

ABSTRAK

Hak cuti haid merupakan bagian dari perlindungan tenaga kerja perempuan yang telah dijamin dalam Undang-Undang Nomor 13 Tahun 2003 Pasal 81. Ketentuan tersebut memberikan hak bagi pekerja perempuan untuk tidak bekerja pada hari pertama dan kedua masa haid apabila mengalami gangguan kesehatan. Namun, dalam praktiknya banyak perusahaan yang belum mengimplementasikan aturan ini, termasuk Plaza Asia Kota Tasikmalaya. Kondisi tersebut menunjukkan adanya kesenjangan antara regulasi dan realitas di lapangan sehingga penting untuk diteliti lebih lanjut.

Penelitian ini menggunakan teori ketidakadilan gender menurut Mansour Fakih dan feminisme interseksional menurut Kimberle Crenshaw. Teori ketidakadilan gender digunakan untuk melihat manifestasi ketidakadilan berupa marginalisasi, subordinasi, stereotipe, kekerasan, dan beban kerja. Sedangkan, teori feminisme interseksional menyoroti aspek struktural, politis, dan representasional yang memperkuat kerentanan pekerja perempuan. Metode penelitian yang digunakan adalah kualitatif dengan pendekatan studi kasus, melalui wawancara mendalam dengan HRD, DPRD, Dinas Tenaga Kerja, organisasi perempuan Taman Jingga, serta pekerja perempuan Plaza Asia Kota Tasikmalaya.

Hasil penelitian menunjukkan bahwa tidak diterapkannya hak cuti haid di Plaza Asia disebabkan oleh kebijakan internal perusahaan yang tidak mengakomodasi ketentuan tersebut, lemahnya pengawasan pemerintah, serta minimnya dukungan politik daerah. Bentuk ketidakadilan gender seperti marginalisasi, subordinasi, dan stereotipe masih kuat dialami pekerja perempuan. Dari perspektif interseksional, posisi perempuan semakin rentan, akibat tumpang tindih faktor struktural, politis, dan representasional. Penelitian ini menegaskan pentingnya peran negara, komitmen perusahaan, dan kesadaran kolektif untuk menjamin terpenuhinya hak cuti haid sebagai bagian dari perlindungan tenaga kerja perempuan.

Kata Kunci: Gender, Hak Cuti Haid, Ketenagakerjaan, Pekerja Perempuan

ABSTRACT

The right to menstrual leave is part of the protection of female workers, guaranteed in Article 81 of Law Number 13 of 2003. This provision gives female workers the right to take time off work on the first and second days of their menstruation if they experience health problems. However, in practice, many companies, including Plaza Asia in Tasikmalaya City, have not implemented this regulation. This situation indicates a gap between regulations and reality on the ground, and therefore requires further investigation.

This study utilizes Mansour Fakih's theory of gender inequality and Kimberle Crenshaw's intersectional feminism. Gender inequality theory examines manifestations of inequality in the form of marginalization, subordination, stereotypes, violence, and workload. Intersectional feminism, on the other hand, highlights structural, political, and representational aspects that reinforce the vulnerability of women workers. The research method employed is qualitative, using a case study approach, through in-depth interviews with HRD, the Regional People's Representative Council (DPRD), the Manpower Office, the Taman Jingga women's organization, and female workers at Plaza Asia in Tasikmalaya City.

The research results show that the non-implementation of menstrual leave rights at Plaza Asia is due to internal company policies that do not accommodate these provisions, weak government oversight, and minimal regional political support. Forms of gender inequality such as marginalization, subordination, and stereotyping are still strongly experienced by female workers. From an intersectional perspective, women's position is increasingly vulnerable due to overlapping structural, political, and representational factors. This research emphasizes the importance of the state's role, company commitment, and collective awareness in ensuring the fulfillment of menstrual leave rights as part of the protection of female workers.

Keywords: Gender, Menstrual Leave Rights, Employment, Female Workers