HERMENEUTICS p-ISSN 2337-6368 | e-ISSN 2615-4439
VOL.9, NO 2. , AGUSTUS 2025 http://jurnal.ugj.ac.id/index.php/HERMENEUTIKA

Comparative Juridical Review of *Gender Inequality* in the Scope of Employment Law in Indonesia and South Korea

Nafah Svadisthia Handoko
UIN Sunan Gunung Djati Bandung, Sharia and Law, Law
nafahsvadisthiah@gmail.com

DOI:https://doi.org/10.33603/hermeneutika.v9i2.9757

Accepted: 20 Desember 2024; Revised: 9 Agustus 2025.; Published: 10 August 2025

Abstract: *Gender inequality in the workplace, including in terms of wages, promotions, and legal protection, is still a significant issue in many countries, including Indonesia and South Korea. This study aims to compare labor law regulations in both countries in their approach to addressing gender inequality. The research was conducted using a normative juridical method, which involved analyzing related laws and regulations, legal literature, and official documents, such as Law No. 13/2003 on Manpower in Indonesia and* Namnyeo Goyong Pyeongdeung gwa Il· Gajeong Yangnip Jiwon e Gwanhan Beomnyul *in South Korea. The results show that Indonesia has laws that prohibit gender-based discrimination, but women still receive lower incomes than men and face barriers in accessing leadership positions. Women's rights are not well protected, and equality and the elimination of discrimination against women are often the primary and joint focus to be implemented. On the other hand, although South Korea has more progressive regulations, such as a ban on discrimination in recruitment and promotion, gender bias in the workplace remains high due to hierarchical work cultures and social norms.*

Keywords: Gender Inequality, Women's Rights, Legal Protection.

I. INTRODUCTION

The issue of gender issues has become a global issue that continues to grow, including in the world of work. Although ideally, human rights

should not look at gender, in reality, women often do not fully enjoy or exercise the fundamental right of freedom equal to men.[1]

Gender inequality not only limits women's access to equal access to work, but also impacts wage gaps, discrimination in job promotions, and inadequate job protection. Indonesia and South Korea are two countries with different cultural, social, and economic development characteristics.[2]

In practice, many women experience vulnerability, especially in the economic sector. This gender inequality is often exploited by corporations, with implicit support from the state. For example, women workers are the backbone of industrialization in Indonesia, but their fundamental rights are often not met.

The government has the normative authority to implement the law, as stipulated in various regulations, such as: Law No. 1/1946 concerning the Criminal Code, Law No. 2/1964 PNPS concerning Procedures for the Implementation of Punishment by General and Military Courts (promulgated in Law No. 5 of 1969), and Law No. 8 of 1981 concerning the Criminal Code.[3]

In this case, the main challenge is to ensure that the normatively regulated principle of equality is applied in the field. Government and private company support, in the form of more inclusive and equitable policies, is needed to achieve gender equality and protect all women's rights, especially in the labor sector.[4]

Furthermore, what if we compare it with the Labor Law in South Korea regarding Gender Equality? Therefore, this article will compare the laws of Indonesia and South Korea regarding gender *inequality in the workplace* and women's rights in employment law.

---

[1] Fang Lee Cooke, "Women's participation in employment in Asia: A comparative analysis of China, India, Japan and South Korea," *International Journal of Human Resource Management* 21, no. 12 (2010): 2249–70,

[2] Fakhriza Akbar, "Gender Wage Gap: Evidence from Employment in Informal Sector," *The Journal of Indonesia Sustainable Development Planning* 3, no. 2 (2022): 104–17

[3] Larasati, "Gender Inequality in Indonesia: Facts and Legal Analysis."

[4] Yeni Nuraeni and Ivan Lilin Suryono, "Analysis of Gender Equality in the Field of Employment in Indonesia," *Captain: Journal of Government Science* 20, no. 1 (2021): 68–79

II. RESEARCH METHODS

This essay employs a normative juridical research method. This method involves examining pertinent statutes, regulatory frameworks, legal scholarship, and other official documents. The examination of legal literature encompasses the analysis of regulations, specifically Law Number 13 of 2003 regarding Manpower and South Korea, alongside the study of the Namnyeo Goyong Pyeongdeung gwa Il· Gajeong Yangnip Jiwon e Gwanhan Beomnyul, in addition to other pertinent regulations to comprehend the legal foundation and its implementation.

