



The Accomplishment of The Rights of The Nursing Mother to Female Employees in The City of Kendari

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ABSTRACT

The study to evaluate the fulfillment of the rights of mothers in the city of Kendari according to the rule of law-related invitations and to protect nursing rights for female employees in the city of Kendari. The study adopted the normative type of legal research by approach of the law. While the legal material used was the primary one covering all binding statutes based on the constitutional hierarchy, secondary legal material was obtained through interviews, and non legal material was obtained through media pranata. Research shows that companies in the city of Kendari have basically provided a lactation corner as lactation or nursing mother's facilities. But when it comes to supporting tools and infrastructure in the corner of the felt is minimal and not in accordance with the applicable regulations of the law

Keywords: Rights, Nursing Mother, Employee, and Kendari

I. INTRODUCTION

One of the very basic rights of the child is its fulfilment of nourishment by satisfying the infant's need for mother's milk (ASI). So important is breast milk for a child's physical growth, the World Health Organization (WHO) and the ministry of health of the Republic of Indonesia recommend breastfeeding first within an hour of birth. It is an exclusive breast milk, a breast that has no extra food or water, and no water. For optimizing the need for breast milk should be done as often as possible and should be done without the use of bottles and thus fully natural.

Mahmud on the Sisca Rahadian research that the discussion of breast - feeding of infants is not only explained by science, but for muslims it is also found in the holy Qur 'an, in the letter Al-Baqarah verse 233, which is translated "mothers should nourish their children for two whole years, that is, to those who want to perfect the swelling of the infant. The significance of the letter is the encouragement for mothers who bear children to breast-feed for two years. The Qur 'an itself mentions the breastfeeding topic eleven times. Breastfeeding is thus a benefit not only to the baby but also to its mother, so breastfeeding is highly recommended in the islamic shitter (Rahadian, 2014).

ASI It is the best baby food, which can never be replaced by any food or drink, as it contains the most proper nutrients, whole and consistent to the needs of the baby at all times. It has valuable nutrients needed for the growth and development of a baby's brain, immunity to disease, and strengthening the emotional bond between mother and child (Tasya, 2011).

As is the child's right, so is the right of every mother to give her child exclusive milk. But it was not always as easy as it was for a working mother who was obviously unable to spend much time at home with her child because of having to return to work after the birth period was over. Based on the increased protection convention, the Number 183, held by the International Labor Organization in 2000, Article 10 Verse (1) states that "a woman shall be conditioned with the right to one or more daily breaks or a daily reduction of hours of work to supplement her child's feed." (Convention C183, n.d.)

Women working out are global symptoms. The increase in the number of female laborers in both formal and informal sectors rose by about 40%. Nevertheless, female laborers rarely receive the same treatment as male laborers in terms of wages, coefluence, and materials such as reproductive, pregnancy, and nursing (Tambunan, 2007). In Indonesia only 30% of mothers feed their children properly. This nursing tribulation is also the result of health-care workers helping in the premature breast-feeding process (imd). Proper breast feeding should begin immediately after a new baby is born and given whenever the baby needs breast milk, given exclusively for 6 months and continued for 2 years because it is necessary to give an exclusive breast milk to the baby (Damayanti, 2010).

Indonesia's poor subnutrition ratio is a real health threat to current and future generations, of course the development of policies and all citizens will have a hope that future generations will not be a weak generation of severe physical health. It is therefore necessary for government intervention through various basic regulations and policies in order for each child to have the right to have the best food at 0-2 years of age (Rilla Kusumaningsih, 2020).

II. RESEARCH METHOD

The type of research used is normative legal research supported by empirical data. According Irwansyah to the normativity study of law, laws discussed as well as aspects such as those of theory, philosophy, comparison, structure or composition, consistency, general explanations and explanations in each chapter, formalities and the binding powers of a law and language are the legal language. So it can be concluded that normative law research covers a very wide range. Therefore, normative law research is no longer simply identifiable to mere legislation. But more than that, it covers matters associated with the system of norms as objects of contemplation, such as the ideal legal values, legal theories, legal principles, law principles, law doctrine, judicial ruling, and law policy (Irwansyah, 2020).

