JGLS: Journal of Government and Legal Studies
Vol. 1, No. 1 (2026), pp 17-26
https://akarscientia.com/jgls

Perlindungan Hukum Pekerja Perempuan di PT Transportasi Jakarta

LEGAL PROTECTION FOR FEMALE WORKERS AT PT TRANSPORTASI JAKARTA

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Submitted: Sept 13, 2026; Reviewed: Sept 23, 2026; Accepted: Sept 30, 2026

ABSTRAC *Legal protection for female workers constitutes the enforcement of constitutional rights guaranteed under Article 27, Paragraph (2) and Article 28D, Paragraph (2) of the 1945 Constitution of the Republic of Indonesia. Relevant regulations are found in Law Number 13 of 2003 concerning Manpower (as amended by Law Number 6 of 2023) and Law Number 1 of 1970 concerning Occupational Safety. As a Regional-Owned Enterprise (BUMD), PT Transportasi Jakarta bears the responsibility of providing legal protection to female workers in accordance with these provisions. This study aims to analyze the implementation of legal protection for female workers at PT Transportasi Jakarta and the factors hindering the fulfillment of their rights, drawing upon Philipus M. Hadjon's Theory of Legal Protection and John Rawls's Theory of Justice. The study employs a socio-legal (empirical-juridical) method, utilizing both statutory and empirical approaches. Primary data were obtained through interviews with representatives from PT Transportasi Jakarta, female workers, and the DKI Jakarta Provincial Manpower, Transmigration, and Energy Agency, while secondary data were gathered through a literature review. The data were analyzed using a qualitative, descriptive analytical method. Research findings indicate that PT Transportasi Jakarta has implemented legal protection for female workers by fulfilling normative rights such as menstrual leave, maternity leave, employment social security, occupational health and safety protections, grievance mechanisms, and anti-discrimination policies. However, implementation still faces obstacles, including the 24-hour shift system, workers' lack of understanding regarding their rights, suboptimal dissemination of information, and the need for more efficient supervision. Therefore, there is a need for enhanced corporate commitment, stricter government oversight, and greater worker awareness to ensure that legal.*

Keywords: Legal Protection, Female Workers, Department of Labor PT Transportasi Jakarta.

A. INTRODUCTION

Employment is a constitutional right granted to every citizen, as stipulated in Article 27, Paragraph (2) and Article 28D, Paragraph (2) of the 1945 Constitution of the Republic of Indonesia. These provisions affirm that every citizen has the right to work and to receive fair and reasonable treatment in employment relationships, free from discrimination. In industrial relations, workers are structurally in a weaker position than employers; therefore, the state must provide legal protection to ensure that workers' statutory rights are upheld. Such protection is particularly crucial for female workers, as in addition to possessing rights equal to those of male workers, they have biological needs and reproductive functions that require special attention.

Legal protection for female workers in Indonesia is governed by various regulations, including Law Number 13 of 2003 concerning Manpower (most recently amended by Law Number 6 of 2023) and Law Number 1 of 1970 concerning Occupational Safety, as well as international instruments such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).[1] The regulation provides protection for the rights of female workers, including the right to menstrual leave and maternity leave, occupational health and safety protection, social security, protection against discrimination, and the right to a safe and dignified work environment.[2]

As a Regional Public Company (Perumda) focused on the public transportation sector, PT Transportasi Jakarta has an obligation not only to provide quality public services but also to ensure the fulfillment of employees' rights in accordance with labor laws and regulations. The company has implemented a number of internal policies aimed at creating an inclusive, safe challenges regarding the protection of female workers particularly concerning shift work systems, workplace safety, reproductive health protection, and workplace grievance handling procedures.[3]

This phenomenon demonstrates that the mere existence of regulations does not always guarantee effective legal protection. The effectiveness of legal protection depends heavily on the implementation of company policies, workers' understanding of their rights,

[1] *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW). 1979. [2] Law Number 13 of 2003 concerning Manpower

[2] PT Transportasi Jakarta, *Board of Directors Regulation on an Inclusive and Discrimination-Free Work Environment,* 2025

[3] Sinaga, W. B., & Rahmahafida, N. I. (2023). Perlindungan Hak dalam Mendapatkan Pekerjaan yang Layak terhadap Mitra dari Perusahaan Jasa Transportasi Daring. *Jurnal Hukum Magnum Opus*, *6*(1), 88-101.

and the efficiency of oversight by labor authorities. Therefore, a study on the implementation of legal protection for female workers is crucial to understanding the extent to which legal norms are applied in the employment practices at PT Transportasi Jakarta and to identifying the obstacles that persist in fulfilling female workers' rights.