III. RESEARCH RESULTS

A comparison of women's rights laws in the workplace in Indonesia and South Korea reveals some similarities and differences, despite both countries' progress in introducing protection laws for women.

Law No. 13 of 2003 on Manpower and Law No. 21 of 1999 on the Ratification of ILO Convention No. 100 (relating to equal pay) provide a legal basis that prohibits gender-based discrimination.[5]

The Law on the Protection of Women Workers certainly protects women workers, including the right to maternity leave and flexible working hours.

However, the implementation of these laws is often less effective, and gender gaps in the workplace persist, particularly in terms of wages and managerial positions.[6] The regulations made by South Korea regarding women's rights in the workplace have been outlined in (*Namnyeo Goyong Pyeongdeung gwa Il· Gajeong Yangnip Jiwon e Gwanhan Beomnyul)* and *the Labor Standards Act* (*Geunro Gijunbeop*).

Ensure Equal Opportunities and Treatment in the Employment of Males and Females.

Part I ensures equitable opportunity and treatment for both men and women.

[5] Kazutoshi Chatani, "Gender Pay Gaps in Indonesia Statistics : Gender Pay Gaps in Indonesia," no. 2

[6] Dian Ekawati and Dadan Herdiana, "Analysis of legal protection of workers' rights in labor relations in Indonesia" 10, no. 5 (2024): 2

Articles prohibiting gender-based discrimination, particularly in recruitment, promotion, and salary payments, are outlined in Articles 7, 8, 9, and 10.
Translation:
Article 7, (Recruitment and Employment)

(1) Any employer is prohibited from discriminating based on sex in the recruitment or hiring process.
(2) In the process of recruiting or appointing female workers, employers are prohibited from setting or demanding physical requirements such as appearance, height, weight, and marital status that are not relevant to the performance of the duties in question, as well as other requirements as determined by the Regulation of the Minister of Manpower.

Article 8, (Wages): "(1) The employer is mandated to ensure equal remuneration for work of equivalent value within the same enterprise." Criteria for assessing equivalent work values encompass abilities, labor, responsibilities, working environment, and additional essential aspects for executing activities. Employers must consider the views of workers' representatives at the industrial relations board while establishing these criteria, as mandated by Article 25. A distinct business unit created by an employer with the purpose of pay discrimination shall be regarded as part of the same enterprise.
Article 9, (Benefits, Goods, and Facilities other than Wages): "Employers are prohibited from discriminating based on gender in the provision of welfare benefits in the form of money, goods, similar facilities, loans, or other subsidies aimed at supporting the living needs of workers outside the wage component."

Article 10 (Education, Assignment, and Promotion) prohibits employers from engaging in gender-based discrimination in the execution of education, assignment, and promotion of employees.

Article 18, (Terms and Conditions of Employment for Part-Time Workers): **"** (1) The terms and conditions of work for part-time workers shall be determined based on a proportional comparison calculated by comparing the working hours of part-time workers against the working hours of full-time workers performing the same type of work in the workplace concerned.

(2) The criteria and other matters necessary to determine the terms and conditions of work as intended in paragraph (1) shall be regulated by the Presidential Decree. **(3)** The provisions of Articles 55 and 60 shall not apply to workers who have an average of four hours of contractual work per week for four weeks or less than 15 hours (in the case of less than four weeks, such period of work is used)."

Furthermore, the matter of ensuring equality in the regulation of working hours and supporting work-family balance is contained in Article 11 and Article 36 of the Labor Standards Law (*Geunro Gijunbeop*).[7]
Translation:
Article 11, (Scope of Application): "(1) This law applies to all businesses or workplaces that generally employ at least five (5) workers: However, this law does not apply to businesses or workplaces where only the employer's cohabiting blood relatives are involved, or to domestic workers employed for the employer's domestic work. (2) For businesses or workplaces that generally employ not more than four workers, some of the provisions of this law may be applied as stipulated by the Presidential Decree. (3) In the application of this law, the method of calculating the number of workers generally employed shall be regulated by Presidential Decree.
Article 36, (Settlement of Payment): "When a worker dies or retires, the employer is obliged to pay wages, compensation, and money or other goods within 14 days after the cause of such payment occurs: However, this period may be extended in special circumstances by mutual agreement between the parties concerned."

