 1. Comparison with Previous Regulations

In addition, the Job Creation Law provides space for companies to determine internal policies regarding maternity leave, as long as they meet the minimum limits set by law. In practice, this can be a problem if the company does not have a policy that favors female workers. Research data shows that some companies have reduced the rights of female workers regarding maternity leave, such as reducing benefits or giving workers a heavier workload after workers return from leave. These changes have resulted in many female workers feeling pressured not to take full maternity leave for fear of losing income or even their jobs.

Under the Job Creation Law, for example, it was mandatory for companies to grant a full bene-fits to female workers during maternity leave. But the Job Creation Law made their policy on these benefits more ambiguous and gives room for interpretation for the companies. Some field studies indicate that many companies just reduced maternity leave benefits or applied such benefits with some conditional references which are impossible for female workers to meet the requirements. Due to this, the defined benefits in maternity leave are uncertain and this affects the working female employees directly.

Regarding job security, the former Manpower Law was more authoritative in defending female workers' rights after maternity leave. Further, the guarantees that should protect workers to take maternity leave are not improved by Job Creation Law, leaving those who take maternity leave at a higher risk of being discriminated or treated unfairly in the employment. Several mentioned pressure from their bosses to only take a short amount of maternity leave, or concerns that they would lose their jobs if they were out too long. It shows that Job Creation Law has loopholes that can be exploited by any companies to not be responsibilities for women workers rights.

It could potentially create an inequality in the implementation of the maternity leave policy in the Job Creation Law as stated in this study, especially for female workers in formal employment sector. Within this sector, women workers are also unable to avail of maternity benefits because they are technically not considered as being in a formal employment contract. This comparison illustrates that maternity leave policy as stipulated in job creation law has not yet protected the rights of female workers, particularly in weak sector that lack of legal protection.

Additionally, major variations also emerged in the way maternity leave was either understood or implemented between large and small/medium companies. The nature of corporate responsibility also determines why large companies are more able to comply with the provisions of the Job Creation Law, while small companies are still hindered by financial and operational constraints to meet the maternity leave obligations as required by the law. This situation creates a gap in access to maternity leave rights, where women in small companies may feel they have to forgo their rights to retain their job.

Maternity leave arrangement The Job Creation Law give space for workers and employers to negotiate the maternity leave policies. However, studies have shown that, in many instances, female employees have a relatively weaker position in negotiations against their employers, potentially deterring them from acquiring certain maternity leave entitlements. The same is true even more in industries with consolidated lower unionization, or where fe-male workers traditionally have less access to information about their rights.

It can be seen from the analysis that the changes in maternity leave policy in the Job Creation Law could impact the Job Security visceral of female workers. A number of working women are concerned that the new measure allows greater freedom for companies to impose rules (or denial) at work that are detrimental to them, particularly with regard to job security and the safety of leave. The uncertainty has a spillover effect on women and their decision to take maternity leave and even the timing of when they plan to become pregnant.

If we compare with previous regulation under the previous Manpower Law, this new regulation has less clarity on maternity leave rights and benefits to female workers. But with the Job Creation Law, these rights have been more versatile but also more dormant for corporate-sect abuse. This can be depicted from the cases that were reported when female workers were not given maternity leave based on the stipulations or when they were discriminated after taking leave.

The research also found that the Job Creation Law presumes to create a more flexible and demand-response workplace against market needs but tend to privileged employers in a ordeal against workers, moreover female workers who could not be the first priority for special protection at pregnancy and postpartum. While the Job Creation Law provides such flexibility, and flexibility it is, practitioners fear that the more expansive flexibility could lead to regulatory concerns which are in conflict with the very principles of workers' right.

Other findings show, for example, that female workers claim to have insufficient information about the change in the implementation of maternity leave as a result of the Job Creation Law. Such complexity leads to uncertainty around their rights, and when clocked companies could scrimp on the new regulations. This lack of information shows that there should be better socialization from the part of the government and other institutions related to ensure that female workers are made well aware of their rights.

Based on the comparison, it can be seen that although the Job Creation Law had already offered better flexibility and freedom⁸¹ (especially for female workers) in utilizing their maternity leave compared to the pre-existings laws,⁸² there are still plenty of room to improve. Campaigners fear the loopholes and ambiguity in enforcement mean the measure will not deliver true gender equality in workplaces Practices return to the common problem of outlining — companies can simply exploit grey areas to get around the guidelines without being held to account.

