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▶ Maternity leave in metropolitan Indonesia

Evidence on duration, benefits and job protection



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▶ **Maternity leave in metropolitan Indonesia**

Evidence on duration, benefits and job protection

Diahhadi Setyonaluri, Flora Aninditya, Dinda Srikandi Radjiman, Eka Fasikha, Nurul Fajri, Calvin Aryaputra, Ippei Tsuruga

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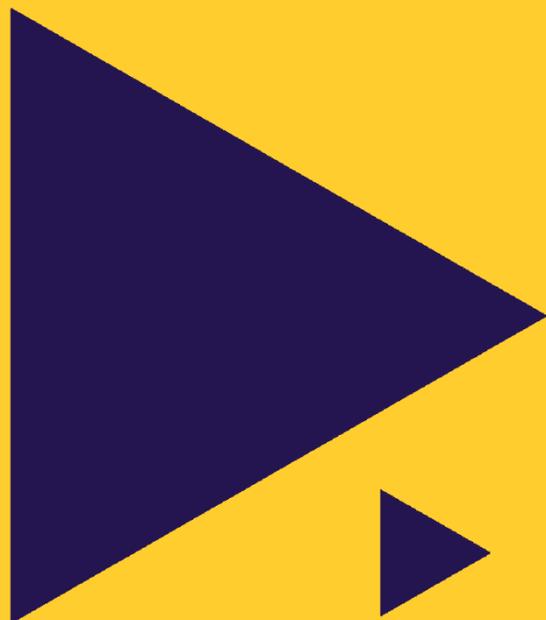
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1

Introduction



Indonesia continues to have a stagnant female labour force participation rate, which has sat at around 50 per cent for the last two decades (Cameron, Suarez and Rowell 2019). Childbearing and family responsibilities have been argued to be constraints on women's labour force participation. To respond to these challenges countries introduce maternity and paternity leave in their family policy package as one way to reduce the pressure for women to leave the labour market, as well as to improve the welfare of children and parents (Cerise et al. 2013). But once that leave period has ended, there remains the need for children to be cared for on a daily basis, and the lack of affordable access to trusted and quality childcare in Indonesia is exacerbating the work-care conflict that drives women's decision to exit the workforce (Setyonaluri and Utomo 2016). Studies also shows that many female workers, particularly in developing countries are not adequately covered in maternity protection, which increases the strain for them to combine work and motherhood (Addati, Cassirer and Gilchrist 2014).

Maternity protection plays a crucial role in ensuring the livelihood of the women and children during and after maternity leave. Evidence from public health literature shows that mandatory maternity leave is associated with a number of positive outcomes, ranging from better child health to improvements in mothers' mental health to higher household incomes (Mandal 2018; Chatterji and Markowitz 2012; Heymann et al. 2017). Maternity leave also increases time that mothers have to bond with their infant children, while also allowing mothers to breastfed their babies and access essential immunizations (Baker, Gruber and Milligan 2008; Berger, Hill and Waldfogel 2005).

From an economic perspective, mandatory maternity leave serves to secure mothers' participation in the workforce, as women at childbearing age are guaranteed to maintain access to their job while securing their wage and benefits during maternity leave. Job-protected maternity leave helps maintain the likelihood of mothers returning to the labour force, although leave periods of prolonged duration can disrupt mothers' sense of connection to the labour force (Baker and Milligan 2011). The provision of cash benefits as part of maternity protection helps women and new parents to reconcile family and work, and serve as a means for finding alternative sources of childcare during and after the leave period (Szabó-Morvai 2013).

In Indonesia, the Law No. 13 of 2003 Concerning Manpower (hereafter referred to as the "Labour Law") guarantees female workers three months of maternity leave with full wages paid throughout the period. Based on the Labour Law, Indonesia's maternity protection scheme is fully funded by employers and not based on social security. One of the consequences of such a scheme design is that – in the absence of publicly managed cash benefit schemes – female workers have to rely solely on their employers' ability to pay the full salary amount during leave periods. In addition, a maternity benefit scheme based solely on individual employer liability can discourage employers from recruiting, retaining and promoting women with family responsibilities (or who may have such responsibilities in the future) (Addati, Cassirer and Gilchrist 2014). Such a scheme design is also burdensome for smaller enterprises with unsustainable revenues. It is perhaps unsurprising then that evidence shows that micro, small and medium enterprises (MSMEs) in Indonesia are less likely to provide social security to their workers. MSMEs face challenges to growing their businesses, including limited access to capital, difficulty in obtaining business permits, and lack of adaptability to advanced information technology (Torm 2019). With more than 90 per cent of employment in Indonesia concentrated in MSMEs, it is expected that there are large gaps in practice in regard to statutory maternity leave.

To date, there has been little evidence on the gap between the statutory requirements concerning maternity leave and actual practices in Indonesia. Studies examining maternity leave practices are usually done at a small scale, in a specific industry or occupation, or within a single region (Istiarti 2012; Dewi 2014). Addati, Cassier, and Gilchrist (2014) is the only study that has provided an estimate of maternity leave coverage among female formal workers. They estimated that less than a third of female workers in Indonesia's formal sector are covered by maternity leave, and that not all female employees are entitled to the scheme.

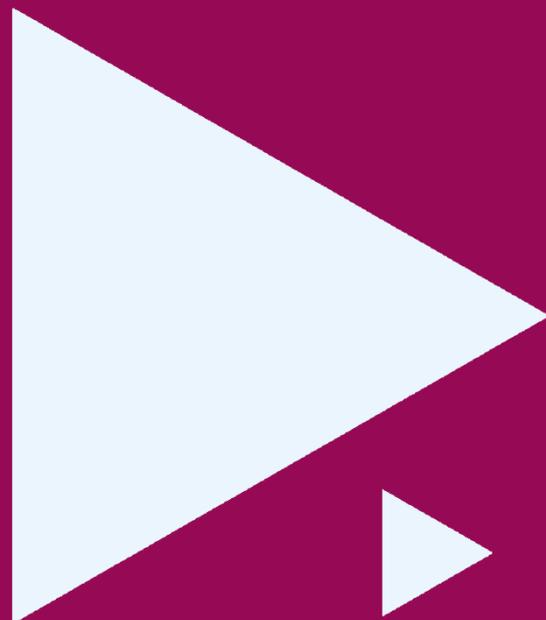
Our study fills the gaps in the previous work around maternity leave in Indonesia by providing an overview of the current situation of maternity leave compliance in Indonesia. This study particularly examines the gap between actual and statutory maternity leave in terms of duration and amount of payment, and examines the characteristics that contribute to this gap in terms of firm size and employment contract types.

The study aims at understanding the maternity leave and income security situation of women wage workers in employment relationships in Indonesia. The study primarily assesses the actual experience of women workers in accessing statutory maternity leave, both in terms of the duration and the amount of benefit payments. The study explores whether the results are potentially associated with workers' characteristics, the nature of the employment relationship and the size of establishments.

The body of work is expected to inform the ILO's Indonesian stakeholders by analysing the effectiveness of the current maternity protection mechanism. Given the few studies available, the study will meet this objective by collecting primary data on the income security of women workers during maternity leave.

▶ 2

Statutory maternity leave in Indonesia: Legislation and implementation



2.1. Legislation

International and national laws globally protect the rights of women workers to obtain maternity leave and breastfeeding breaks, as pregnancy, childbirth and childrearing are vulnerable periods for women. In Indonesia, statutory maternity leave and income security are stipulated in the Labour Law. The duration of statutory maternity leave and compensation are elaborated in article 82:

(1) Female workers/ labourers are entitled to a 1.5 (one-and a- half) month period of rest before the time at which they are estimated by an obstetrician or a midwife to give birth to a baby, and another 1.5 (one-and-a-half) month period of rest thereafter.

(2) A female worker/labourer who has a miscarriage is entitled to a period of rest of 1.5 (one-and-a-half) months, or a period of rest as stated in the medical statement issued by the obstetrician or midwife.

Female workers' right to receive their full wage during maternity leave is stated in the article 84:

Each worker/labourer who is using their right to rest as stated in article 82 have the right to obtain their full wage.

Moreover, according to the article 153, employers are prohibited from terminating the employment of female workers who take leave because of pregnancy, childbirth, miscarriage or breast-feeding.

Similar to other developing countries, the statutory duration of maternity leave in Indonesia still lags behind the ILO's standard of at least 14 weeks.

2.2. Existing studies on the implementation of statutory maternity leave in Indonesia

In Indonesia, pregnancy and maternity are central to the discussion about women's economic participation. The gender gap in labour force participation is contributed to by competing family responsibilities that are traditionally placed upon women after marriage and childbearing. Pregnancy and domestic duty have been cited by more than 30 per cent of young adult women as their main reason for job termination (Setyonaluri et al. 2021). However, little is known as to whether the implementation of statutory maternity leave in Indonesia has affected women's labour force participation continuity. Little also is known about access to maternity leave rights among female workers in Indonesia (Utomo 2008).

To date, a few studies have documented the implementation of statutory maternity leave among employers or employees in Indonesia. Better Work Indonesia (2010) has suggested that there are many cases where women cannot access their right to maternity protection given that such a right is not acknowledged by many employers. The apparently low take-up rate of maternity protection in Indonesia may be due in part to the large share of micro firms in Indonesia. Micro and small firms face many difficulties in terms of productivity and access to credit, and by consequence they often do not operate within the bounds of labour regulations, including not fulfilling minimum wage obligations, and the often experience high employment turnover (Rothenberg et al. 2016). In addition, hiring female workers is considered to be costly by many employers. Since women workers are the ones who take paid leave related to childbirth, there is a perception that they have a lower productivity compared to male workers (World Bank 2004). As a result, in order to reduce costs associated with maternity leave, some employers operate with a policy hiring fewer women workers, especially if they are pregnant or have children.

Earlier studies that focused on female workers in the pre-reformation era (pre-2000) discussed maternity leave in the context of changing women's economic participation throughout the life cycle, and the focus of the studies was often given to the discrimination occurring in the manufacturing

sector (Wolf 1992; Blackburn 2004; Caraway 2005). Towards the end of 1980s and 1990s, dismissing female workers who became pregnant, providing family planning services for female workers, and hiring female workers on a daily basis or through the putting-out system were common practices used by employers to reduce the cost of hiring labour (Hutagalung, Grijns and White 1994; Caraway 2005; Robinson 2009).

However, studies that examine the condition of female workers in post-reformation era (after 1999) have rarely discussed the role of maternity protection. The few existing studies were mainly done at a small scale, within a specific industry or occupation, or within a single region.

A survey done in Bali, Central Java and Lampung by Istiarti (2012) showed gaps between knowledge, attitudes and practice regarding maternity leave enforcement among 300 women workers in six companies. While the majority of these workers knew their right to have a mandatory three-month maternity leave, a sizeable proportion believed that employers did not have an obligation to pay their full salary during this leave. Most of the workers surveyed received 100 per cent of their salary, while around one-quarter of the respondents received less. Some companies gave their women workers less than three months and paid only about 80 per cent of workers' salaries because it was costly. The procedures to access maternity leave were often lengthy, particularly for companies with labour unions. Women employees had to file a proposal with their human resources (HR) department around 1–2 weeks before taking leave and provide a doctor's certificate, national ID card, family card, and marriage certificate.

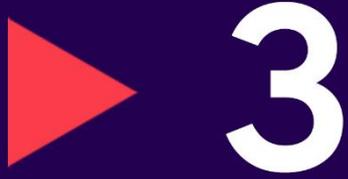
Other studies that discuss maternity leave are generally concerned with linking the duration of leave with child and maternal health. Siregar et al. (2019) did simulations on the financing needs to expand the three-month maternity leave period to six months in order to enable young infants to be fed exclusively via breastfeeding. Their study found that if maternity leave is extended to six months for formal sector workers and if the government are contributing one-third of the cost for 21 per cent maternity leave coverage, the total cost would reach US\$220.7 million (or roughly US\$11.90 per mother) per annum for the formal sector. Their study also found that budget was the primary constraint hindering the success of maternity protection programmes, and proposed to the Government of Indonesia that it consider collective financing for maternity benefits to avoid employer discrimination against female workers.