Article 11 states that to provide equal rights for all workers without discrimination, and Article 36 regulates the payment of fair wages regardless of gender. Despite legal protections, the gender wage gap and women's representation in high positions are still significant problems.

Point 2 discusses Sexual Harassment *and* Protection in the Workplace. According to the regulations in Indonesia, these provisions are outlined in Articles 289 to 294 of the Criminal Code. This article outlines sanctions for crimes that occur in the workplace. Then it is also contained in the Law on the Elimination of Domestic Violence, Article 5, which regulates protection against physical and sexual violence.

[7] Labor Standards Act, "법제처 국가법령정보센터," no. 15108 (2024).

Article 289 of the Criminal Code reads:[8]
"Whoever by violence or threat of violence forces a person to commit or allow an obscene act to be committed, is threatened for committing an act that attacks the honor of morality, with a maximum prison sentence of nine years."

Furthermore, article 290 explains in more detail about sexual harassment, which reads:

Threatened with a maximum prison sentence of seven years.[9] Paragraph (1) whoever commits an obscene act with a person, even though he knows that the person is faint or helpless; paragraph (2) whoever commits an obscene act with a person when he knows or should have suspected, that he is generally not fifteen years old or if it is generally unclear, the person concerned is not yet ready to be married: paragraph (3) whoever persuades someone whom he knows or should suspect that he is not yet fifteen years of age or if it is generally unclear who is concerned or who is not yet ready to be married, to commit or allow to be committed, or to have sexual intercourse outside of marriage with another person."

Followed by Article 291, discussing in more detail the punishment for the perpetrators in paragraph (1), "If one of the crimes under articles 286, 287, 289, and 290 results in serious injury, a maximum of twelve years in prison shall be imposed."

The restrictions pertaining to sexual violence and harassment are codified not only in the Criminal Code but also in the Law on the Elimination of Domestic Violence (UUPKDRT).

As written in Article 5:[10] "Everyone is prohibited from committing domestic violence against a person within the scope of his household, by: a. physical violence; b. psychological violence; c. sexual violence; or d. household neglect."

This law does not regulate violence or harassment in the work environment. There is no specific law that explicitly regulates sexual

[8] The first book is "Special Section Criminal Law (Criminal Code Book II Jilit I)," 1998.
[9] CRIMINAL CODE BOOK II VOLUME I
[10] *Law Number 23 of 2004 concerning the Elimination of Domestic Violence*, 2021, 1–22.

harassment in the workplace. Treatment often depends on the interpretation of existing laws.

South Korea has established clear and explicit legislation regarding sexual harassment in the workplace, as outlined in Articles 14 and 15 of the Equal Employment Opportunity and Work-Family Balance Assistance Act. *Act.*[11]

Translation:

Article 14 (Actions in Cases of Sexual Harassment in the Workplace)

1) Upon confirmation of sexual harassment in the workplace, the employer is mandated to promptly implement disciplinary measures or other suitable actions against the implicated individual.
2) Employers are forbidden from terminating or enacting other detrimental measures against employees who have experienced losses due to workplace sexual harassment or who have submitted claims pertaining to such losses.

Article 14-2 (Prevention of Sexual Harassment by Clients, etc.)

1) If an individual with a close association to the job responsibilities, such as a client, induces feelings of humiliation or sexual harassment in an employee through verbal, physical, or other sexual conduct while the employee is executing their duties, and the employee seeks a resolution, the employer is obligated to exert all reasonable efforts to implement appropriate measures, including altering the work environment or relocating the employee.
2) The employer is forbidden from terminating or enacting other detrimental measures against the employee due to claims of loss as mentioned in paragraph (1) or for rejecting sexual advances from clients, among other reasons.

PART III

Enhancement of Women's Employability and Facilitation of Their Employment

Article 15 (Vocational Guidance)

[11] Anuratha Alagappan, "Equal Employment Opportunity and Discrimination," no. May (2010): 1–2.