3.2 The Impact of Implementing Maternity Leave Policy on Gender Equality in the Workplace

Maternity leave policies can play an important role in promoting workplace gender equality, particularly the successful engagement of female workers in both professional functions and family roles. The maternity leave policy, the female workers should be guaranteed the rights of fair treatment without fear of losing their jobs or being discriminated against when they come back to work. In practice, however, the policy does not often run according to its main objectives, especially after the policy changes in the Job Creation Law.

The big aspects of maternity leave policy implementation affects how companies process female workers who goes for leave. Many companies see workers who go on maternity leave as not really being productive and less committed to work, which has an impact on the promotion and salary progression. It causes gender discrimination in the workplace by putting barriers on women growth in their careers simply because they maintain a reproductive role.

The Job Creation Law is supposed to provide flexibility in the implementation of maternity leave in Indonesia, but it has actually provided loopholes for employers to neglect fully honoring female workers right on this issue. Due to the non-definitive nature of benefits during maternity leave, a number of female workers have kept from going on the whole maternity leave for worry about loss of income, or getting returns pressuring to return to work in no time. This demonstrates that the implementation of this policy is still far from achieving the gender equality that it seeks.

Moreover, female workers within the same workplace ultimately feel unsupported during and after maternity leave. And often they face an increased work-load when they get back, or even relegation into a less strategic role than before they were off. Now this selfish act does not only hurt the individual female worker, but also creates a massive gender divide in the company as it does not help them grow and climb up the ladder.

Another important effect is the insecurity of women working in the informal sector. Maternity leave rights can therefore be poorly applied or simply omitted in this sector and thus, workers working in their homes do not even have access to the maternity leave right available to them. Under these circumstances the gender inequality will increase further, since one of the main employment places of women, especially with big family obligations, is the informal sector.

There is also a gap in access to maternity leave rights that relates to whether a company is large or small. In accordance with policy standards, large companies are more likely to give maternity leave, whereas many small companies are unable to bear these costs. This is why female workers at the little companies have to decide on their rights or can not go on maternity leave. Because of this inequality, female workers in some sectors face greater probability of exploitation and discrimination.

On the other hand, the uncertainty of the implementation of maternity leave policies makes the bargaining position of female workers against the company is weakening. For their part, female workers rarely claim their rights, fearing consequences that would affect their careers or be subjected to the loss of their jobs. This indicates that gender

equality remains a significant obstacle in workplaces, especially when existing regulations are not rigorously enforced.

This is apparent with the damaging effects that the introduction of the maternity leave scheme led to in regards to women's pay gap and employment rate. Many women are discouraged from going back to work after giving birth or do not return to work for good out of fear and uncertainty on their rights and protection during maternity leave. It influences the involvement of women in the labor force and generates gender inequalities in employment and economy.

However, Gender equality can be fostered in the workplace through application of fair and inclusive maternity leave policy. Women workers who believe that the organization is backing them with their responsibilities as mothers and workers too will be motivated to give their productive contributions. This can further build an inclusive work culture where not only the talks but are gender equity the practice of the day.

Unlike the principle of maternity leave although the precise influence on gender equality of bringing about maternity leave policies is strongly driven by their functional principles. Sound polices, poorly delivered, will only compound existing gender inequality. Therefore, it is necessary for the implementation of rights to maternity leave to be done jointly by the government, companies and the community so that it can create a work environment that supports and equalizes work, regardless of gender.

3.3 Obstacles and Challenges in Implementing Maternity Leave Post-Job Creation Law

The maternity leave after Job Creation Law, has many problems and challenges, especially along the lines of policy over newly provide more flexibility for companies to regulated it the right of maternity leave of female worker 27, 28 in one particular region as a place to implement the benefits of maternity leave those are MDGs goals 5. One of those barriers appears to be the absence of clear guidelines in terms of benefits amid maternity leave. Many female workers are uncertain about how many or how long they will be pregnant acquired benefits because the Job Creation Roles provide subsidiaries on firms to agent their personal favorable policies. Such uncertainty prevents most female workers from taking full maternity leave.