III. DISCUSSION

Many may not know that the government has long supported the provision of lactation rooms for women to nurse. This is shown in the 128 section of the 2009 Public Health Code No. 36, which states :

- 1) every baby has a right to exclusive mother's milk at birth for 6 (six) months, except for medical indications.
- 2) during the feeding of the mother's milk, the family, the government, the local government, and the public should support the baby's mother fully with the provision of time and special facilities.
- 3) the provision of special facilities as referred to in the scriptures (2) was held at the workplace and the place of public facilities

The lactation room should also meet the standard terms of the lactation room. These requirements appear in Article 10 of the 2013 Ministry Of Health minister's ordinance on the provision of special nursing facilities and/or milking the mother. The most curdled room health requirements include:

- 1) there was a special room with a minimum size of 3 x 4 ft and/or adjusted to the number of nursing women;
- 2) some doors can be locked, which is easy to open;
- 3) tile/cement/carpet floors;
- 4) has sufficient ventilation and circulation;
- 5) freedom from the potential dangers in the workplace includes pollution;
- 6) the environment is quite calm away from noise;
- 7) enough light in the room is dazzling;
- 8) humidity is between 30-50%, a maximum of 60%; and
- 9) washbasins with running water are available for hand washing and equipment washing.

Not only that, but also that is the lactation room should have the proper equipment listed in Article 11 of Health Minister Number 15 of 2013, which is :

- (1) the breast-feeding tools at work consist of at least standard breast-feeding equipment and other support items.
- (2) the breastfeeding utensils referred to in the verses (1) include, among other things, the following :
 - a) refrigerator for breast milk;
 - b) gel coolant (ice pack);
 - c) bags for carrying breast milk (cooler bag); and
 - d) sterilizer asi bottle.

The cleanliness of the lactation room is essential if the mother's milk is also sterile. Attention to the existence of space as part of creating a healthy and powerful generation of people needs the serious attention of all of us. In some offices some of these lactation rooms have not paid attention to such matters as those mentioned in the above rules. Though cleanliness and comfort in the lactation room were absolutely necessary, the mother could calmly do her thing inside the room.

The comfort in the lactation room would create happiness for the mother that would eventually increase her productivity and loyalty in working in the office. Therefore, the existence of a lactation room inside an office is absolutely necessary. Studying rules that apply both globally and nationally in Indonesia, the fulfillment of a mother's right to nurse a baby and the right of a child to be breast-fed is said to be a vast amount in written rules.

Under the constitution of the Republic of Indonesia of 1945 Chapter 27, it states that every citizen has the right to a job and livelihood worthy of humanity. In a broad sense, a working mother earns a proper job right, including suckling her child. Because breast feeding is a human right. In Chapter 28B of Verses (2) it also asserts that every child has the right to survival, growth and growth, including rights to get ASI. The 2003 Article 83 Employment Law and the 2002 Article 49 Verse 2 Article Number 23 of Child Protection also implicitly mentions breast support, especially for working mothers. Even more forcefully in 1999's Article 49 on Human Rights Verses (1) it states that infants have a right to breast milk, a minimum of six months' exclusive breast milk, and breast-feeding can continue for another two years or more.

Article 129 Verses (2) states that during the breastfeeding of the mother, the family, the government, and the community must support the mother fully by providing the time and nursing facilities. Under Article 200 clear criminal penalties for those obstructing an exclusive breast-feeding program. More especially, the 2004 Ministry of Health No. 450 also stressed exclusive breast-feeding during the first six months of baby life. In the joint rule of the three ministers

of women's empowerment country rule number 48/ MEN. PP/XII /2008, the minister for Labour and Transmigration PER.27/ MEN/XII /2008, and the Minister of Health Indonesian Republic 1177/ MENKES/XII /2008, asserted that the working mother should have an opportunity to give or milk during work hours, and reserve milk to give to her child.