This research offers novelty by not only evaluating normative regulations regarding the protection of female workers but also analyzing the implementation of PT Transportasi Jakarta's internal policies. It employs a socio-legal (empirical juridical) approach, integrating findings from interviews with company representatives, female workers, and the DKI Jakarta Provincial Manpower, Transmigration, and Energy Agency. Consequently, this study provides an overview of the alignment between existing legal regulations and the actual practices of legal protection implemented within the company. Based on the foregoing, the research questions for this study are: How is legal protection for female workers implemented at PT Transportasi Jakarta based on the company's internal policies? and What factors hinder the fulfillment of female workers' rights at PT Transportasi Jakarta?

B. DISCUSSION

Legal protection for female workers constitutes both a fulfillment of citizens' constitutional rights and an obligation for employers, in accordance with Law Number 13 of 2003 concerning Manpower, as most recently amended by Law Number 6 of 2023. From the perspective of labor law, such protection is not viewed merely as the fulfillment of administrative, normative rights; it also encompasses preventive and enforcement measures aimed at creating a work environment that is safe, healthy, and free from discrimination, while respecting the dignity of female workers.[4] Consequently, the implementation of legal protection relies not only on the existence of regulations but also on internal company policies that ensure the effective fulfillment of workers' rights.

As a Regional-Owned Enterprise (BUMD) focused on public transportation services, PT Transportasi Jakarta operates under conditions distinct from those of other companies. Service operations run twenty-four hours a day, necessitating a shift-based work system for the majority of operational staff. This situation requires the company to design labor policies that meet operational needs while simultaneously providing legal protection for all workers, particularly female workers, who have specific biological and

[4] Yitawati, K., Chairani, M. A., & Pradhana, A. P. (2024). Problematika Undang-Undang Nomor 6 Tahun 2023 Tentang Cipta Kerja Klaster Ketenagakerjaan Dalam Memberikan Perlindungan Dan Kesejahteraan Pekerja. *Jurnal Rechtens*, *13*(1), 97-118.

reproductive needs.

Studies indicate that PT Transportasi Jakarta has implemented various forms of legal protection derived from both regulatory requirements and internal company policies. This implementation is realized through the fulfillment of basic rights for female workers, the provision of support facilities, the establishment of grievance mechanisms, and the enforcement of anti-discrimination and anti harassment policies in the workplace. These policies demonstrate the company's commitment to integrating principles of legal protection into its workforce management as part of its implementation of good corporate governance.

One form of protection already implemented is the granting of reproductive rights to female workers. PT Transportasi Jakarta provides menstrual leave in accordance with applicable legal provisions when workers face conditions that hinder the performance of their duties. The company also grants pregnancy and maternity leave in compliance with prevailing regulations, without affecting the employment status of female employees. This policy affirms that the company has fulfilled its normative responsibilities as stipulated in labor laws regarding the protection of women's reproductive functions.[5]

In addition to reproductive health protections, the company also implements measures regarding occupational health and safety (OHS). Given the high-risk nature of work in the transportation sector, PT Transportasi Jakarta provides workplace safety programs, health check-ups, task-appropriate personal protective equipment, and enrollment in employment social security programs. These measures aim to minimize the likelihood of workplace accidents while ensuring protection against risks associated with the performance of duties.

Interview results indicate that the company has registered its workers in the BPJS Kesehatan and BPJS Ketenagakerjaan programs as a form of social security. This participation ensures protection against risks associated with workplace accidents, death, old age, and retirement, as well as providing access to healthcare services. From the perspective of state administrative law, the provision of social security represents a means by which the state fulfills its obligation—through regional government-owned enterprises to protect workers' rights.[6]

Legal protection at PT Transportasi Jakarta is also implemented through the

[5] Ministry of Manpower of the Republic of Indonesia, Protection of the Rights of Female Workers/Laborers, 2003

[6] Results of interviews with female workers at PT Transportasi Jakarta, Jakarta, conducted from May 19, 2026, to June 22, 2026.

formulation of internal policies regarding the prevention of discrimination, violence, and harassment in the workplace. The company provides a reporting system for employees encountering potential violations, ensuring the confidentiality of the reporter's identity and conducting investigations in accordance with internal procedures. This mechanism serves as a form of preventive protection aimed at averting violations of workers' rights and fostering a sense of security for female employees as they carry out their duties.

Based on interviews with company representatives, it is understood that all incoming reports undergo further internal review in accordance with company policy. If a violation of the code of ethics or company rules is identified, the company reserves the right to impose administrative sanctions commensurate with the severity of the violation. This mechanism indicates that the company has established an internal resolution process as a protective measure for employees whose rights have been violated.[7]

The implementation of this legal protection is also supported by oversight from the DKI Jakarta Provincial Manpower, Transmigration, and Energy Agency. This oversight is carried out through guidance functions, inspections of compliance with labor standards, and the issuance of recommendations in the event of violations of workers' rights. The presence of labor inspectors is crucial, as their role is to ensure that the company's internal policies align with applicable laws and regulations.