A further obstacle is corporate pressure to come back to work sooner (29, 30). On the other hand, in firms where the rules on maternity leave were more relaxed female employees were often encouraged to go back to work before their maternity leave was over. This poses problems for female employees who require some time to bounce back after labor or to breastfeed their infants, risking the well-being of the mother and kid.

Not socializing and not knowing maternity leave policy itself is the other point that we need to see in implementation of this policy. There are many women workers who do not know about their rights which have been regulated in the Job Creation Law yet, which result them to be treated unfairly or more concern of their maternity leave rights because of their ignorance. Moreover, the absence of information and education from the companies and the government regarding the regulatory changes, have caused female workers to be less prepared against events related to the maternity leave, making this condition even more serious (FORTUNY et al., 2014)

Also, the policies of maternity leaves are rarely backed by a full-time management of a firm. Maternity leave is a situation that some companies consider as a disruptor to productivity and business flow, so, they provide less support or consider female workers taking maternity leave as a backbiter of the organization. Such an attitude makes women workers uneasy or trepidatious to take their rights to maternity leave affecting their health and career growth.

As with most workplace benefits, the use of maternity leave differs between the formal and informal sector, making the challenges more complex in the latter. Because answers typically include that sex workers are not actually technically employed because of the informal aspect of sex work, female workers in this industry also do not receive maternity leave rights. It causes that they are not protected or benefited during their maternity leave and have to return to their activities immediately to respond to economic demands. This difficulty highlights the issue of unequal access and protection of women workers, particularly in more precarious sectors.

The implementation of maternity leave after the Job Creation Law is hindered by cultural factors and social norms. Maternity leave seems lengthy in some quarters — the longer maternity leave taken by women is seen as a sign of less commitment, less productivity. Such a view puts social pressure on female employees to resume work early though they still need time to recuperate or look after children.

Then the second obstacle is how small and medium enterprises (SMEs) can fulfill their responsibility to provide maternity leave as mandated by the Job Creation Law. Limited financial and material resources of most small factories make it difficult to provide all working women with enough maternity leave. Consequently, they end up losing policies that are less accommodating or, worse yet, none, which is detrimental to women workers in the contingency.

Additionally, women tend to be extinguished after taking child-rearing leave. They can be given more peripheral positions, have fewer responsibilities or be obstructed from salary hikes and promotions. These issues highlight the inadequacy of current maternity leave laws in safeguarding the rights of female employees and fostering a fair and inclusive workplace.

This makes the extension of supervision and law enforcement of maternity leave difficult, too. That is why in many companies, they do not abide by maternity leave regulations because no authority keeps track of it. Tip-offs based on "gender" are thus hard to monitor and pursue, and the rights of female workers often fall through the cracks.

The obstacles and challenges of maternity leave implementation after the Job Creation Law indicate that there are still so many things to improve in implementing well the rights of female workers. Addressing these challenges will require thoughtful collaboration between the government, companies, unions and society at large to create fair, gender-neutral and supportive workplace policies that ensure true gender equality.

3.4 Strategy for Strengthening Maternity Leave Policy to Achieve Gender Equity in Indonesia

However, in order to have gender justice that is more aspirational in Indonesia, the strengthening of maternity leave should also be carried out based on a justice perspective as famously stated by John Rawls. Justice consists in the system of equal rights and fair chances to get the riches, as put by Rawls. According to the-ory maternity leave polices should be devised to create equal opportunity and work place protection of female workers in the functional performance of their reproductive roles without compromising maternity work rights and/or career. Thus, the strategy for improving maternity leave should centre around laws which balance the need to protect female employees with ensuring that these laws are both actionable as well as able to be enforced across all sectors of employment.

One key strategy is to tighten and strengthen the provisions of the benefits during the maternity leave. The Job Creation Law does not clearly provide maternity leave benefits, so there is an opportunity for companies to take an angle that may not benefit female workers. This must be reversed to bring all female workers under a reasonable maternity leave policy, in accordance with Rawls' principle of justice. This will make sure that female workers do not lose income and can perform her job as a mother without anxiety.