The employment guarantee office, as delineated in Article 2-2 paragraph (1) of the Employment Security Law, is mandated to undertake requisite measures for job counseling, including the provision of survey and research data pertinent to employment information, enabling women to select occupations aligned with their talents, abilities, careers, and skill levels, thereby facilitating their adaptation to the workforce. Article 15 mandates that companies examine allegations of sexual harassment reported by victims and implement remedial actions.

Furthermore, the regulations contained in the *Labor Standards Act (Geullo Gijunbeop)* address sexual harassment, as discussed in Articles 76 and 94.[12]

CHAPTER VI SAFETY AND HEALTH

Article 76 (Safety and Health)

1) "Employee safety and health shall adhere to the stipulations set forth by the Occupational Safety and Health Act."
   Article 94 (Procedures for the Formulation and Modification of Regulations)
   An employer must consult a trade union, if one exists that represents the majority of employees, regarding the formulation or modification of employment rules; if no such trade union exists, the employer shall seek the views of the majority of employees directly. However, if the terms of employment are amended to the detriment of employees, the employer must secure their approval.
2) When an employer submits the employment regulations in accordance with Article 93, he/she must include a paper articulating the opinion mentioned in paragraph (1).

Translation:

CHAPTER VI SAFETY AND HEALTH

Article 76 **(Safety and Health)**

"Employee safety and health must follow the provisions as stipulated in the Occupational Safety and Health Act."

Article 94 **(Procedure for Drafting and Amending Work Regulations)**

[12] Act, "법제처 국가법령정보센터."

1) Employers must consult the union's views when adopting or amending labor regulations, provided a union representing a majority of employees exists within the company or relevant workplace. If no union represents a majority of employees, the employer must consider the views of the majority of those employees. Nevertheless, if the alteration in work regulations adversely affects the employee, the employer is required to secure their consent.
2) When the employer submits the work regulations pursuant to Article 93, he must provide a document containing the opinion referenced in paragraph (1).

Articles 76 and 94 state that it provides a basis for seeking compensation if workers' rights are violated, including in cases of sexual harassment, by requiring employers to maintain safe working conditions and protect workers' rights.

The next point is women's right to maternity leave, breastfeeding and work-family balance.

Law Number 13 of 2003 regarding Manpower stipulates maternity and nursing leave as outlined in Article 82.and Article 83. It is stated in articles 82 and 83 that:[13]

Article 82

"Female workers/laborers are entitled to rest for 1.5 (one and a half) months before the time to give birth and 1.5 (one and a half) months after giving birth according to the calculations of obstetricians or midwives. (2) Female workers/laborers who experience a miscarriage are entitled to 1.5 (one and a half) months of rest or in accordance with the certificate of the obstetrician or midwife."

Article 83

"Female workers/laborers whose children are still breastfeeding must be given the proper opportunity to breastfeed their children if it must be done during working hours."

Law Number 11 of 2020 concerning Job Creation is written in Article 153, paragraph (1), point e.

Article 153 reads:[14]

[13] Law of the Republic of Indonesia, "Manpower Law Number 13 of 2003."
[14] Law of the Republic of Indonesia, "Law of the Republic of Indonesia No. 11 of 2020," *Journal of International Conference Proceedings* 2, no. 3 (2020): 16–23.

(1) Employers are prohibited from terminating employment relations with workers/laborers for cause;
   a. Incapable of performing work due to illness as per the physician's declaration for a duration not exceeding twelve (12) consecutive months;
   b. Hindering the execution of their duties due to compliance with state obligations in accordance with legal statutes and regulations;
   c. carrying out the worship commanded by his religion;
   d. marry;
   e. pregnant, giving birth, miscarriage, or breastfeeding the baby;
   f. possess a familial or marital connection with other employees within a company;
   g. form, join, or manage a trade union, and engage in trade union activities outside of working hours, or during working hours with the employer's consent, or as outlined in the employment contract, company policies, or collective bargaining agreements;
   h. Reporting entrepreneurs to the authorities for engaging in criminal activities;
   i. Diverse interpretations of beliefs, religions, political ideologies, ethnicities, skin colors, social classes, genders, physical conditions, or marital statuses; and
   j. Experiencing a permanent disability, illness resulting from a work-related accident, or illness stemming from a work relationship, as certified by a physician, with an unspecified recovery period.