The most recent survey that captured the implementation of maternity leave in Indonesia was conducted by a polling application called Populix and a platform for pregnant mothers called Teman Bumil (Populix 2020). The poll was aimed at understanding the impact of the COVID-19 pandemic on the decision to become pregnant. The poll was conducted in September 2020, with 707 Teman Bumil Instagram followers from across Indonesia taking the survey. The poll found that 3 per cent of respondents did not get maternity leave, while 17 per cent did not get the full three months required by law, and 30 per cent did not receive full salary during maternity leave (JawaPos 2021).

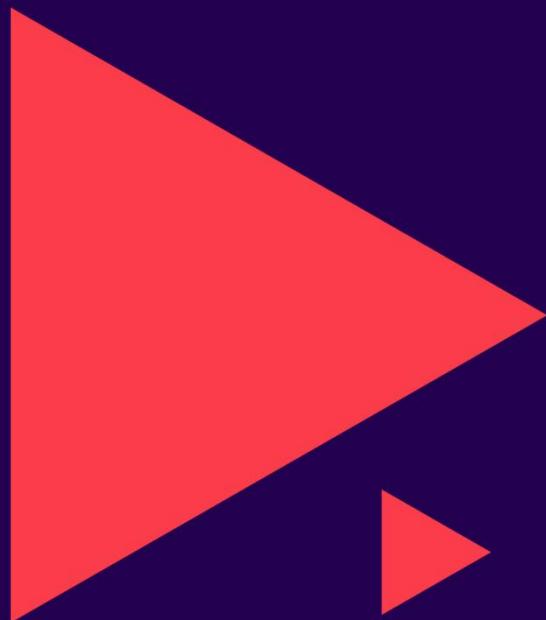
International literature on maternity leave policies have found that both workers and employers contribute to the gap between the policy and practice. In China, the implementation of the Special Rules on Labour Protection for Female Employees, which regulates maternity leave and insurance, is varied across regions and across private enterprises (Liu, Yu and Wang 2020). China's low take-up rates of maternity leave policies, particularly in implementing maternity insurance, are partially the result of enterprises' inability to perform their obligations according to the law (Liu and Sun 2015).

Some qualitative studies on maternity leave in the United States of America have pointed to a persistent perception that women workers are unable to negotiate their roles, their work conditions and the timing of their maternity leave with their employers (Buzzanell and Liu 2005; Meisenbach et al. 2008; Greenberg, Ladge and Clair 2009). Such perceptions are driven by gendered organizational structures that tend to disregard women's rights and interests (Liu and Buzzanell 2004). Pregnancy and maternity leave are seen as a disruption by organizations; while at the same time, women tend to associate the period of their maternity leave with their inability to meet their roles at work.

In the context of developing countries, compliance with employer liability schemes is frequently problematic. Employers often do not pay the wage replacement and legislation is loose and not enforced. However, in Asia, 50 per cent of countries have a prevalent funding system for maternity leave benefits based on individual employer liabilities, including Indonesia (Addati, Cassirer and Gilchrist 2014). Among all regions globally, only in Asia and the Middle East most maternity benefit funding based on employer liability; whereas other regions (especially in more developed countries) mostly provide such funding through social security. The presence of government financial support could facilitate women's participation in the labour market. Countries with high levels of discriminatory practices against women within the family circle are less likely to support the cost of maternity leave, such as in South Asia countries (Cerise et al. 2013). Gender discrimination within the family induces practices that limit women's likelihood to work, such as early marriage, women lacking access to assets, and women being given most, if not all, of the responsibility for childcare. Both discrimination within the family and a lack of government support to address the cost of maternity leave prompt employers to see the hiring of women as "costly".



Methodology



The study used a two-pronged approach:

1. Quantitative analysis provides an overview of the gap between the statutory provisions and the actual maternity leave experienced by women workers with employment relations in Indonesia.
2. This quantitative analysis provides a context for qualitative analysis exploring the different experiences of maternity leave among women workers, the reasons for receiving or not receiving the full statutory leave from women workers' perspective, and women workers' income security during the leave period.

3.1. Quantitative data analysis

The quantitative data were collected using an online survey due to the COVID-19 pandemic. The targeted respondents were women wage workers or ex-wage workers in three metropolitan areas:

1. Greater Jakarta (including all cities in DKI Jakarta, Bogor, Depok, Tangerang, and Bekasi);
2. Greater Surabaya (Gresik, Bangkalan, Mojokerto, Surabaya, Sidoarjo and Lamongan); and
3. Greater Semarang (Kendal, Demak, Ungaran, Salatiga, Semarang, and Purwodadi).

These areas were selected because wage workers are concentrated in the capital cities of Indonesian provinces.

The survey focused on married women of childbearing age (20–49 years) who had a pregnancy or birth while employed in the five years before 2020 (2015–2019). We limited our observation to the last pregnancy or delivery of the last child in that five-year period to reduce recall bias and to be as relevant as possible to the labour market's current situation. Wage workers were targeted because statutory maternity leave is generally aimed at formal employees. However, there are some informal sector enterprises that provide statutory maternity leave. The survey tried to cover workers/ex-workers who worked in micro, small, medium, and large enterprises. The study followed the Statistics Indonesia (BPS) definition of enterprise scale, where large enterprises employ 100 or more employees; medium: 20 to 99 employees; small: 5 to 19 employees; and micro: 1 to 4 employees.

Convenience sampling was used to recruit the respondents. Convenience sampling is a non-probability sampling method that involves using respondents "conveniently" located around a location or internet service (Galloway 2005). Unlike probability sampling, convenience samples create a bias and do not produce representative results. Fricker (2016) argues that convenience samples are useful in helping to develop hypotheses at the early course of research, to identify issues, and to collect factors that contribute to understanding the issues. Besides having a lower cost compared to probabilistic sampling, non-probability samples allow a study to reach rare and hard-to-reach populations by enabling researchers to recruit a larger number of potential survey participants, which offsets the potential issue of low response rates (Kühne and Zindel 2020).

In the case of this study, the aim of the research is similar to that of Fricker's argument, as it seeks to understand the current situation of maternity leave and income security among female workers in Indonesia, as this issue is still understudied (see section 3.2).

In addition, convenience sampling was chosen for use in this study given the absence of a list of individuals from the targeted population for the sampling frame. Using probability sampling would require having a list of women who are or were entitled of maternity leave, that is, those who are currently working or previously worked and who were ever pregnant (with different outcomes of the pregnancy – livebirths, stillbirths, or miscarriages). To obtain such a list, a rapid census or listing all households in selected areas that have women with the targeted characteristics would need to be conducted. However, such a census was not possible do the survey being conducted during a period of activity restriction due to the COVID-19 pandemic.

The convenience samples for this survey were gathered through the researchers and the network of Demographic Institute (Lembaga Demografi) of the Faculty of Economics and Business at Universitas Indonesia (LD FEB UI). The research team created an advertisement to recruit respondent for the survey, which included a link to the online survey. The advertisement was distributed through LD FEB UI's social media (Facebook, Twitter, Instagram). The research team also shared the advertisement through their networks and asked them to refer their networks to the ad. SurveyMonkey, an online survey software programme, was used to design and host the survey. The instrument for the online survey consists of set of questions that explore women's experiences in taking/being granted statutory maternity leave while being employed. The complete questionnaire is attached in Annex 2.

Convenience sampling is well known to contain selection bias towards specific demographic and socioeconomic characteristics. To address this known bias the local research team recruited potential respondents of different characteristics to ensure that the survey captures a diverse array of demographic and socioeconomic characteristics, different experiences of maternity leave, and various sizes of enterprises. The local team assembled the list potential respondents and shared the link to shortlisted individuals. The sampling method was further extended using referral or snowballing sampling in instances where it was difficult to finding respondents with specific characteristics.

The research team created a dashboard to monitor each city's daily number of respondents, including the distribution across demographic characteristics and enterprise scales. To ensure that the survey captured experiences from women workers with different characteristics, the research team were in communication with the field team to inform them of the types of respondents that were still lacking in the survey sample, and the field team recruited relevant respondents.

Initially, the research team expected to collect data from a minimum of 384 respondents¹ and to have 5 per cent oversampling in this survey. The online survey was conducted from 12 to 21 October 2021. In all, 479 respondents completed the survey. These include 237 from Greater Jakarta, 101 from Greater Semarang, and 102 from Greater Surabaya completed the survey, as well as 39 respondents from outside the targeted regions.

3.2. Qualitative data collection

Qualitative data collection enabled the research team to capture women workers' experiences when taking maternity leave, reasons for receiving or not receiving the full statutory maternity leave, and workers' income security during the leave period. It is important to note that the qualitative aspect of the study was not designed to be representative of the experiences of women workers. Rather it was designed to better understand important concepts related to maternity leave in Indonesia as well as to better understand the gap between law and practice from women's perspective. Despite the importance of understanding all challenges related to maternity leave provision, employers' perspectives are beyond the scope of the research, given the exploratory objective of this study.

In order to gather qualitative data, the research team recruited participants who had completed the online survey and who had different experiences in regard to taking maternity leave. The main focuses of this recruitment were: (1) women who were not granted maternity leave; (2) those who had to take less than 13 weeks of leave and/or were not fully paid throughout their leave; and (3) women who quit their work or faced difficulty returning to work after maternity leave. The study aimed to understand

¹ The minimum sample size was calculated based on a 5 per cent margin of error and a 95 per cent confidence interval with an unknown population size. It was assumed that the proportion of women who are eligible for maternity leave is close to the female labour force participation rate in 2019 (51 per cent).

the reasons behind the gaps in implementation of statutory leave. The key questions that guided the in-depth interviews are attached in Annex 3.

The study recruited 16 women wage workers or ex-wage workers who experienced pregnancy and childbirth while they were employed to serve as the in-depth interview participants. All three metropolitan areas selected for the study were covered by at least five in-depth interview participants (there were six for Greater Jakarta). The interviews were conducted online through WhatsApp conferences, direct calls and Zoom meetings. The recruitment of interviewees was done by the LD FEB UI's local contact persons using strict COVID-19 safety protocols. The in-depth interviews were led by a woman qualitative researcher from the LD FEB UI and a woman research assistant. The data collection took place from 12 to 21 October 2021.

All the interviews were audiotaped, transcribed and anonymized. The transcripts were translated from Bahasa Indonesia into English. The data was then coded and emerging themes of interest for this study were identified. The research team developed and utilized an open coding scheme by attributing codes or concepts to fragments of the transcripts, before further connecting the identified codes and concepts to develop a storyline and interpret the data.

The implementation of statutory maternity leave can potentially be a sensitive issue that could possibly put parties who disclose violations of the law at a disadvantaged position relative to their employers or other parties. In light of this ethical issue, the study adopted an informed consent approach for the in-depth interviews, and names and other identifying features of respondents and their employers were anonymized in the analysis.

3.3. Limitations of the study design

As previously mentioned in section 4.1, the use of convenience sampling potentially creates selection bias, and therefore there is limited ability to generalize findings to the population of women workers in Indonesia. A comparison to the 2019 Indonesia National Labour Force Survey (or SAKERNAS 2019)² shows that the distribution of the online survey sample is biased towards women aged 25–39 with a tertiary education (see Annex 1). Tabulation from SAKERNAS 2019 shows that women wage workers are concentrated in manufacturing and community/individual services sectors in the three metropolitan areas. Whereas the online survey's sample show different concentrations in the three areas: respondents in Greater Jakarta are concentrated in finance/insurance/real estate and community/individual services; while around 30 per cent of respondents in both Greater Semarang and Greater Surabaya work/worked in manufacturing and wholesale retail/restaurant sectors. Similar to SAKERNAS 2019, the share of women workers who are/were under permanent contracts (PKWTTs) is larger compared to PKWTs (temporary contract workers) or others; although the figure for PKWTTs in the survey sample group is larger than the percentage distribution calculated from SAKERNAS.

Another bias that arises from using convenience sampling is that our respondents were more likely to be working at or to have previously worked at medium and large companies. One possible explanation for such a bias is the nature of an online, self-administered survey, which would require a respondent to have a good internet access and adequate IT knowledge, which means that upper- and middle-class respondents are more likely to fill in the survey. Since large companies are generally the ones that provide better incomes, our respondents were skewed towards workers/ex-workers from larger companies.