Indonesia already has such a complete legal device to support working mothers in order to keep breast feeding their babies. However, the implementation of law on the ground has not been valid, and it is in the 2018 city of the establishment of the directorship No.24 year 2018, on the provision of brewhering access to the Kendari city's public facilities, the 2020 corporation of Kendari listed as having 960 companies with a labor force of 9014 and female 2226. The composition of respondents by those of the age category may be presented at the following table:

Table 1. Composition of respondents

Age	F	%
21-30	46	50.5
31-40	44	48,4
41-50	1	1.1
Total	91	100

Data source : employment department in 2020

The age of respondents working in the Kendari city company, most of these 21-30 years are 50,5 %, a fraction of them ages 41-50 a year of 1.1%. These conditions indicate that the women who work in the company are women of reproductive age or otherwise called women of childbearing age. According to Indonesia Ministry of Health In (1993), the women of the productive age were 15-49 years of age and women. At this age there is still potential for procreation. In women of this fertile age lasts faster than in men. The peak of fertility is in lifespans of 20-29 years. At this age women have 95% chance for pregnant. At his 30's his percentage dropped by 90%. As for the age of 40, there's a 40% chance of getting pregnant. This suggests that nursing women should be given protection in exclusive breast feeding and exclusive rights to children.

Table 2. Nursing mother behavior

Behavior	F	%
Less	46	50,5
Good	44	48,4
Total	91	100

Data source : employment department in 2020

Most of mom's lactating at work is that's 46 people (50.5%). It shows that only little nursing mother who blushes her while working. According to Lawrence Green, health behavior is determined by 3 factors, which are predisposing, contributing factors, and contributing factors. Factors predisposing on mothers works covers how such knowledge of exclusive breast milk as well as an attitude toward breast feeding (ASI) when working. To improve maternal breast feeding behaviors that are still less needed a contributing factor manifest in the physical environment is how companies provide specialized lactating and/or blush facilities that are subsequently called Ruang ASI (breastfeeding space), which is a room equipped with suckling and milking infrastructure that is used to nurse babies, blush, store milk, and/or suckling counseling. While the motivating factors for nursing mothers can remain exclusively breastfeeding (ASI) them require that health - care attitudes and behaviors provide motivation and education about breast feeding.

There are 50.5% of nursing mothers who do not breast feeding when working for reasons : ASI that comes in small, no time to breast feeding, babies that have been given formula, and no refrigerators at home. Behavior is characterized by a specific. On going process in human interaction with its environment. The most important thing in health behavior is the matter of shaping and changing behavior. In order for a nursing mother's behavior to improve requires a written, well-socialized rule of a company in all workers, the genetic and environmental factors can also affect the changes in maternal maternal behavior and the presence of good knowledge about exclusive breast milk (ASI).

Table 3. ASI space facilities

Indicator	f	%
Available	40	43,9
Not available	51	56,0
Total	91	100

Data source : employment department in 2020

Most of the respondents said that company in the City of Kendari at work did not provide infrastructure to support exclusive breastfeeding (ASI). By 51 people (56.0%) while 40 (43.9 percent) claimed that their offices were provided with support infrastructure. This indicates that the company in the city of kendari had not as a whole followed the rule regarding exclusive breastfeeding (ASI).

Physical facilities are an important factor in implementation policy. As respondents would say that the company has provided lactation space, but based on interviews and direct observations on the company's field/environment, the

lactation rooms that have been provided have not met the correct standards of the rooms that have been provided are mixed up with the laboratory, and there is one with the examination rooms, with chair facilities, refrigerators for storage.