Have many companies already provided supporting facilities such as breastfeeding rooms or flexibility in working hours? It seems that it does not have adequate facilities.

Turning to the labor law in South Korea, it has also discussed the right to give birth and also breastfeed in articles 19, 20, and 21 (*Namnyeo Goyong Pyeongdeung gwa Il-Gajeong Yangnip Jiwon-e Gwanhan Beomnyul*):[15]
Translation:

[15] Alagappan, "Equal Employment Opportunity and Discrimination."

CHAPTER III-2HELP FOR WORK-FAMILY BALANCE
Article 19 (Childcare Leave)

1. If an employee responsible for children (including adopted children) under eight years of age or in the second grade of primary school requests temporary absence (hence referred to as "childcare leave"), the employer is mandated to approve. This clause is inapplicable in instances specified by the Presidential Regulation.
2. The period of childcare leave should not exceed one year.
3. Employers are forbidden from terminating or taking punitive measures against employees on childcare leave, or from dismissing the employee during the leave period. This rule is inapplicable if the employer cannot sustain its business operations.
4. Upon the worker's completion of childcare leave, the employer is mandated to reinstate the worker to the same position held before the leave, or to a different position with a similar salary. The duration of childcare leave specified in paragraph (2) will be included in the worker's continuous employment period.
5. The duration of childcare leave for contract or temporary agency workers shall not be counted towards the working period as defined in Article 4 of the Law on the Protection of Contract and Part-Time Workers, nor the temporary work period as outlined in Article 6 of the Law on the Protection of Temporary Agency Workers.
6. Issues on the methodology and procedures for requesting childcare leave and other connected topics shall be governed by Presidential Regulation.

Article 19-2 (Reduction of Working Hours for Childcare Period)

1. If an employee qualified for childcare leave under Article 19 paragraph (1) requests a reduction in working hours instead of such leave (hence referred to as a "reduction in working hours for the childcare period"), the employer is obligated to approve it: This rule is inapplicable in instances specified by Presidential Regulation, including the inability to employ a substitute or substantial disruption of standard company operations.
2. If the employer fails to offer a reduction in working hours during the childcare time as outlined in paragraph (1), they must inform

the employee in writing of the rationale and either give childcare leave or engage in discussions regarding other assistance measures.
3. If the employer grants a reduction in working hours for the childcare time as specified in paragraph (1), the resultant working hours shall be no less than 15 hours per week and no more than 30 hours per week.
4. The duration of reduced working hours for childcare purposes shall not surpass one year.
5. Employers are forbidden from terminating employment or enacting unfavorable measures due to decreased working hours for childcare purposes.
6. Upon the conclusion of the reduced working hours for childcare, the employer is mandated to reinstate the employee to their previous position or to an alternative role with commensurate remuneration.

Article 19-3 (Working Conditions, etc. during Reduction of Working Hours for Childcare Period)

(1) Employers are forbidden from imposing adverse working conditions on employees who experience a reduction in working hours for childcare, as stipulated in Article 19-2, unless such conditions are proportionate to the reduction in working hours due to childcare responsibilities.
(2) The terms of employment for workers experiencing a decrease in working hours for childcare, as specified in Article 19-2 (including hours post-reduction), shall be established in writing between the employer and the affected worker.
(3) An employer is prohibited from mandating overtime for an employee experiencing a reduction in hours as per Article 19-2. Nonetheless, should the employee explicitly request to work overtime, the employer may engage them for up to 12 hours of overtime each week.
(4) If the average wage is determined according to subparagraph 6 of Article 2 of the Labor Standards Law for workers experiencing a reduction in working hours due to childcare, the duration of the reduced working hours for the affected worker will be excluded from the average wage calculation.

Article 19-4 (Categories of Utilization of Childcare Leave and Adjustment of Working Hours for Childcare Duration)
Assume an employee intends to utilize childcare leave or decrease working hours for childcare as specified in Articles 19 and 19-2. In that scenario, he may select one of the subsequent methods: The overall duration shall not surpass one year, irrespective of the selected method:

1) Single utilization of childcare leave;
2) Employment of decreased working hours for a singular childcare occasion;
3) Divided application of childcare leave (limited to one instance);
4) The implementation of decreased working hours for childcare on a singular occasion;
5) The use of a one-time childcare leave and a one-time reduction in working hours for childcare purposes.