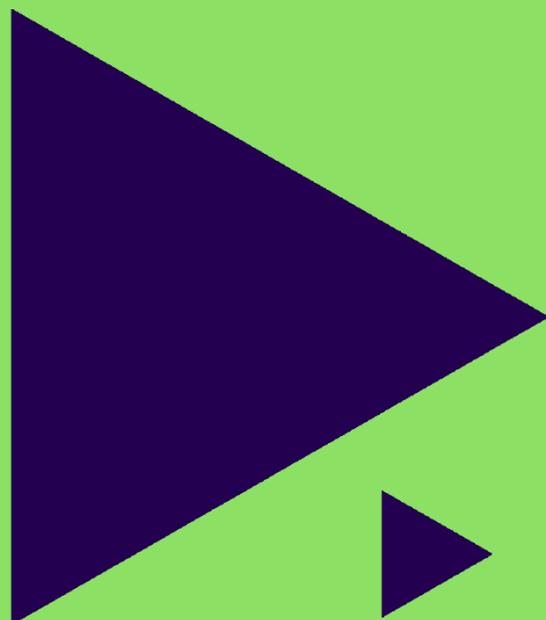
The small number of interviewees involved in the qualitative data collection also serves to demonstrate that the study's findings cannot be said represent the behaviours of general populations. Statements from the in-depth interview participants may not be applicable to different groups of the

² The research team compared the online survey sample with SAKERNAS 2019 for the following criteria: female wage workers; aged 20–49 years; living in Greater Jakarta, Greater Semarang, and Greater Surabaya.

population aside from this study's sample group. However, the narratives they offered could provide insight into the contexts of and reasons behind the different maternity leave experiences found in the online survey.

▶ 4

Results of the quantitative data analysis



4.1. Characteristics of the survey respondents

This section provides a description of the demographic and socioeconomic characteristics of the quantitative survey respondents, including their age, education, employment, salary and allowances. These background characteristics will be of import in the subsequent subsections to examine the respondents' knowledge and experiences of maternity leave and their employment experiences after taking leave.

Among the total of 479 women respondents aged 20–49, 237 lived in Greater Jakarta (49 per cent), 101 lived in Greater Surabaya (21 per cent), 102 lived in Greater Semarang (21 per cent) and 39 were from other cities (8 per cent). Almost half of the respondents (42 per cent) were aged 30–34 years old, while 25 per cent were aged 25–29 and 21.1 per cent were aged 35–39 (table 1). In terms of highest level of education attainment, more than half of respondents had a diploma/bachelor's degree (67 per cent) and nearly one in five had completed senior/vocational high school (18.2 per cent).

With regard to the employment of respondents, 89.6 per cent had been working continuously between 2014 and 2019. Compared to other regions, Jakarta had the largest share of respondents who had worked continuously. More than 45 per cent of respondents in Jakarta had worked in the headquarters of the enterprise that employed them; while workers in Semarang and Surabaya were more likely to have worked in workplaces that did not have branch offices/subsidiaries (around 41 per cent). In terms of enterprise sizes, the majority of the survey's respondents worked in micro, small and medium enterprises. Although this was not the case in Jakarta, where a slight majority (51.9 per cent) of respondents worked in large enterprises. Roughly half of the respondents in Semarang and Surabaya worked in small to medium enterprises.

The majority of respondents worked as permanent employees (PKWTTs) when they were pregnant while employed between 2014 and 2019, except in Semarang, where a slight majority were temporary contract workers (PKWTs). Compared to Jakarta, workers in Semarang, Surabaya and other areas were less likely to have a written contract for their jobs. Around 3 per cent of respondents admitted to being employed in a manner distinct from being a permanent or contract worker, such as daily-based contract work, freelance work, or being part of output-based schemes.

The women workers in the sample are overrepresented in the service sectors – particularly in health, education, community and individual services – compared to comparable segments of the population in the SAKERNAS 2019. Jakarta has a larger share of those working in the health and education sector compared to Semarang and Surabaya. Most of the women in the survey worked as staff, while around 14 per cent worked as managers or heads of sections. The share of women workers who held a managerial position was higher in Jakarta compared to the other regions.

With most of the respondents having worked as permanent workers in service sectors, it is expected that they were earning higher incomes than permanent workers in other sectors. More than 62 per cent of the women in the survey had a monthly salary of 5 million rupiah and above (table 2). Jakarta had the largest share of those fall under this income bracket compared to other regions. Compared to other regions, respondents in Semarang were the most likely to have earned an income below the region's minimum wage.³

With regard to allowances, more than 90 per cent of respondents received a fixed allowance and more than 86 per cent women received non-fixed allowances. The share of women receiving either a fixed or non-fixed allowance was higher in Jakarta compared to Semarang and Surabaya. The majority of workers with fixed allowances received 5 million rupiah or more per month, with workers in Semarang having the largest share of workers receiving the aforementioned amount of allowance. Similarly,

³ As of 31 December 2020, the monthly minimum wage in Jakarta is 4.4 million rupiah, in the City of Semarang it is 2.8 million rupiah, and in the City of Surabaya it is 4.3 million rupiah.

among those who received non-fixed allowances, more than 78 per cent received more than 5 million rupiah per month. These results suggest that respondents in the survey may be biased towards the middle-upper socioeconomic status, who earned take-home pay of more than 5 million rupiah per month.

According to the responses given for pregnancy outcomes, 97.9 per cent (469 women) had livebirths and 2.1 per cent (10 women) experienced miscarriages.

► **Table 1. Distribution of the sample by demographic, social and economic characteristics (%)**

Characteristic	Greater Jakarta (n=237)	Greater Semarang (n=101)	Greater Surabaya (n=102)	Other areas (n=39)	All regions (n=479)
Age group					
20–24	0.4	3.0	5.9	2.6	2.3
25–29	19	39.6	23.5	25.6	24.8
30–34	46.8	36.6	37.3	48.7	42.8
35–39	22.4	13.9	24.5	23.1	21.1
40+	11.4	6.9	8.8	–	8.9
Highest education level					
Junior high school and lower	0.4	4.0	4.0	–	1.9
Senior high school	2.5	11.9	18.6	10.3	8.6
Vocational high school	4.6	16.8	14.7	7.7	9.6
Diploma/Bachelor's degree	73.4	63.4	55.9	66.7	67
Master's/Doctoral degree	18.6	4.0	6.9	15.4	12.7
Refused to answer	0.4	–	–	–	0.2
Working status*					
Sometimes	8.0	14.9	9.8	15.4	10.4
All the time	92	85.1	90.2	84.6	89.6
Office type					
Headquarters	45.1	22.8	28.4	25.6	35.3
Branch office	19.0	35.6	30.4	23.1	25.3
No branch offices	35.9	41.6	41.2	51.3	39.5
Size of enterprise					
Micro	2.5	8.9	7.8	5.1	5.2
Small	5.1	11.9	9.8	10.3	7.9
Medium	33.8	26.7	47.1	48.7	36.3
Large	51.9	43.6	30.4	33.3	44.1
Do not know	6.8	8.9	4.9	2.6	6.5
Working relation					
Contract worker	31.6	50.5	31.4	43.6	36.5
Permanent worker	67.1	45.5	63.7	51.3	60.5
Other	1.3	4.0	4.9	5.1	2.9
Contract type					
Written	92.4	79.2	75.5	84.6	85.4
Verbal	7.6	20.8	24.5	15.4	14.6

Characteristic	Greater Jakarta (n=237)	Greater Semarang (n=101)	Greater Surabaya (n=102)	Other areas (n=39)	All regions (n=479)
Work sector					
Agriculture and mining	1.7	1.0	1.0	5.1	1.7
Manufacturing, electricity, and gas	9.7	16.8	12.7	2.6	11.3
Building/construction	1.3	3.0	2.9	–	1.9
Retail trade	3.0	12.9	12.7	10.3	7.7
Hotels and restaurants	2.5	5.0	5.9	2.6	3.8
Finance and housing	16.9	5.0	12.7	5.1	12.6
Health and education	35.2	26.7	30.4	56.4	34.1
Community and individual services	11.4	16.8	11.8	12.8	12.8
Logistics and transportation	3.3	2.0	2.9	–	2.7
IT and digital sector	1.7	4.0	–	–	1.7
Other/unclassified	13.2	7.0	6.9	5.1	9.9
Occupations					
Staff	76.1	85.1	80.4	84.6	79.6
Manager/Section Head	20.5	7.9	6.9	7.7	13.9
Professional	3.4	4.0	8.8	7.7	5.0
Labourer	–	3.0	2.9	–	1.3
Other/unclassified	–	–	1.0	–	0.2
Monthly salary (rupiah)					
Under 1 million	0.4	2	4.9	5.1	2.1
Between 1 million and less than 2.5 million	3	22.8	16.7	30.8	12.3
Between 2.5 million and less than 5 million	20.7	31.7	22.5	20.5	23.4
5 million and above	75.9	43.6	55.9	43.6	62.2
Receive fixed allowance?					
Do not receive fixed allowance	6.8	5.0	4.9	7.7	6.1
Receive fixed allowance	92.8	88.1	88.2	92.3	90.8
Not applicable	0.4	6.9	6.9	–	3.1
Average fixed allowance* (rupiah)					
Under 1 million	13.5	11.9	15.7	25.6	14.6
Between 1 million and less than 2.5 million	12.2	7.9	6.9	5.1	9.6
Between 2.5 million and less than 5 million	4.6	–	3.9	2.6	3.3
5 million and above	69.6	80.2	73.5	66.7	72.4
Receive non-fixed allowance?					
Do not receive non-fixed allowance	11	5.9	6.9	7.7	8.8
Receive non-fixed allowance	88.6	81.2	84.3	89.7	86.2
Not applicable	0.4	12.9	8.8	2.6	5.0

Characteristic	Greater Jakarta (n=237)	Greater Semarang (n=101)	Greater Surabaya (n=102)	Other areas (n=39)	All regions (n=479)
Average of non-fixed allowance* (rupiah)					
Under 1 million	15.6	9.9	15.7	17.9	14.6
Between 1 million and less than 2.5 million	5.9	5.0	5.9	-	5.2
Between 2.5 million and less than 5 million	1.7	-	2.9	-	1.5
5 million and above	76.8	85.1	75.5	82.1	78.7
Pregnancy outcome*					
Birth	98.7	97.0	97.1	97.4	97.9
Miscarriage	1.3	3.0	2.9	2.6	2.1

Note: - = nil. All variables are statistically significant except for variables marked with and asterisk (*).

► **Table 2. Summary statistics of salaries and allowances received by respondents (in rupiah)**

	Mean	Median	Minimum	Maximum
Average monthly salary (n=289)	5 803 806	4 000 000	300 000	90 000 000
Average fixed allowance (n=118)	2 261 438	1 225 000	8 000	19 000 000
Average non-fixed allowance (n=63)	1 670 320	1 284 135	500	6 000 000

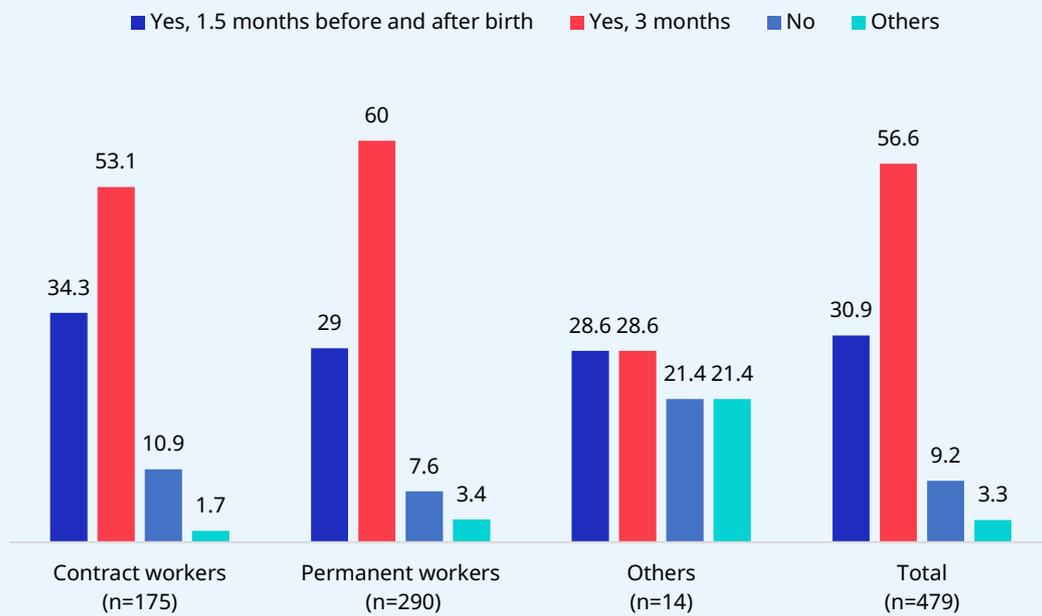
Note: The average salary and allowances were calculated from respondents who could recall the exact amounts earned (60.3 per cent of respondents could recall their salary, 25.3 per cent could recall their fixed allowances, and 13.6 per cent could recall their non-fixed allowances.)