When analyzed through the lens of Philipus M. Hadjon's Legal Protection Theory, the protection measures at PT Transportasi Jakarta demonstrate two forms of legal protection: preventive and repressive. Preventive protection is implemented through the formulation of internal policies regarding the rights of female workers, the application of occupational health and safety standards, the fulfillment of reproductive rights, the provision of social security, and the establishment of grievance mechanisms. Meanwhile, repressive protection is realized through the handling of violation reports, internal audits, and the imposition of sanctions on parties found to have violated company regulations or workers' rights.[8]

Furthermore, when analyzed using John Rawls's Theory of Justice, the policies adopted by PT Transportasi Jakarta reflect an effort to achieve distributive justice by providing equal opportunities for all workers, regardless of gender. The company also provides special provisions for female workers regarding reproductive rights and health protection. Such special treatment does not constitute discrimination; rather, it represents

[7] Results of the interview with the HR team at PT Transportasi Jakarta, Jakarta, on May 19, 202

[8] Djakaria, M. (2018). Perlindungan Hukum Bagi Pekerja Wanita Untuk Memperoleh Hak-Hak Pekerja Dikaitkan Dengan Kesehatan Reproduksi. *Jurnal Bina Mulia Hukum*, *3*(1), 15-28.

the application of the principle of justice providing protection tailored to the specific needs of a group with distinct biological conditions thereby ensuring that all workers have equal opportunities to work safely and with dignity.

In general, research findings indicate that the implementation of legal protections for female workers at PT Transportasi Jakarta has proceeded quite well. The company has fulfilled the majority of female workers' statutory rights in accordance with existing regulations and has reinforced these through various internal policies. Nevertheless, the effectiveness of these legal protections is still influenced by various factors that prevent the full realization of female workers' rights. These factors will be discussed in the subsequent section regarding obstacles to fulfilling the rights of female workers at PT Transportasi Jakarta.

Legal protection for female workers is not merely a matter of the existence of laws or internal company policies; it also depends on the effectiveness of their application within the employment relationship. Although PT Transportasi Jakarta has endeavored to fulfill various statutory rights for female workers, research shows that the implementation of these protections still faces obstacles that hinder the optimal fulfillment of these rights. These barriers stem from internal company factors, the nature of work in the public transportation sector, the workers' own understanding, and the government's enforcement of labor regulations.

The first obstacle relates to the operational nature of PT Transportasi Jakarta, which provides twenty-four-hour service. As a public transport operator, the company must ensure uninterrupted service, requiring most employees to work in shifts.[9] This system necessitates that female workers align their schedules with the company's operational needs including working night shifts in compliance with existing regulations. This situation often creates difficulties regarding the fulfillment of reproductive rights, the scheduling of rest periods, the maintenance of work-life balance, and the physical health of female workers, particularly those who are pregnant or have young children. Interviews with female workers reveal that the company has indeed established a shift-work system in compliance with existing legal regulations. However, schedule adjustments made to meet operational needs often result in physical and mental fatigue among the workers.

This situation demonstrates that while the company meets normative requirements, implementation challenges persist due to the nature of the public transport sector, which

[9] Darip, M., Auliana, S., & Permana, B. R. S. (2025). Pengelolaan Waktu Kerja Karyawan Menggunakan Algoritma Round_Robin Dalam Sistem Informasi Manajemen Sdm Di Perusahaan Outsourching. *Infotech journal*, *11*(1), 28-36.

demands continuous service. A second obstacle is the lack of uniform understanding among female workers regarding their normative rights. Research findings indicate that while many workers are aware of basic rights such as maternity leave, social security, and workplace safety protections, some still do not fully understand the procedures for exercising reproductive rights, filing complaints, or accessing legal protections in the event of rights violations.

This limited understanding contributes to employees' reluctance to utilize the protection mechanisms provided by the company. In some instances, employees choose to handle issues informally, fearing that the formal reporting process could negatively affect their employment relationships or performance evaluations. Ultimately, however, the successful implementation of legal protections depends not only on the existence of regulations but also on the workers' level of legal awareness.

A third obstacle lies in the ineffective dissemination of the company's internal policies. PT Transportasi Jakarta has established policies protecting female workers, covering areas such as anti-discrimination, complaint procedures, workplace safety, and reproductive rights. However, research indicates that the communication of these policies needs improvement to ensure they are fully understood by all workers across every unit.