Article 19-5 (Other Measures to Support Child Care)

(1) Employers must strive to implement one of the following measures to assist employees with childcare responsibilities for children (including adopted children) under the age of eight or in the second grade of primary school:
    1. Modify the commencement and conclusion times of labor;
    2. Restrict overtime work;
    3. Modifying working hours, including flexible reductions or adjustments to operational hours;
    4. Additional actions necessary to support the childcare of employees are interconnected.

(2) The Minister of Manpower may offer requisite support, considering the implications for employment, if the employer undertakes the actions specified in paragraph (1).

Article 19-6 (Support by Employer for Return of Worker to Work)
Employers should endeavor to enhance the vocational skills of employees on childcare leave in accordance with this legislation and offer assistance to facilitate the reintegration of those returning from maternity leave, childcare leave, or reduced working hours for childcare into the workforce.

Article 20 (Assistance for Work-Family Balance)

1) The State may reimburse a portion of the living expenses and employment maintenance costs for a worker if the employer has granted childcare leave or reduced working hours during the childcare time.
2) The state can assist firms who adopt strategies to promote work-family balance for their employees through tax incentives and financial support.

Article 21 (Establishment and Support for Childcare Centers in the Workplace, etc.)

(1) Employers are required to construct suitable childcare facilities, including lactation rooms and daycare services (hence referred to as "workplace childcare centers"), to support employees in their professional duties.
(2) Provisions concerning the development and operation of workplace childcare centers, including the obligations of employers to build such facilities, will be governed by the Child Care Act.
(3) The Minister of Manpower shall offer requisite help and direction for the creation and operation of workplace childcare centres to enhance worker employment.

Article 21-2 (Additional Support About Child Care) Suppose an employer, excluding those mandated by Article 21 to establish a childcare center at the workplace, intends to create a childcare center. In that case, the Minister of Manpower may offer requisite support, including information on the establishment and operation of such a center, counseling, and partial cost subsidies.

Articles 19-3 to 21-2 mentioned above contain additional details regarding working conditions during reduced working hours, options for using childcare leave, and support for childcare facilities in the workplace. The government also provides subsidies and technical support to help employers provide a work environment that supports work-family balance.

The *Employment Insurance Act (Goyong Boheom Beop)* regulates the employment insurance system, which includes benefits such as compensating women during maternity leave through social insurance programs, and childcare is mandatory in some large companies.

In Indonesia, a notable gap is visible in the world of work, specifically the wage disparity between men and women. Gender-based wage gap in Indonesia, based on data from the Labor Force survey, Central Statistics Agency (BPS) in February 2020:[16] (1) Women have 23% lower income than men; education alone is not enough to overcome this gap. (2) Male Dominance in High-Paying Jobs, men fill more high-paying jobs, women with bachelor's degrees still earn less than men with the same level of education, women only fill about 25% of managerial and supervisory positions, and in those positions they are still paid less than men. (3) Comparison of Monthly Wages Based on Education; Elementary School: IDR 2,117,361 (male) vs IDR 1,280,826 (female), Junior High School: IDR 2,357,497 (male) vs IDR 1,658,672 (female), High School: IDR 3,099,936 (male) vs IDR 2,115,726 (female), D1-D3: IDR 4,414,594 (male) vs IDR 2,930,465 (female), University: IDR 5,436,083 (male) vs IDR 3,701,652 (female). (4) Number of Workers and Average Monthly Wage; Male: 1,549,467 workers with an average salary of IDR 7,232,138, Female: 507,722 workers with an average salary of IDR 5,907,336.

On the other hand, South Korea, which has more progressive regulations than Indonesia, still has inequality for women. Data shows that South Korea has a significant *gender pay gap*, one of the highest among *Organisation for Economic Co-operation and Development* (OECD) countries.[17] This is due to hierarchical work culture factors, gender bias in the workplace, and social pressure that prioritizes women's role as family caregivers. In addition, female workers in South Korea are often stuck in part-time jobs or temporary contracts with lower protections than men.

IV. CONCLUSION

Discussing labor laws in Indonesia and South Korea, it can be concluded that although both countries have regulated the protection of women workers, there are significant differences in the implementation and scope of policies.