4.2. Knowledge of and attitudes towards mandatory maternity leave

To understand whether the implementation of maternity leave is affected by gaps in women workers' information on statutory maternity leave, we asked the surveyed women about their knowledge and attitudes towards statutory maternity leave. The survey findings show that most women knew of their right to statutory maternity leave (figure 1). In all, 87.5 per cent of respondents were aware that women who give birth are entitled by law to three months of maternity leave, although less than half of these respondents (30.3 per cent overall) were aware that this three-month period is divided into 1.5 months before giving birth and 1.5 months after giving birth, as stated in legislation. Nearly 95 per cent of respondents stated that they knew that employers have an obligation to grant maternity-related leave (figure 2).

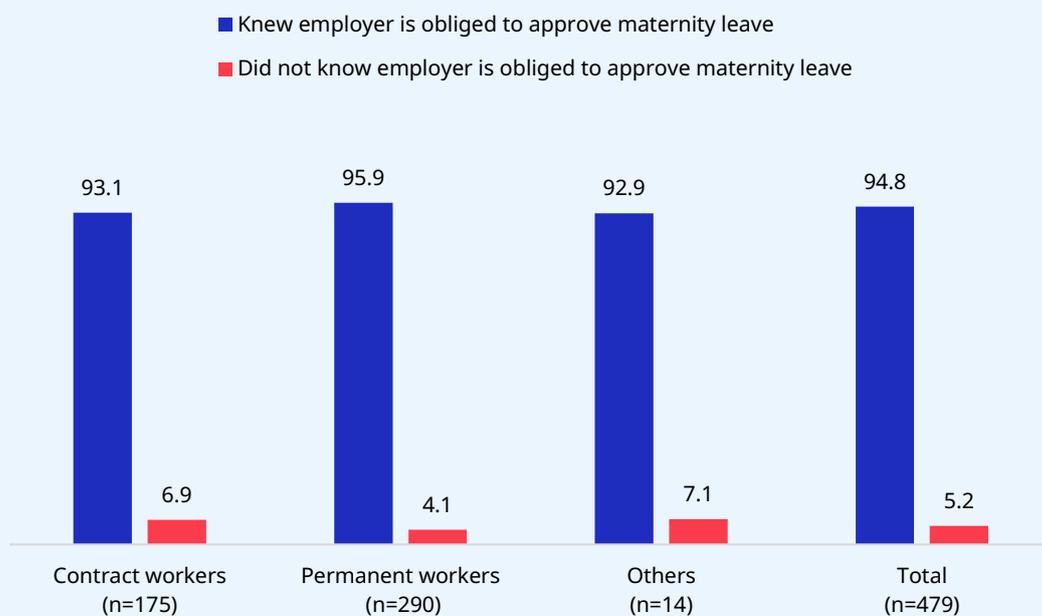
Although these findings depict a positive picture of women workers' knowledge concerning their rights, one should not ignore the 9.2 per cent of respondents who were not aware of the statutory mandate of the right to maternity leave. Respondents who had an "other" type of employment arrangement were the least likely to be aware of statutory maternity leave and its duration. In addition, the survey also indicates that many of the respondents seem to only have partial knowledge on leave entitlements for women workers. For example, a majority of women in the survey (57.8 per cent) did not know that they had the right to obtain leave after experiencing a miscarriage (figure 3). Contract workers were the least likely to know about statutory miscarriage leave, with 66.3 per cent believing that there was no such entitlement.

► **Figure 1. Share of respondents by knowledge of right to maternity leave and contract type (%)**



Source: Authors' calculations.

► **Figure 2. Share of respondents by knowledge of employer's obligation to provide maternity leave (%)**



Note: Difference in proportions across groups is not significant.

Source: Authors' calculations.

► **Figure 3. Share of respondents by knowledge of the right to miscarriage leave and contract type (%)**



Source: Authors' calculations.

4.3. Maternity leave experience

As previously noted, the Labour Law states that all female workers are entitled to statutory maternity leave with the duration being 1.5 months before childbirth and 1.5 months after childbirth and that they are to receive their full salary during this period. As per section 5.2 above, most survey respondents were generally aware of their statutory right to maternity leave, but that there were gaps in knowledge with regard to exactly what this statutory leave entailed (at least with regard to duration). And while most women believed that their employers had the obligation to grant maternity leave, not all of the respondents were able to access such leave.

Among the 479 respondents, 62.6 per cent worked for employers who provided them with paid maternity leave both before and after childbirth, as required by law (figure 4). The share of permanent workers who work for employers that provided them with paid maternity leave (66.9 per cent) was higher than that of contract workers (58.9 per cent). Meanwhile, 13.4 per cent (64 respondents) worked for employers that did not provide them with maternity leave – at least not without being petitioned by the respondent.

Among the 64 respondents whose employers did not provide maternity leave, 44 (68.7 per cent) applied to their employer to be granted such leave, and 34 of them (53.1 per cent) were ultimately granted it (figure 6). In such situations, permanent workers were more successful than contract workers in convincing their employers to grant them maternity leave, with only 1 of the 17 permanent workers who petitioned for maternity leave being refused. By contrast, 8 of the 22 contract workers who asked for maternity leave were denied. These findings highlight the association between working status and gaps in the implementation of statutory maternity leave. Those with permanent contracts (PKWTTs) have better access to statutory maternity leave; it is more likely to be offered to PKWTTs by employers from the outset and in the absence of such offers, PKWTTs are more likely to successfully

apply for it. Permanent employment is more likely to be provided by large and established employers that are better positioned to cover workers' welfare, including paid maternity leave.

► **Figure 4. Share of respondents by the maternity leave provided by their employer and contract type (%)**



Source: Authors' calculations.

► **Figure 5. Share of respondents by the maternity leave provided by their employer and size of enterprise**



Source: Authors' calculations.

► **Figure 6. Share of respondents who had to apply for maternity leave because their employer was not offering it (%)**



Note: Difference in proportions across groups is not significant.

Source: Authors' calculations.

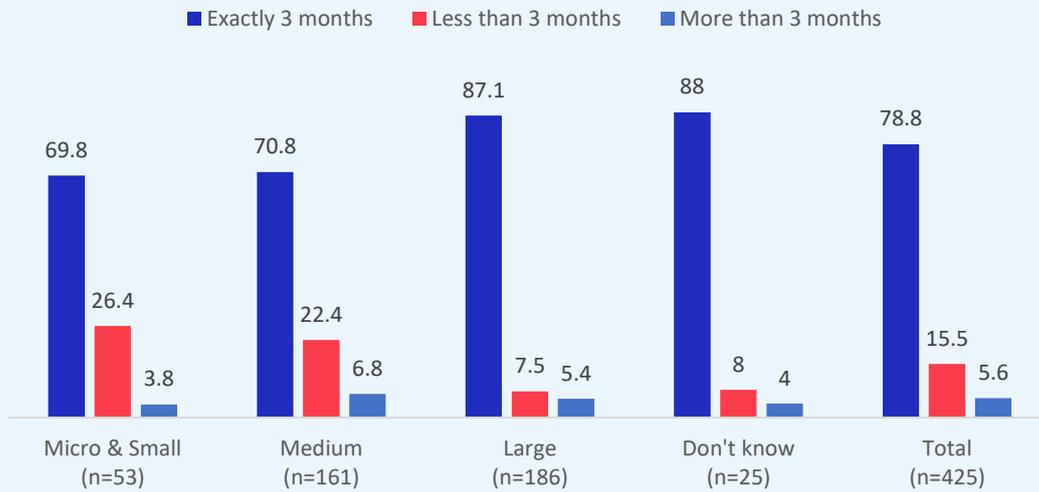
Among the respondents who took maternity leave, 78.8 per cent took exactly three months of leave and an additional 5.6 per cent took more than three months (figure 7). Most respondents who worked in large enterprise took at least three months of leave (92.5 per cent). Meanwhile, respondents who work in micro, small, and medium enterprises were mostly to not receive at least three months of leave, with more than one-quarter of those working for micro and small enterprises not taking the statutory minimum.

The Labour Law requires employers to pay workers their full salary during their maternity leave. The “full salary” refers to the overall or take-home pay the worker was receiving prior to taking maternity leave, which should include any allowances the worker was receiving. The survey found that while most respondents had at least three months of leave, a slight majority did not receive their “full salary” during maternity leave (figure 8). Overall, 44.1 per cent of respondents received the full salary they were earning before they gave birth, including allowances. A roughly similar proportion of respondents – 39.5 per cent – received their full basic wage without allowances. However, it should be noted that among the 162 respondents who received their basic wage without allowances, there were 12 respondents whose salary scheme never included any form of allowance. As such, these 12 respondents (2.9 per cent of the sample) can also be considered to have been paid the full amount owed to them by law. This finding is a useful entry point for further discussion, as it demonstrates that there are cases where workers receive their salaries under “all-in schemes”, wherein the net salary or take home pay already includes all the related costs (such as allowances for food, transportation, and so on). But even when taking these 12 respondents into account, it is still the case that a slight majority of respondents (50.8 per cent) did not receive the statutory amount owed to them, and 14.2 per cent of respondents received less than their full salary (11 per cent) or no money whatsoever (3.2 per cent).

By contract type (figure 9), respondents who were permanent workers were more likely to receiving their full salary during maternity leave (48.8 per cent) than contract workers (36.6 per cent). Instead, contract workers were more likely to be paid their full basic wage without allowances. This finding

supports the previous possible explanation of the existence of "all-in scheme" salary provided by employers.

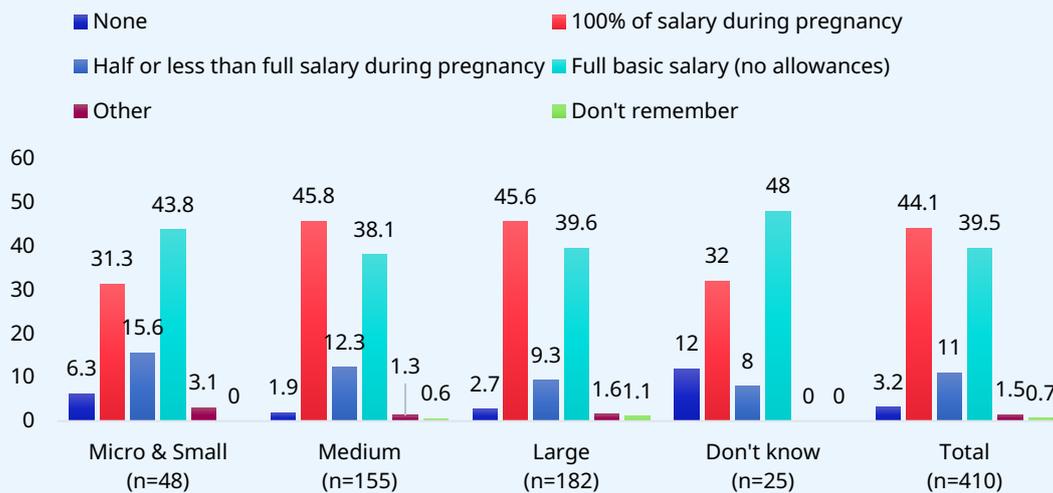
► **Figure 7. Share of respondents by length of maternity leave and size of enterprise (%)**



Note: Information on leave duration were collected from respondents who (1) had maternity leave (either full leave, before birth only, or after birth only), regardless they got it immediately or were granted the leave after they made an application to the employer first, and (2) provided information on the duration of leave (n=425).

Source: Authors' calculations.