Regular dissemination of information is crucial, given the company's large workforce and diverse operational units. Without consistent communication, there is a risk of inconsistent policy application in the field. Consequently, developing educational programs on workers' rights and protection procedures is a strategic step toward strengthening the implementation of legal protections.

The next challenge concerns the implementation of labor inspection. Based on interviews with labor inspectors from the DKI Jakarta Provincial Manpower, Transmigration, and Energy Agency, company oversight is carried out through processes involving guidance, inspection, and the enforcement of labor standards.[10] However, overseeing all companies in the DKI Jakarta region faces constraints due to the limited number of inspectors relative to the large number of companies requiring supervision. Consequently, it is not always possible to conduct intensive inspections across all companies simultaneously.

Consequently, inspections are more frequently conducted based on priority levels, public reports, or the identification of suspected violations of labor standards.

[10] Nasution, F. A. P., Habibi, N., Trisnantari, S. A., Tobing, H., & Ari Yuliastuti, M. (2024). Transformasi Pengelolaan Pengawasan Ketenagakerjaan di Indonesia: Membangun SIstem Terpusat yang Efektif dan Terintegrasi.

Nevertheless, the Manpower Agency (Disnaker) continues to play a crucial role in ensuring that every company, including PT Transportasi Jakarta, fulfills its legal obligations in accordance with statutory regulations.

Beyond these factors, research also indicates that industrial relations dynamics influence the effectiveness of legal protections. In reality, interactions between employees and the company are not always seamless. Conflicting interests, inefficient communication, and differing perspectives on policy implementation can give rise to industrial relations conflicts. Therefore, clear communication among management, employees, and labor unions is a crucial element in fostering a harmonious work environment and supporting the protection of female workers' rights.

When analyzed through the lens of Philipus M. Hadjon's theory of legal protection, these obstacles indicate that legal protection has not yet achieved maximum effectiveness. While preventive protection has been established through the enactment of various internal company regulations, its effectiveness remains contingent upon the level of employee understanding, the implementation of awareness-raising initiatives, and the quality of supervision. Conversely, repressive protection can only function effectively if workers have the courage to report violations and the company responds to each report in an objective, transparent, and accountable manner.

According to John Rawls's theory of justice, these obstacles indicate that justice cannot be achieved solely through equal treatment (formal equality); it also requires policies that address the specific needs of female workers (substantive equality).[11] Rotating work schedules, for instance, must take into account the biological conditions of female workers to ensure that the performance of duties does not compromise the protection of their health and reproductive rights. Therefore, companies must provide treatment that is both equitable and proportional to employees' needs.

Based on the overall research findings, it can be concluded that the implementation of legal protections for female workers at PT Transportasi Jakarta has shown positive progress through the fulfillment of statutory rights and the execution of various internal company policies. However, the effectiveness of these protections still requires improvement through better communication with workers, the strengthening of a legal culture within the company, optimized labor oversight, and enhanced coordination among the company, workers, labor unions, and the government. Such collaboration is essential

[11] Arianto, Y. F., Agustiani, M. F., Shalzabilla, S., & Mayangsari, D. A. (2025). Konsep Keadilan Restoratif Dalam Perspektif Teori Keadilan John Rawls. *Nusantara: Jurnal Pendidikan, Seni, Sains dan Sosial Humaniora*, *3*(01).

to ensure that legal protections for female workers go beyond mere formalities and effectively provide legal certainty, fairness, and tangible benefits within the employment relationship.

C. CONCLUSION

Research findings indicate that the implementation of legal protections for female workers at PT Transportasi Jakarta generally aligns with statutory labor regulations and is supported by various internal company policies. This protection manifests through the fulfillment of reproductive rights, the provision of social security (covering both employment and health), the implementation of occupational health and safety (K3) systems, the offering of non-discriminatory employment opportunities, and the establishment of mechanisms to handle complaints regarding alleged violations of workers' rights. Viewed through the lens of Philipus M. Hadjon's Legal Protection Theory, this implementation demonstrates both preventive legal protection—facilitated by company policies and procedures and repressive legal protection, evidenced by complaint resolution systems and the imposition of sanctions for violations. Meanwhile, applying John Rawls's Theory of Justice, the company's policies reflect an effort to achieve substantive justice by providing protections that account for the specific characteristics and needs of female workers

Nevertheless, the effective implementation of these legal protections faces several challenges. These obstacles include the company's 24-hour shift-based operational nature, inconsistent worker understanding of statutory rights, the ineffective dissemination of internal company policies, and limited oversight regarding labor practices. Consequently, enhanced coordination is required among the company, workers, labor unions, and the government. This should be achieved through better dissemination of workers' rights, optimized labor oversight, and continuous evaluation of internal company policies, ensuring that legal protections for female workers are implemented more effectively, provide legal certainty, and foster fair, safe, and sustainable industrial relations

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