Improving the implementation of maternity insurance policies is another key approach. 31 Rawls stressed that justice can prevail only if there are rules and the consistency in their enforcement. This is also why the government should increase its supervision over enterprises to ensure that they genuinely implement maternity leave policies, and refrain from discriminating against female employees taking such leave. That is, a strict supervision mechanism that gives companies a strong incentive to handle maternity leave policies appropriately and equitably.

Allowing women workers to become effective bargainers when it comes to maternity benefits will go a long way. It leaves female workers almost without protections for many rights they are entitled to have, given their weaker bargaining power than companies. The principle of justice as fairness (a topic covered before) that Rawls has in mind must ensure that every individual has equal opportunities and in order to fulfil this condition efforts for empowering female workers, through both trade unions and advocacy organization activities, are crucial. This will enable women workers to access the support and information they need to assert their rights (32, 33).

Women workers in the informal sector must also be included in maternity leave policies to achieve gender equity. Most of the women workers in this sector are employed in the informal sector and are not entitled to maternity leave rights. Following the reflective concept of Rawls' "veil of ignorance", where one should craft policies as if they did not know ones place in society, maternity leave policies themselves must be created to cover all women workers, especially amongst informal sector workers. Denying maternity leave rights is a form of discrimination against women, and, as such, the right will wrap. All women should be able to enjoy maternity leave rights, in other words.

Moreover, encouraging corporate maternity leave policies that are more inclusive and gender equitable will be vital. The maximally favourable initial position termed by Rawls' as the "difference principle," allowing for inequality only if it helps the least

well-off. Full-fledged support in helping the female employees in job along with the maternity leave will result in creation of way more fair and equal working environment, where all employees including the male employees shall blossom, so they are able to grow optimally irrespective of the gender difference.

Gender justice is also achieved through the socialization and education of employees about maternity leave rights. A massive workforce—especially among women workers—still has little understanding of their rights, and thus have not been able to benefit fully from the maternity leave regulations. One aspect of Rawlsian justice is that every person should be equipped with the knowledge required to make rational, equitable decisions. For this reason, the government as well as companies are responsible for better informing female workers about their maternity leave rights, such that they are able to defend their entitlements.

We should also think about adopting flexible but principled maternity leave policies. Stringent policies will restrict female employees from balancing their motherly and day-to-day work life. Nevertheless, some such flexibility needs to be monitored, as it cannot be allowed to disenfranchise female employees, or creates opportunities for their exploitation by businesses. This is consistent with Rawls' notion of "fair equality of opportunity," where everyone has the equal chance to fulfill one's right

But the government can also reward companies that create effective family leave policies that promote gender equality. We can offer tax breaks or public accolades for gender-friendly companies. This will prompt other companies to do the same, so there is a more equi-table space that other workers share. It also embodies one of Rawls' principles that public policy should be promulgated for the benefit of all society.

Through these strategies Indonesia can improve its maternity leave policy, and achieve gender equity in the workplace. By rationalising this policy with the principles of justice given by Rawl, it would provide female with the equal rights and protections needed for both of their essential domestic and external functions as mother and waged workers without being subjected to discrimination or injustice. By making efforts—in which the government, com-pharate, and the society work togeth-er—to create gender equality in the workplace, we can achieve it much more effectively and practically.

4. Conclusion

Thus, this study concludes that maternity leave policy is not the least important aspect of gender equality in the workplace. Abstrack Ability to access from the implementation of Maternity Leave Rights for Female Workers as a result of Changes Laws no.11 of 2020 concerning Job Creation The implementation of maternity leave rights for Female Workers is very crucial to ensure that workers' rights are met, considering that private sector workers are also human beings who have reproductive rights. While this policy enhances the ability to take leave, it also increases the risk of misuse by firms at the expense of the welfare of women's rights. Studies from different sides outlined that despite of right to maternity leave, female workers struggle to exercise their rights in the full sense. Gender biased workplace, due to non unification of policies; no guarantees, pressure to join office soon, etc. This incident highlights the necessity to analyse

and address maternity leave policies targeted towards the female workforce. In conclusion, this study provides evidence for a serious demand for action from government and corporate business to realise maternity leave rights management through action and implementation. Incorporating the principles of justice, as suggested by John Rawls, maternity leave can serve to promote a more inclusive and gender-resistant work environment in Indonesia. Not only will this promote the well-being of women employees, but it will also help in driving productivity and sustainability of organizations.

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