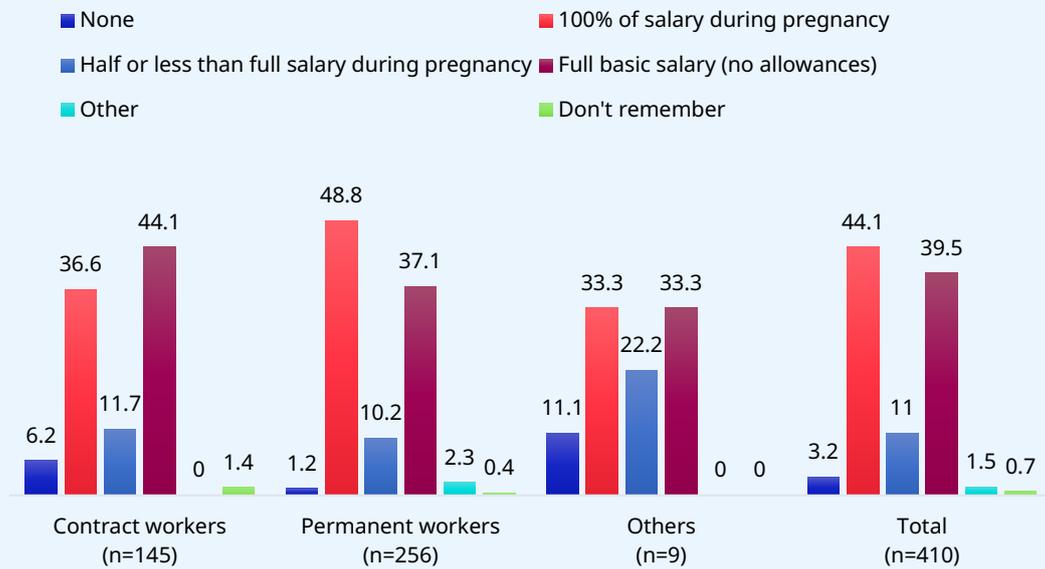
► **Figure 8. Share of respondents by amount of salary received during maternity leave and size of enterprise (%)**



Note: Difference in proportion across categories are not significant. Information on leave duration were collected from respondents who (1) had maternity leave (either full leave, before birth only, or after birth only), regardless they got it immediately or were granted the leave after they made an application to the employer first, and (2) provided information on their salary received during maternity leave. Out of 425 whose employers provided maternity leave, 15 respondents did not provide their salary information during maternity leave.

Source: Authors' calculations.

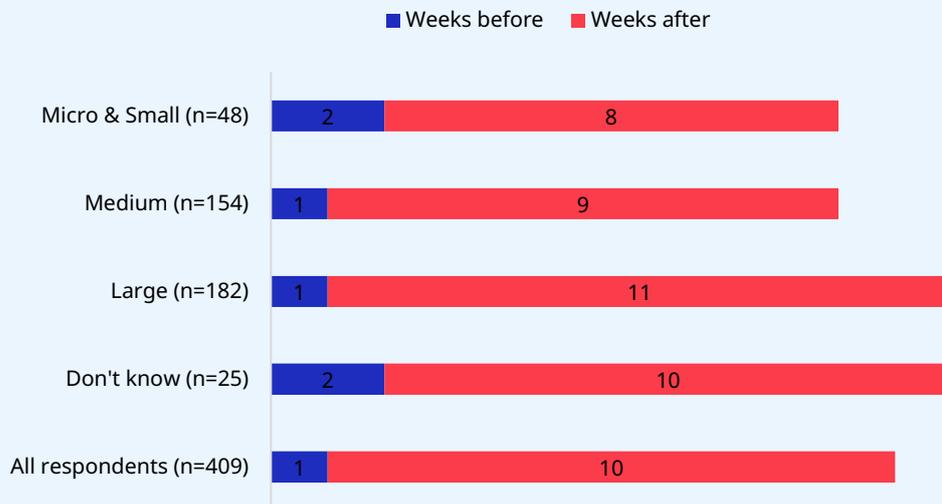
► **Figure 9. Share of respondents by total salary received and by type of contract (%)**



Source: Authors' calculations.

Although the Labour Law states that maternity leave is to be taken 1.5 months before childbirth and 1.5 months after childbirth, the survey shows that the norm is for the vast majority of leave to be taken after childbirth. Figure 10 shows that respondents who had maternity leave typically began their leave just a week before their child was born and spent the rest of their leave period after the childbirth. There is a difference in the median duration of pre- and post-natal leave across enterprises by size, with respondents from smaller enterprises being more likely to take two weeks of pre-birth maternity leave. However, respondents from micro and small enterprises also typically received the shortest duration of post-natal maternity leave – a full three weeks less than that typically enjoyed by respondents from large companies. Both contract and permanent workers have the median of maternity leave of 11 weeks (figure 11). However, permanent workers tend to take pre-natal leave (1 week) and longer post-natal (10 weeks) as compared to the contract workers (2 weeks pre-natal and 9 weeks post-natal).

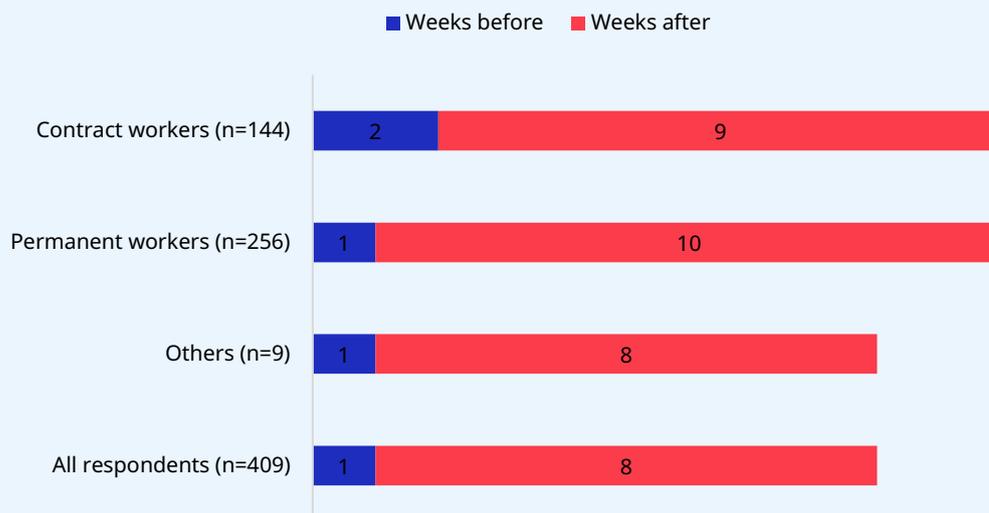
► **Figure 10. Median duration of pre- and post-natal maternity leave (in weeks) among respondents by size of enterprise**



Note: This figure presents data derived from two separate survey questions: one question concerning the number of weeks of leave the respondent received before delivery, and a second question concerning the number of weeks of leave the respondent received after delivery. The number of responses for these two questions were different. Therefore, the respondent numbers presented in this figure represent only those respondents who answered both questions.

Source: Authors' calculations.

► **Figure 11. Median duration of pre- and post-natal leave (in weeks) among respondents by contract type**



Note: This figure presents data derived from two separate survey questions: one question concerning the number of weeks of leave the respondent received before delivery, and a second question concerning the number of weeks of leave the respondent received after delivery. The number of responses for these two questions were different. Therefore, the respondent numbers presented in this figure represent only those respondents who answered both questions.

Source: Authors' calculations.

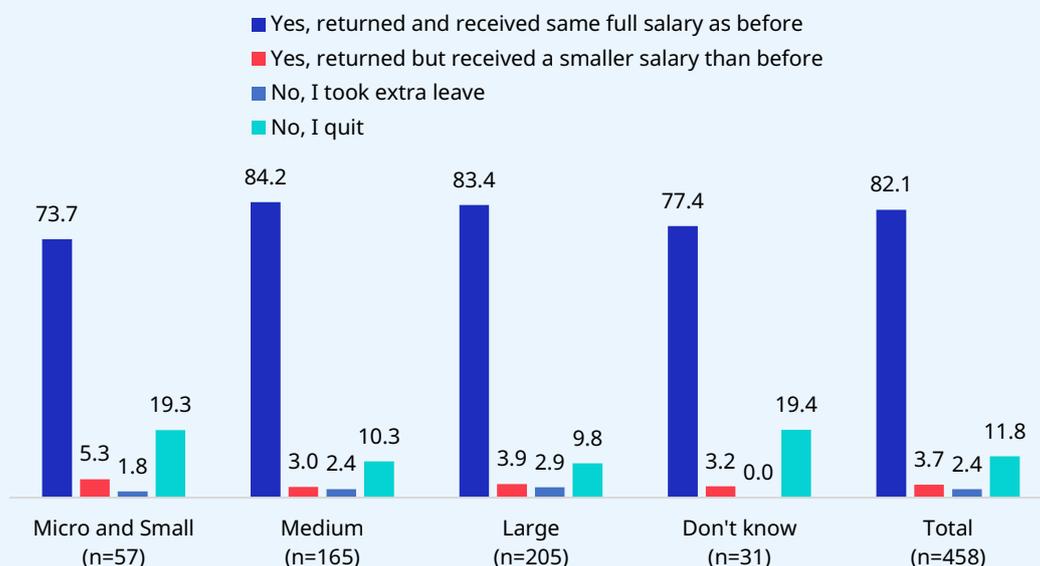
4.4. Returning to work experience

Previous studies have shown that women of childbearing age are more likely to be out of the labour force, particularly in urban areas in Indonesia (Schaner and Das 2016; Cameron, Suarez and Rowell 2019). Pregnancy and domestic duties are the main reasons for Indonesian women aged 20–35 quitting their work (Setyonaluri et al. 2021). Literature from prior to 2010 shows that married women were often discriminated against in the formal labour market, where employers had the tendency to hire young and single women to reduce the cost of paying maternity leave and as an attempt to avoid high turnover rates among their female workers (Blackburn 2004; Caraway 2005).

Even so, the survey for this study suggests that having maternity leave and returning to work were both relatively accessible for the respondents. Among the 458 respondents who completed the section about returning to work, more than 80 per cent were able to resume their position with same salary after taking maternity leave (figure 12). However, 11.8 per cent of the respondents (54 women) decided to quit their jobs, with respondents working in micro and small enterprises being roughly twice as likely to quit than those in medium and large firms. In addition, 11 women (2.4 per cent) took extra leave after their maternity leave ended, with this extra leave ranging from 3 to 210 days.

After maternity leave, the vast majority of respondents who returned to work, had resumed the same position as before they took leave (96.5 per cent). However, 1.5 per cent of respondents were demoted to a lower position, while 2 per cent of the women were promoted to a higher position when they returned to work).

► **Figure 12. Share of respondents by return-to-work status following maternity leave and size of enterprise (%)**



Note: Difference in proportion across categories are not significant

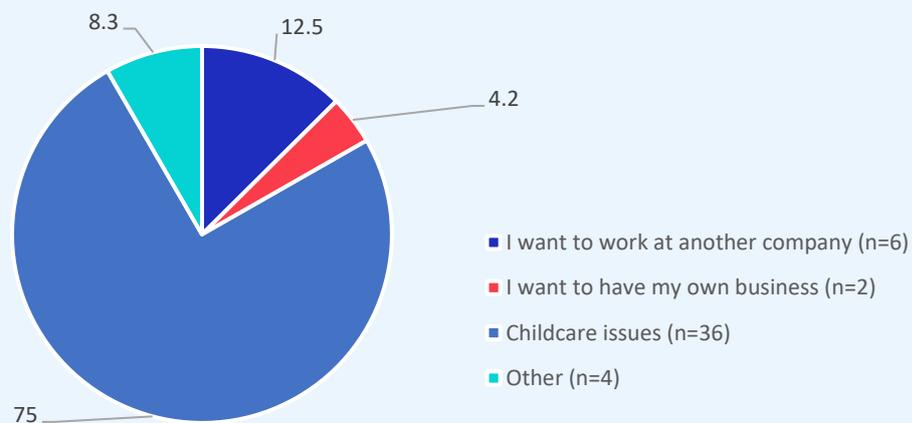
Source: Authors' calculations.

Meanwhile, among those who quit their job (54 respondents), 88.9 per cent of them (48 respondents) quit due to personal reasons and 11.1 per cent (6 respondents) had been asked to resign by their employer to resign. Among those who quit because of personal reasons, 75 per cent (36 women) said

they wanted to work for another company (figure 13). Among the 54 women who quit their job, 20 of them (37 per cent) did not receive any severance pay.

