

ABSTRAK

Pekerja perempuan memiliki hak-hak khusus yang berkaitan dengan fungsi reproduksi atau dikenal sebagai hak maternitas, yakni cuti menstruasi/haid, cuti hamil dan melahirkan, cuti keguguran, serta hak laktasi. Aktualisasi hak tersebut, diatur dalam berbagai hukum positif Indonesia, yakni melalui Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan dan Undang-Undang Nomor 4 Tahun 2024 tentang Kesejahteraan Ibu dan Anak. Namun, implementasi pemenuhan hak maternitas, terutama di tingkat perusahaan perlu diteliti untuk memastikan kesesuaiannya dengan ketentuan yang berlaku. Penelitian ini bertujuan mengkaji pengaturan, pelaksanaan, serta kendala dan solusi pemenuhan hak maternitas pekerja perempuan pada PT Pertamina Patra Niaga Refinery Unit V Balikpapan.

Metode penelitian yang digunakan adalah *yuridis empiris* dengan spesifikasi *deskriptif analitis*. Data primer diperoleh melalui wawancara langsung dengan pihak manajemen dan pekerja perempuan perusahaan, sedangkan data sekunder bersumber dari peraturan perundang-undangan dan literatur hukum yang relevan.

Hasil penelitian menunjukkan bahwa PT Pertamina Patra Niaga Refinery Unit V Balikpapan telah mengatur hak maternitas melalui Peraturan Perusahaan dan Perjanjian Kerja Bersama yang berpedoman pada nilai-nilai yang dipegang. Pemenuhan hak maternitas telah terlaksana dengan baik melalui sistem pengajuan izin cuti berbasis digital yang memudahkan pekerja perempuan mengakses haknya. Kendala yang ditemukan adalah sulitnya pengajuan cuti menstruasi secara mendadak akibat ketidakpastian siklus bulanan. Berdasarkan kendala tersebut, terdapat solusi berupa pemberian kemudahan mekanisme pengajuan izin cuti satu hari setelah pelaksanaan dengan melampirkan surat keterangan ke dalam sistem.

Kata Kunci: Hak Maternitas, Pekerja Perempuan, PT Pertamina Patra Niaga, Perlindungan Hukum, Ketenagakerjaan

ABSTRACT

Female workers possess specific rights related to their reproductive functions, commonly referred to as maternity rights, which encompass menstrual leave, maternity leave (pregnancy and childbirth), miscarriage leave, and lactation rights. The actualization of these rights is regulated under various Indonesian positive laws, particularly Law Number 13 of 2003 concerning Manpower and Law Number 4 of 2024 concerning Maternal and Child Welfare. However, the implementation of maternity rights fulfillment, particularly at the company level, requires further examination to ensure compliance with the applicable provisions. This study aims to analyze the regulation, implementation, as well as the obstacles and solutions pertaining to the fulfillment of maternity rights for female workers at PT Pertamina Patra Niaga Refinery Unit V Balikpapan.

The research method employed is juridical-empirical with a descriptive-analytical specification. Primary data were obtained through direct interviews with the company's management and female workers, while secondary data were derived from relevant legislation and legal literature.

The findings indicate that PT Pertamina Patra Niaga Refinery Unit V Balikpapan has regulated maternity rights through its Company Regulations and Collective Labor Agreement, guided by the company's core values. The fulfillment of maternity rights has been well-implemented through a digital-based leave application system that facilitates female workers in accessing their entitlements. A notable obstacle identified is the difficulty of submitting menstrual leave requests on short notice due to the unpredictability of monthly cycles. In response to this challenge, a proposed solution involves simplifying the leave application mechanism by permitting submission one day after the leave is taken, accompanied by the attachment of a supporting medical certificate uploaded into the system.

Keywords: *Maternity Rights, Female Workers, PT Pertamina Patra Niaga, Legal Protection, Employment Law*