Table 4. Infrastructure

Jenis	%
ASI Refrigerator storage	25 %
Health requirements	83.33 %
Support equipment	19,23 %

Data source : employment department in 2020

Based on table 4. Based on corporate breast space observation in the city of Kendari, the provision of facilities for breast-station facilities to health requirements has already exceeded 83.33%, breastfeeding equipment at 25% and support equipment 19.23%. The company in the city of Kendari met the health requirements for breastfeeding and the demands of female employees should be kept in separate and in separate rooms with the corporate clinic. But for the completion of the breast-feeding equipment and support equipment is less met because of the red and storage cooler cooler, the nursing workers carry their own equipment. Lactation facilities become crucial to supporting the success of an exclusive breast milk (ASI eksklusif) program, apart from the importance of a mother and child's being not only a successful lactation program but also a mom's motivation with the support of the activity by many quarters.

It is hoped that there will be an exclusive breast milk regulation issued in accordance with the expectations of the 2012 government regulation No. 33 on exclusive mother's milk delivery. The regulation will encourage breast-feeding programs at the state and district levels both of regional regulations, decisions of governors and regents on exclusive mother's milk delivery. The Kendari county government, therefore, has issued the mayor's rule (Peraturan Walikota) Number 24 in 2018 on the provision of breastfeeding space at work and public facilities in the city of Kendari.

According to the head of industrial relations and social security, one factor that causes low rates of exclusive breast milk is low corporate support for nursing workers. The data collected by 338 company in Kendari city show that only 64.8% of the companies that provide the space for employees. This causes the difficulty of female employees pumping. Not only the company, even the Kendari government agency that still did not provide breastfeeding space for employees not to implement what the mayor's rule (Peraturan Walikota) Number 24 in 2018 about the provision of breastfeeding space and at work and public facilities. That goes in compliance assessment by Bill Nomor 25 years of 2009 on Public Service, not all companies provide breastfeeding space to their offices.

On the other hand there was a worker with a child still under breast age, pressing on the office pumping, and forced to pumping on musholla. The breastfeeding area is held not only in order to facilitate working mothers to remain able to provide breast-feeding stock to their children, but when viewed in the context of public service, the breastfeeding area is also an appropriate tool for special facilitating service users. It is the institution of public services obligation to provide it.

Apart from the lack of access to lactating space, the misunderstanding of corporate leaders and host agencies is not rare as the toughest challenge for working mothers. Misunderstandings are often related to obligation giving time to nursing mothers. Not even the level of resistance that comes from the top, either through verbal insinuations that the mother's breastfeeding wants to be specially treated. Or even mocking the restless mother of the time on pumping, but office activity was still going on.

Based on this reality, it is expected that the role of the city's Kendari and the enterprise to boost the availability of lactating space is high. The government of the city of Kendari, for example, includes the socialization of the mayor's rule (Peraturan Walikota) Number 24 in 2018 about the provision of breastfeeding space and at work and public facilities and by extension to companies that have not provided the lactating room, and regularly visit companies to see if they have provided the nursing room.

Even as a last measure of government must be firm in implementing the regulations of legislation, especially on sanctions to companies that still do not provide lactating space. It is no less important that the Kendari city government, by delivering compliance assessments to public services, particularly a list of agencies that have not provided breastfeeding space at both minister-level and local and corporate offices in the city of Kendari. This as a matter of executive evaluations in each instance, and does not stop on the list of agencies that have not provided breastfeeding space, but also assist through continuing coordination to policymakers. So the existence of breastfeeding was everywhere, both the enterprise and the government agencies that were in Kendari.

IV. CONCLUSION

Companies in the city of Kendari have basically provided a lactation corner as women's lactation or milking their milk. The provision of a lactation corner of this company provided one particular room as a company's adherence to the current regulations. As far as supporting tools and infrastructure are involved in that transition, the writer has very little to find. Companies especially those who have the number of female majority workers deserve to provide a lactation balance consistent with the 15 ear 2013 policy. The Kendari county government (Pemerintah Daerah Kota Kendari) in this case may perform its duties and responsibilities according to the ministry's regulations of increased breast feeding during work times, and perform a periodic evaluation monitoring and using a corporate lactation counter.

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