Most women were assisted by their parents/family or by babysitters/domestic workers when they returned to work (figure 14). As this survey is quite biased towards women from the upper-middle class, it is expected that most of the respondents have better access to formal and informal childcare providers than the average Indonesian mother. Having parents or family members in close proximity as well as being able to hire a babysitter or domestic worker helped women to return to work.

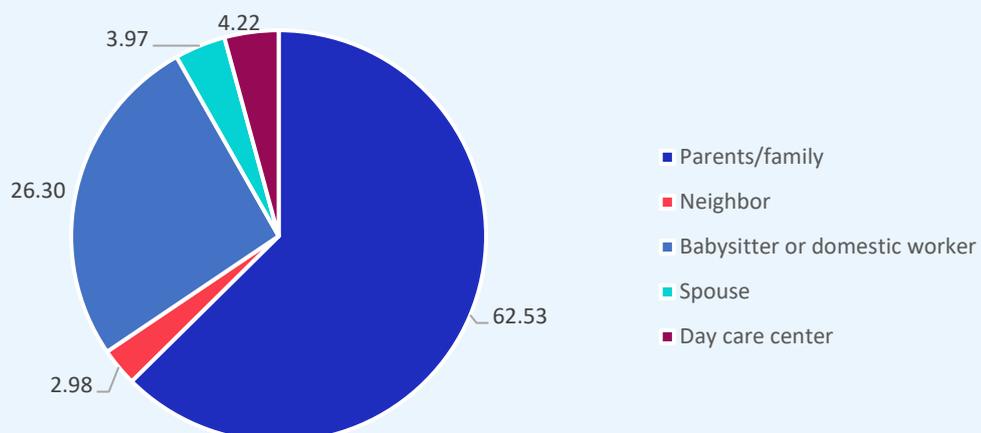
► **Figure 13. Share of respondents who quit their job (n=48) by reason for quitting (%)**



Note: 1 missing respondent

Source: Authors' calculations.

► **Figure 14. Share of respondents who returned to work (n=403) by childcare provider used (%)**

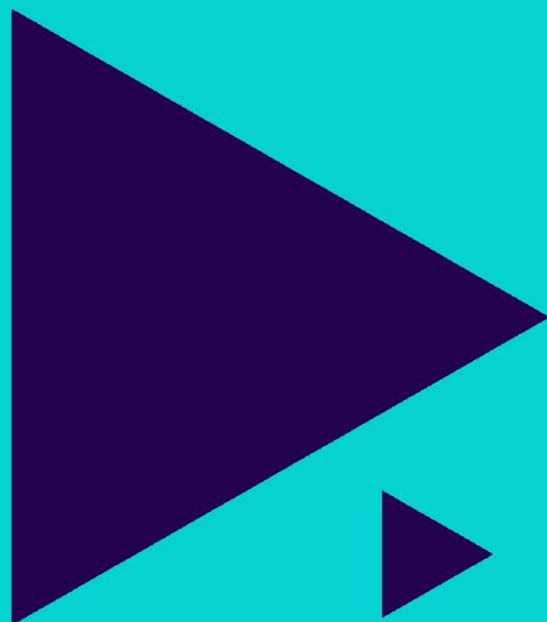


Note: 1 missing respondent.

Source: Authors' calculations.

► 5

Findings from qualitative data analysis



Between 12 and 21 October 2021, the study conducted in-depth interviews with 16 of the women who completed to the online survey: 6 from Greater Jakarta, 5 from Greater Semarang, and 5 from Greater Surabaya. The aim of these interviews was to obtain women's various experiences in regard to accessing maternity leave, and to this end interview recruitment focused on: (1) women who were not granted statutory maternity leave; (2) those who had to take less than 13 weeks of leave and/or were not fully paid throughout their leave; and (3) those who quit work or faced difficulty returning to work after taking maternity leave.

The age of the interviewees ranged from 26 to 39 years, with education levels ranging from high school graduates up to a master's degree. The interviewees worked in the sectors of health and education, finance and property, manufacturing, construction, creative industry, and other community/individual services. The majority of the interviewees were currently working or previously working as staff. There was one interviewee who worked as a manager and a professional consultant. The detailed characteristics of the interviewees are provided in Annex 4. Only 1 of the 16 interviewees did not receive maternity leave, and she worked at medium-size enterprise. The number of interviewees who received three months of leave and those who received less than three months are nearly equal.

As noted above, it is acknowledged that the qualitative data derived from these interviews, which relied on purposive sampling, is not representative of the experience of the general population, and it was never intended as to be so. However, the findings from the qualitative analysis can be used to understand the context around women's different experiences in accessing maternity leave. Such insights are useful to inform policymakers when formulating policies to evaluate the implementation of statutory maternity leave and to ensure the income security of women workers during maternity leave.

The narratives presented in this section reveal the negotiation dynamics between employers and employees, which could provide context concerning the challenges related to implementing maternity leave in line with statutory requirements. The narratives also indicate that there are barriers for women workers to access their rights in both the workplace and at home. The pervasive norm around men being breadwinners and women being (at best) secondary earners also emerges from the interviews. The qualitative data derived from the interviews also implies that compliance with statutory requirements around maternity leave cannot be solely tied to the size of enterprise, but also involves other factors, including the type of employment relationship, misperceptions around maternity leave itself, and gender norms that impact women's willingness to demand their rights and determine household divisions of labour.

5.1. Misperceptions regarding eligibility for statutory maternity leave

The Labour Law states that all working women are eligible to take three months of maternity leave at full pay. However, in the quantitative survey for this study around one-third of respondents did not receive three months of maternity leave, and 59 per cent did not receive their full salary during their maternity leave. The size of the enterprise employing the woman worker seems to be associated with the reported compliance of maternity leave. Women who worked in micro and small enterprises were more likely to say that they received less than their full salary. However, the association between enterprise size and statutory maternity leave compliance does not appear to be linear.

An interviewee in our qualitative study stated that the practice of providing maternity leave in line with the Labour Law seems to be the norm in her company, which can be categorized as a medium-to-large enterprise (employing 30 to 100 staff with branch offices). Permanent employees in her workplace could enjoy three months of fully compensated maternity leave. But that experience is not universal, as another interviewee seemed to be not fully informed about her right to statutory

maternity leave with full pay, as she has the perception that one's full salary is earned only when an employee is present at work.

As a permanent employee at the company I worked for, I was granted a full three months after giving birth. I was paid with the all-in salary. My office is a consulting firm. It employs at least 30 people and in the middle of the year, we recruit up to 100 people for projects. My company has branches in other cities. Now I work at the head office. [RS, 36 years old, Greater Surabaya, received three months of maternity leave, fully paid]

Maternity leave is given 1.5 months before and 1.5 months after [childbirth]. As for salary, I did not receive a pay slip during maternity leave. As far as I know, only 80 per cent of my salary was paid by the company. We are not given full wages for not working. [W, 27 years old, Greater Jakarta, received three months of maternity leave, but not fully paid]

Contract worker (PKWT) jobs can involve precarious employment, potentially including greater uncertainty in terms of access to statutory maternity leave, regardless the size of the employer. Employer–employee relationships and work culture are two themes that emerged from the interviews around the reason for non-compliance with statutory maternity leave requirements. A narrative from a non-permanent teacher in Surabaya suggests that such uncertainty can arise from changes in leadership, which in turn can lead to changes in maternity leave policy. Another interviewee who worked as a therapist in a small clinic in Greater Jakarta pointed to her relationship with her boss and the informal culture at her workplace as factors that made her accept no salary and benefits during her maternity leave.

The maternity leave was less [than three months] in terms of duration, because for GTT [non-permanent teachers], it is only two months that are given. Because originally, there was no maternity leave for GTT. Maternity leave is only for GPT [permanent employee teachers]. The policy depends on the principal, who changes every five years. [MR, 26 years old, Greater Surabaya, received less than three months of maternity leave, but unpaid]

I got no salary and no benefits. At the time of birth, the company gave us presents. My workplace is a small company; there are only six staff in my office, all of whom were therapists and a principal. The relationship has become personal since the administration is not official; so my maternity leave requests are only made verbally to the principal. [DA, 33 years old, Greater Jakarta, received three months of maternity leave, but unpaid]

Meanwhile outsourcing workers interviewed did not obtain maternity leave as per the Labour Law. Outsourcing in Indonesia has been under scrutiny, since it is argued that it is little more than a means for companies to reduce the cost of hiring by using outsourcing services. Some outsourcing companies hire workers on temporary contracts (PKWT) to lower hiring cost for businesses. Our interviews reveal that outsourcing workers may not be well informed about their rights and continue to believe that they do not have equal entitlement to permanent workers. One of the interviewees who worked as a financial product salesperson was granted three months maternity leave but without payment. She cited that her supervisor told her that her maternity “break” was being granted informally, guided by the supervisor’s “wisdom” rather than company policy. She also had to find someone to replace her during the maternity break by herself. She received zero salary throughout her maternity break. Another interviewee was “informally” granted a month of maternity leave. Her employer told her that if she wanted the full three months of leave, she would have to re-apply for her job and go through the recruitment process again.

Permanent workers get maternity leave before and after [giving birth] and insurance; while outsourced workers had to pay insurance by themselves. I had three months' leave, but less than a week into my leave, my supervisor asked me to return to work. I was not paid and only got a cash donation [from my employer]. [NY, 38 years old, Greater Semarang, received three months of maternity leave, but unpaid]

My leader [supervisor] explained that if I took leave, our employer does not have an obligation to pay my [maternity leave] since I am an outsourced worker. I was hired for two years but [the right to get] maternity leave was not written in my contract. I proposed for two months' leave. It was granted, but I was not getting paid. My employers only gave me diapers and a baby bag as a present, while my colleagues gave me cash when I gave birth. [EW, 38 years old, Greater Semarang, received less than three months of maternity leave, unpaid]

I had a month's leave, but I need to split my salary because the leave was granted informally. If I took three months off, I wouldn't receive my salary and would have to do an interview and apply again. I worked as a private bank agent with the status of an outsourced contract worker. [RT, 35 years old, Greater Jakarta, did not receive official maternity leave]

Regarding the interviewees' knowledge of maternity leave policy, 9 of the 16 interviewees appeared to have a good understanding of the maternity leave policies in their offices/companies. The other seven interviewees did not have good knowledge of these policies. A misperception about maternity leave related by one of these latter interviewees is that maternity leave is usually paid for permanent employees only, while non-permanent or outsourced employees could not access it. A lack of socialization about maternity leave within enterprises emerged from the interviews. One of the interviewees stated that she had never been informed about maternity leave by the HR manager at her work. No information about the maternity leave policy was given to the staff, so they had no option but to ask their boss and be told personally.

I have never heard of paid maternity leave [for workers like me]. Maternity leave is usually paid for permanent employees, while non-permanent or outsourced employees do not get paid. [NN, 38 years old, Greater Semarang]

Never been informed about maternity leave – just asked friends and was not informed in detail. There is no socialization [about maternity leave], just ask the boss and be told personally. When on maternity leave, the basic wage is paid in full, but there are no allowances. [VF 31 years old, Greater Surabaya]

An interviewee who worked in a micro-scale enterprise stated that she only knows that maternity leave policies have been implemented in other countries, but she was not aware of any such policy in Indonesia or at her company.

Never heard of paid maternity leave [in Indonesia], [I] only know paid maternity leave is applied in other countries. I found it on Google. [IKL, 30 years old, Greater Semarang]

Interviewees who worked in small and medium enterprises said they did not receive maternity leave because they did not read their contracts carefully. An interviewee from a medium-scale company stated that she was not informed of her rights and obligations during pregnancy. Her supervisor instead told her that if a worker is not working, the company is not obliged to pay them because payment is channelled through outsourcing companies. According to the supervisor, if she takes maternity leave instead of coming to work, it means she is not productive for the company, and that is why she will not receive her salary during the leave.

As far as I know, maternity leave is for three months long. But I didn't read the full contract, even though the company asked me to read it. I got more information from my friends about the experience of maternity leave. [NF, 31 years old, Greater Jakarta]

Initially, I was not informed of my rights and obligations during pregnancy. My supervisor explained that if the worker is not working, the company is not obliged to pay [during maternity leave] because it is channeled through outsourcing. When you do not come to work, it means you are not productive for the company; that is why you are not given a salary. [EW, 38 years old, Greater Semarang]

5.2. Barriers to access statutory maternity leave at the workplace

The results of the quantitative survey show that the majority of respondents know that employers have a statutory obligation to offer maternity leave to women workers. However, there were a substantial share of respondents who did not receive paid maternity leave, even among permanent workers and workers in large enterprises. One possible cause of the gap between statutory requirements around maternity leave and actual practice is norms around maternity leave that affect women's agency to access their rights in the workplace. Buzzanell and Liu (2004) argue that pregnancy and maternity leave are seen by organizations as disruptive, and women tend to associate maternity leave with being unable to meet their roles at work, particularly in traditional or masculine organizational settings. Women are therefore reluctant to negotiate their maternity leave, as they may be caught up between the expectations around being an ideal mother and being an ideal worker (Greenberg, Large and Clair 2007).