[16] ILO, "Gender-Based Wage Gap in Indonesia," no. September (2020): Retrieved December 2, 2021,

.

[17] Lee Jaeeun, "Gender pay gap in South Korea worst in OECD,"

In Indonesia, regulations related to women's rights in the world of work, such as maternity leave and protection of fair wages, have been written in the Labor Law No. 13 of 2003. However, the challenges regarding the enforcement of women's rights are still in its implementation, such as inequality in wages and high levels of discrimination. Meanwhile, in South Korea, the Employment Insurance Act and other policies provide stronger social security for female workers, including compensation for maternity leave and the extension of benefits related to pregnancy and childcare.

In South Korea, *the Employment Insurance Act* clearly regulates maternity leave rights and provides more structured benefits through employment insurance, including suspension of benefits if the beneficiary is unable to work due to pregnancy or childcare. Meanwhile, in Indonesia, although maternity leave has been regulated, protection for female workers in terms of social benefits or insurance is not as comprehensive as in South Korea.

Although both countries have legal frameworks governing the protection of women workers, the issue of implementation and oversight remains a challenge. In Indonesia, despite existing regulations, wage gaps and gender discrimination persist in many sectors. In South Korea, despite more progressive regulations, the issue of gender inequality in employment remains a challenge that must be addressed, despite ongoing efforts to strengthen the law.

Overall, despite good regulations in both countries, the biggest challenge lies in the implementation and oversight that ensures that the rights of women workers are fairly protected in the workplace.

REFERENCE

Act, Labor Standards. “법제처 국가법령정보센터," no. 15108 (2024).

Akbar, Fakhriza. "Gender Wage Gap: Evidence from Employment in Informal Sector." *The Journal of Indonesia Sustainable Development Planning* 3, no. 2 (2022): 104–17. https://doi.org/10.46456/jisdep.v3i2.301.

Alagappan, Anuratha. "Equal Employment Opportunity and Discrimination," no. May (2010): 1–2.

Chatani, Kazutoshi. "Gender Pay Gaps in Indonesia Statistics : Gender Pay Gaps in Indonesia," no. September (2020): 2. https://www.ilo.org/jakarta/whatwedo/publications/WCMS_755543/l

ang--en/index.htm.

Cooke, Fang Lee. "Women's participation in employment in Asia: A comparative analysis of China, India, Japan and South Korea." *International Journal of Human Resource Management* 21, no. 12 (2010): 2249–70. https://doi.org/10.1080/09585192.2010.509627.

Ekawati, Dian, and Dadan Herdiana. "Analysis of legal protection of workers' rights in labor relations in Indonesia" 10, no. 5 (2024): 8–10.

ILO. "Gender-Based Wage Gap in Indonesia," no. September (2020): Accessed December 2, 2021. https://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/publication/wcms_755542.pdf.

Jaeeun, Lee. "Gender pay gap in South Korea worst in OECD." https://business.inquirer.net, 2024. https://business.inquirer.net/460274/gender-pay-gap-in-south-korea-worst-in-oecd.

First, books, general rules, Chapter I I Criminal, Chapter III, Abolition, Criminal Incrimination, Chapter I V Probation, et al. "Criminal Law Special Section (Criminal Code Book II Jilit I)," 1998.

Larasati, Novia Puspa Ayu. "Gender Inequality in Indonesia: Facts and Legal Analysis." *Law Research Review* Quarterly 7, no. 4 (2021): 445–58. https://doi.org/10.15294/lrrq.v7i4.48170.

Nuraeni, Yeni, and Ivan Lilin Suryono. "Analysis of Gender Equality in the Field of Employment in Indonesia." *Skipper: The Journal of Government* Science 20, no. 1 (2021): 68–79. https://doi.org/10.35967/njip.v20i1.134.

RI, Law. "Law No. 23 of 2004 concerning PKDRT." Law *Number 23 of 2004 concerning the Elimination of Domestic Violence*, 2021, 1–22.

RI, "Law Number 13 of 2003." *RI* 49, no. 0 (2003): 1-33 : 29 pages + end notes, appendix, references.

RI, "Law of the Republic of Indonesia No. 11 of 2020." *Journal of International Conference Proceedings* 2, no. 3 (2020): 16–23.