The interviews with women for this study reveal that women face a dilemma when it comes to being assertive in demanding access their rights at work. Some of the interviewees were reluctant to ask for maternity leave and for the salary during leave. One of the interviewees said she just "accepted" the terms provided by her employer despite her aspiration to have a longer leave. Contract-based workers (PKWTs) have even less bargaining power given the existing knowledge that contract workers are not entitled to paid time off as well as other company policies concerning PKWTs.

Of course, I want more time for my maternity leave. But the [workplace] regulations say you only have two months of leave, the salary is like this [basic wage without allowances], the rules are like this. I tried to just accept. Not complaining to the boss – just take it and enjoy it. [VF, 31 years old, Greater Surabaya]

The maternity leave was less [than three months] in terms of duration, because for GTT [non-permanent teachers], it is only two months that are given. Because originally, there was no maternity leave for GTT. Maternity leave is only for GPT [permanent employee teachers]. The policy depends on the principal, who changes every five years. [MR, 26 years old, Greater Surabaya]

Non-permanent employees don't get fully paid maternity leave. I think maternity leave is only for permanent employees. [Nn, 38 years old, Greater Semarang]

Some interviewees indicated that their reluctance to access the maternity leave due to them was also affected by their working relationship with their employers. Two of the interviewees who received zero salary during their maternity leave mentioned that they had to accept the scheme because they felt uncomfortable asking for paid leave from their bosses, with whom they had developed a close relationship.

Interviewees who worked in small companies said they were willing to accept maternity leave terms below the statutory requirements because they "understand" or were "aware" of the financial condition of their workplaces. MR, a worker in Surabaya, cited that her wages were given to her replacement during her maternity leave, and she seemed to accept this.

I feel guilty if I have to ask why I did not receive salary during maternity leave. I received a lot of gifts from clients and support from the workplace. I wanted to stop being uncomfortable since my employer always asked me to stay in the office after maternity leave. That is why I don't demand much when I was on my maternity leave, even though the company didn't pay me during maternity leave. [DA, 33 years old, Greater Jakarta]

Maybe because the company is still small, when I applied for leave, it was said that for three months there would be no salary. Another reason they gave me was because I was an outsourced employee. [EW, 38 years old, Greater Semarang]

The wages are given to the person who replaces the staff who is currently on maternity leave. We may not get a fully paid maternity leave, but all of my friends are still going back to work after all. [MR, 26 years old, Greater Surabaya]

Some companies seem to also place conditions on accessing maternity leave such that a worker will have needed to put in a certain minimum amount of time at the enterprise before being eligible for maternity leave. An interviewee indicated that women workers in her company will only receive three months of maternity leave if they had worked for the company for at least one year. This condition contravenes the terms of the Labour Law, which does not limit the provision of maternity leave based on the duration of a worker's employment.

The new company provides salary for three months' maternity leave when the working period is more than a year. I don't know [if I am legally entitled to maternity leave], but I worked less than one year in this company, so I cannot get maternity leave. But I can apply for unpaid leave [cuti diluar tanggungan]. Since I was entitled to take unpaid leave, I took unpaid leave to replace maternity leave. [NF, 31 years old, Greater Jakarta]

Gender stereotypes around women's lack of productivity due to maternity leave are also found in the narratives of the interviewees. There are some employers who consider women workers as not contributing to company's productivity during their leave period and therefore claim the workers are not entitled to receive compensation.

When we are on leave, the company thinks that we are not productive for the company, so we do not get a salary when we are on maternity leave. [EW, 38 years old, Greater Semarang]

From my friends' experiences, they only get the minimum wage for maternity leave. I think it is because we are not working when we're at home. So, when you're at home, you aren't supposed to get paid for maternity leave. [NF, 30 years old, Greater Semarang]

However, a different reason concerning not being granted maternity leave was found in the narrative of a highly educated interviewee. She said that she aims to have a flexible arrangement between work and home, and therefore she did not seek a permanent job that provides benefits, including paid maternity leave, as she prioritized flexibility over employer-conferred benefits.

Although the scheme is contractual and the monthly income is less than in an international agency – there is also no health insurance – but I have the freedom to manage my time at my current workplace. I need time to spend time with my family and do other activities outside of my job. I need more time than benefits because my insurance can take care [of me] personally. [ES, 35 years old, Greater Jakarta]

Interviewees who worked as permanent workers in large companies stated that access to maternity leave was relatively easy. Their HR team or management reminded them to take the maternity leave around two weeks before the planned due date. However, interviewees who worked as outsourcing employees could not enjoy maternity leave. Based on interviews with outsourcing workers, the interviewees seemed to have the perception that contract workers do not have the same eligibility to statutory workers' rights as permanent workers. Two interviewees cited such a perception and therefore they never asked about their leave entitlements.

The vulnerability of outsourcing workers is expressed by RT, who worked as an outsourcing worker. She was asked to resign when she asked if she could get a three-month break for maternity leave. Her employer explained that she either had to work after delivering the baby, or she had to find a replacement for her role during her maternity break. RT was told that if she took three months' leave she would have to re-apply for her job. RT took one month's leave before deciding to resign. She did not receive any severance payment from her employer, and she mentioned that her employer still has not paid her and other workers' Eid allowance from last year.

5.3. Income security and gender norms around maternity leave

In Indonesia, women's work is often considered merely as providing "financial backup" for the family, since social norms continue to assume that men are the primary breadwinners for the household, with women's primary role relegated to providing care for the family. This perception is pervasive across society, and can even be found among the university educated (Utomo 2012). The online survey for this study shows that a majority of respondents' husbands were working at the time of the survey, and they generally had a similar level of education to their wives. Given the traditional gender norms, it is expected that when a man's income is enough to provide for the family, disruption in his wife's employment may not be a concern.

Only 1 of the 16 interviewees has a husband who was not working, and most of the interviewees claimed that their husband's income was sufficient to carry the family during their maternity leave period. Indeed, 7 of the 15 interviewees with working husbands said that they experienced no financial constraints at all during their maternity leave because their household's financial needs were all fulfilled by their husband's income.

My husband works, so the income during maternity leave was sufficient. [RT, 35 years old, Greater Jakarta]

We had sufficient income for the period of pregnancy. My husband still works as an enumerator. [VF, 31 years old, Greater Surabaya]

Even though my maternity leave is only half paid, I didn't have any serious problems because my husband is still working. My husband supports the household needs, while my income is just for additional support for the household. [AN, 39 years old, Greater Jakarta]

The household finances are still fulfilled from my husband's income [and] not disturbed by the termination of the employment contract after maternity leave. [WA, 27 years old, Greater Jakarta]

The participation in BPJS Health – the government's national health insurance provide – also helped to reduce expenses since it could cover the healthcare cost associated with childbirth. One interviewee who did not receive their salary during maternity leave also pointed to the peer support she received; money and gifts from her clients helped her to survive during maternity leave and given all this personal support she was uncomfortable to ask for her salary from her employer.

I still have my husband at home. During maternity leave, donations from friends were also given to me. BPJS is also very helpful. My membership in the BPJS scheme is from my husband. [NY, 38 years old, Greater Semarang]

Money and gifts from clients made it so I could survive, [it] even tended to be abundant. Many gave gifts, so it was sufficient since I did not use the money that they gave me. The money was only for emergency needs. Baby equipment was also provided by them. I was grateful. [DA, 33, Greater Jakarta]

However, there were eight interviewees who said that the period of maternity leave placed at least a slight burden on their household, because even though their husbands' were earning income, the amount of benefits received was not fully adequate. Three out of the eight interviewees stated that they received financial support from their parents or donations from friends, or that they relied on savings to fulfil their household needs during the maternity leave period.

I was not paid on maternity leave. [It was] slightly a burden for the household income because my salary itself is not much. Daily needs are supported by my husband's income. [MR, 26 years old, Greater Surabaya]

Fortunately, my parents at that time gave me money because the maternity leave was not paid for two months. The other families also visited and gave me money. [IKL, 30 years old, Greater Semarang]

During maternity leave, it was quite difficult for me to make ends meet. However, my husband was still working and there were donations from friends. [NY, 38 years old, Greater Semarang]

My clients gave a lot of gifts, so that it was sufficient during maternity leave. I put the money that people gave into an emergency fund, because we had planned the pregnancy cost even before my pregnancy. [DA, 33, Greater Jakarta]

My husband opened a business at home. When I was on maternity leave, my parents gave me money and my family also came to my house, so I got an income. [IKL, 30 years old, Greater Semarang]

5.4. Returning to work after maternity leave

The quantitative survey found that a majority of respondents returned to work after their maternity leave, and the number who experienced a demotion to a lower position or lower wage was small. Based on the in-depth interviews, work aspirations and economic reasons are main contributors to women's decision to return to work.

I decided to go back to work. At that time, my husband was out of contract at the old office. At the beginning of December, his contract expired after three years. I am the only one who worked at that time. That is why when I was pregnant, I still chose to work. It would be awful for the family if we were both unemployed. [RT, 35 years old, Greater Jakarta]

Initially, I still worked only to help the family's income. I am afraid that if I only stay at home, I'll be bored. [VF, 31 years old, Greater Surabaya]

I do not like being at home. I felt high stress about taking care of children, since I had a "baby blues" feeling. I prefer to work, because I can do everything myself and I don't have to ask my husband for money. [IKL, 30 years old, Greater Semarang]

Workplace conditions were also cited as a reason for women to return to work. Two interviewees mentioned flexible working arrangements and proximity to the office as considerations that prompted them to return to work.

At that time the office still needed me. I was called back by the company and finally decided to keep working. [Ny, 38 years old, Greater Semarang]

My office system is scheduled in shifts: morning, afternoon, or night. The hours can be adjusted based on my needs. The location of the company is also close to home, so it is easier for me and the family. I choose to work because I like to have my own authority to my money [VF, 31 years old, Greater Surabaya]

My friend resigned after getting maternity leave like me [unpaid]. Because she saw that I was not paid, she immediately left. Her husband will not allow her to go back to work. [EW, 38 years old, Greater Semarang]

Now I want to focus more on taking care of my children because I already have my third child. I am no longer interested in working from day to night with a hectic schedule. After maternity leave, I immediately decided to resign and choose freelancing. I don't worry about finances because my husband is still working. [AN, 39, Greater Jakarta]

Availability of childcare support strongly influences women's decision to return to work. Studies show that the presence of an adult household member – a proxy for family-based childcare support – is associated with a higher labour force participation of women with children in Indonesia (Cameron et

al. 2019). Interviewees in our qualitative study cited that they have family members – mainly husband and parents – to help by providing care for children while they are working. The presence of such support enables women to return to work despite the substandard maternity leave terms that they had experienced.

My sister, husband and mother helped take care of my children for three months. After my mother returned to the village, my brother and husband took her place for childcare. [VF, 31 years old, Greater Surabaya]

I am not worried if I have to go back to work. My house is close to my parents, so my son is there with my parents while I am working. At night, my husband and I take turns to look after him. [NF, 31 years old, Greater Jakarta]

Children are cared for by my husband because my husband works at home as an entrepreneur, and he is supported by my mother-in-law. [IKL, 30 years old, Greater Semarang]

I explained to the company that no one could help me to look after the children. At the same time, the contract has expired and if it was extended, then I needed to work for two more years. I think I want to find another job or maybe I can return to my old job when I have a childcare alternative. [DA, 33, Greater Jakarta]

In terms of duration, Indonesia's statutory maternity leave (3 months) is shorter than the 14-week minimum required in the ILO Maternity Protection Convention, 2000 (No. 183). The quantitative survey found that a majority of respondents received exactly three months of maternity leave, or 12 to 13 weeks. Three months' duration is still considered too short because the child is still less than 3 months old when mothers return to work. Our interviewees argued that the statutory maternity leave duration is insensible to infants' needs and development as well as the health of mothers.

My husband only gets a one-week paternity leave from his office. When I gave birth to my first child, I had a hard time as a new mother. I feel that three months of leave is still not enough to take care of children after giving birth, so I finally added another three months of leave. [SL, 32 years old, Greater Jakarta]

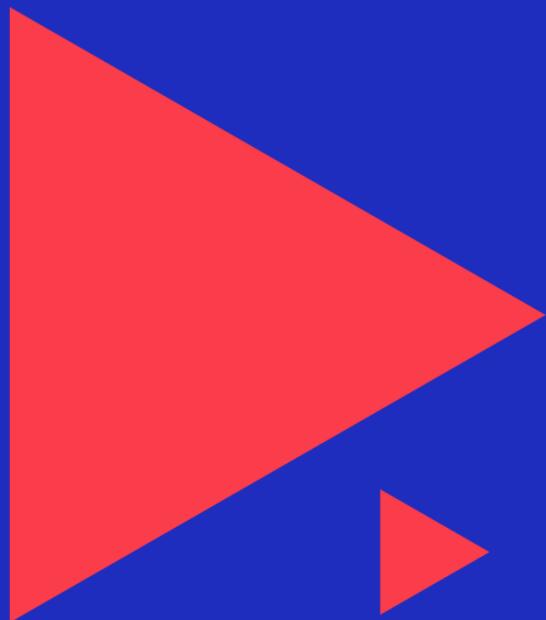
There were some cases of employer discrimination against new mothers found in the interviews. Two women who worked as outsourcing or contract-based workers (PKWTs) said that their companies terminated their contracts when they asked for maternity leave.

When my contract was terminated during maternity leave, I felt sad and disappointed. I should have finished my leave and gone back to office before it was terminated. The company did not notify in the first place that taking maternity leave would [lead to] terminat[ing] my contract. Suddenly, I received a letter from work that as of that date the contract was considered to have expired. There was also a lot of staff reduction at that time. Because the contract was terminated, I focused on taking care of the children at home. [WA, 27 years old, Greater Jakarta]

My employer oncer asked me to resign during my maternity leave, [or] demoted to lower position or lower salary. [RT, 35 years old, Greater Jakarta]



Conclusion



This study aimed to improve the understanding of the situation around maternity leave and income security during maternity leave among women wage workers with employment relationships in Indonesia. The study assessed whether women workers enjoyed maternity leave that was in line with statutory requirements in regard to both duration and pay. It further explored how workers' personal characteristics, their employment relationships and the size of their employers affected their experience in accessing maternity leave.

To these ends, the study reveals several important features about the situation of maternity leave and income security in three metropolitan cities in Java.

The first key finding is that the majority of women survey respondents understood their right to a statutory maternity leave of three months duration, fully paid. They also knew that employers have an obligation to grant maternity leave to women workers. However, many respondents were not aware that women are eligible for paid leave after a miscarriage, suggesting that a full understanding of their statutory rights has not been communicated to many women workers.

The second key finding from the study is related to women's experience in accessing statutory maternity leave in terms of duration and compensation. The survey finds a relatively high percentage of women in the survey who enjoyed maternity leave that met the statutory requirements in terms of duration, but not in terms of compensation. Among the 479 respondents, 62.6 per cent enjoyed maternity leave before and after childbirth (as per the Labour Law), with this more likely to be the case for workers with permanent contract compared to those worked under temporary contracts. Among those who had maternity leave, 84.4 per cent took at least three months leave⁴, with that figure being 94.6 per cent among workers in large enterprises. However, there is a gap between the timing of maternity leave in the Labour Law and the timing of the leave actually granted by employers. According to the law, maternity leave is supposed to consist of 1.5 months prior to childbirth and 1.5 months after childbirth. However, the survey found that workers generally took nearly all of their maternity leave after childbirth, with the median length of maternity leave among all respondents being 11 weeks, with 1 week taken before childbirth and 10 weeks taken after. In terms of compensation during maternity leave, the survey found that only 44 per cent of respondents reported receiving their full salary (that is, basic wage and allowances) as required by law. Those who worked in large enterprises and those who have permanent contracts were more likely to have received their full salary during maternity leave.

The third key finding from the study is that there was ultimately little in the way of discriminatory practices impacting women's return to work after maternity leave, but such practices were not wholly absent. The vast majority of women who returned to work resumed the same position and salary they had prior to taking leave, although a few respondents did find themselves demoted to lower positions. Those who left employment after maternity leave were generally motivated by personal reasons, but there were some instances of employers asking the women to resign. Women's main considerations for returning to work were mixed, and included factors such as the availability of childcare support, a desire to excel at work and be in control of their finances, and flexible/convenient workplace conditions, as well as factors grounded in traditional paternalistic norms at home, such as having their husband's blessing.

Another interesting finding from the study concerns the aforementioned common practice of taking nearly all of one's maternity leave after childbirth. As noted above, statutory scheme for maternity leave in the Labour Law is for 1.5 months before childbirth and 1.5 months after childbirth, but is considered too short a period following childbirth, and was seen as not supporting children's development, particularly in regard to breastfeeding, or mothers' health. It is therefore not

⁴ With 78.8 per cent receiving exactly three months' leave, and 5.7 per cent receiving more than three months.

particularly surprising that new mothers opt to take the bulk of their leave after childbirth, rather than splitting it evenly before and after as the Labour Law stipulates.

The result from our qualitative interviews provide context around the experiences of women who were unable to enjoy the maternity leave they were entitled to under the Labour Law. The narratives from the qualitative interviews show that there were barriers both at work and home to women workers accessing their rights. Lack of socialization of or information on workers' rights in general and maternity leave specifically, changes in workplace leadership and their impact on maternity leave policy, and employer–employee relationships or workplace culture were cited by interviewees as barriers to accessing statutory maternity leave. In addition, both employers and workers seemed to share a misperception concerning the eligibility of contract workers for paid maternity leave, with employers denying contract workers and outsourcing workers such leave and these workers accepting this outcome despite it being in contravention to the law. At the household level, pervasive norms around men being the breadwinner of a household and women being merely secondary earners also emerged from the interviews, as some women did not press for paid leave as it was felt that their husband earned enough to meet household needs.

The findings from this study point to the complex web of reasons behind gaps between statutory requirements and actual implementation of maternity leave policy in many workplaces. The size of the enterprise, the type of employment relationship (permanent versus temporary), and paternalistic cultural norms around working women are three factors that emerged through this study as being associated with the lack of compliance with statutory maternity leave.

With the above in mind, policy recommendations can be to improve the enforcement of statutory requirements concerning maternity leave and to establish maternity benefits within the social security system. Monitoring the take-up rate of maternity leave among women employees may be one strategy for enforcing Labour Law requirements. In addition, there is scope for greater socialization of women workers' legally bestowed right to three months of fully paid leave regardless of whether they are permanent or contract workers. Such socialization efforts could be targeted at women workers to address the misperceptions currently held among many workers, and also positively influence employers. Moreover, it may be considered establishing a new maternity benefit scheme in the social security system (Brimblecombe et al 2023). The ILO Maternity Protection Convention, 2000 (No. 183) requires that employers should not be individually liable for the direct cost of maternity leave and these cash benefits should be provided through compulsory social insurance or public funds or non-contributory social assistance to women who do not qualify for benefits out of social insurance. However, this report refrains from formulating any concrete policy recommendations given that the study was designed only as an early exploration of the implementation of statutory maternity leave. Ideally, a nationally representative study that captures the diverse characteristics of women and enterprises can be conducted to better and more fully understand the situation of maternity leave across Indonesia.

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Annex 1. Comparison of the study survey's sample distribution with SAKERNAS 2019 (%)

This study selected a sub-sample from SAKERNAS 2019 with similar criteria to the targeted respondents in the study's online survey: married women, aged 20–49 years, worked as wage workers, lived in three targeted metropolitan areas. The table below presents a comparison of the distribution of the sub-sample from SAKERNAS with the respondents from the study's online survey. Numbers in bold represent characteristics that are substantially over-represented in the study's respondents compared to SAKERNAS.

Characteristic	Study survey			SAKERNAS 2019		
	Jakarta	Semarang	Surabaya	Jakarta	Semarang	Surabaya
Age group						
20–24	0.4	3.0	5.9	23.9	22.9	23.5
25–29	19.0	39.6	23.5	22.7	19.8	21.7
30–34	46.8	36.6	37.3	17.5	17.8	16.5
35–39	22.4	13.9	24.5	14.3	15.1	13.9
40–44	9.7	6.9	7.8	12.3	12.7	14.2
45–49	1.7	–	1.0	9.3	11.7	10.1
Highest education						
Lower secondary school	0.4	1.4	2.4	14.0	20.7	12.9
Upper secondary school	7.1	28.7	33.3	39.8	39.2	38.8
Diploma/Undergraduate	73.4	63.4	55.9	31.9	25.9	37.4
Master's/Doctorate	18.6	4.0	6.9	2.0	1.8	1.6
Sector						
Agriculture, hunting, forestry and fishing, and mining	1.7	1.0	1.0	0.9	0.8	1.1
Manufacturing	9.7	16.8	12.7	26.4	46.6	30.2
Construction	1.3	3.0	2.9	1.2	0.9	0.8
Wholesale and retail trade, restaurants, and hotels	5.5	17.9	18.6	20.4	15.0	20.0
Transportation, storage, and communication	3.3	2.0	2.9	5.2	1.5	3.5
Finance, insurance, real estate, and business services	18.6	9.0	12.7	7.3	3.3	6.3
Community, social and personal services	11.4	16.8	11.8	38.6	31.8	38.2
Working relationship						
PKWT (temporary contract workers)	31.6	50.5	31.4	27.9	26.0	27.2
PKWTT (permanent contract workers)	67.1	45.5	63.7	41.4	39.4	38.5
Other	1.3	4.0	4.9	30.7	34.6	34.3
Note: – = nil.						
Source: Authors' calculations.						

Annex 2. Survey questionnaire on income security of female employees during maternity leave in Indonesia

Good morning/afternoon/evening,

Lembaga Demografi UI is conducting a study in income security during maternity leave for female workers in Indonesia in collaboration with International Labour Organization (ILO). We would like to ask you some questions and would greatly appreciate if you could participate. Your answers would help us to understand the knowledge and experiences of female employees in the private sector or in non-governmental organizations/institutions regarding maternity leave.

All information you provide is confidential.

If you have any more questions, you may contact _____ and _____ at _____. The survey will last about 12–15 minutes.

X. FILTER QUESTIONS		
X1	What is your gender?	1. Male → STOP 2. Female
X2	Did you work as an employee during 2014-2019?	1. Yes, occasionally 2. Yes, all the time 3. No → STOP
X3	Have you ever been pregnant when you worked as an employee during 2014-2019?	1. Yes once, 2. Yes, [xxx] times 3. No, never been pregnant when I was working as an employee. → STOP
X4	Were you working at headquarter or branch/regional office:	[1] Headquarter [2] branch/ regional office: [3] my office does not have branches
X5	How many workers were in your office/work site when you were pregnant?	1. 1-4 2. 5-9 3. 10-99 4. 100 or more
X6	How many workers in overall establishment?	1. 1-4 2. 5-9 3. 10-99 4. 100 or more 5. Do not know
X7	Are you currently working in the same company when you were working and had latest pregnancy?	1. Yes 2. No, I moved to other companies 3. No, I am currently not working.

A. DEMOGRAPHIC INFORMATION		
A1	City (kota/kabupaten)	_____
A2	Full Name (as in official ID)	_____
A3	Age	_____
A4	Phone (WA)	_____

A5	What is your highest education?	<ol style="list-style-type: none"> 1. Not yet completed primary school 2. Packet A program 3. Special needs primary school 4. Primary School 5. Packet B program 6. Junior High School for special needs 7. Junior High school 8. Packet C program 9. Senior High School for special needs 10. Senior High School 11. Vocational High School 12. Diploma/Bachelor 13. Master Degree 14. Doctoral Degree 95. Others, 97. Refuse to answer 98. Don't know
A6	Was your husband working when you were pregnant while being employed (latest pregnancy)?	<ol style="list-style-type: none"> 1. Yes 2. No → A8
A7	What was your husband sector of work?	<ol style="list-style-type: none"> 1. Agriculture and Mining 2. Manufacturing (factory), electricity and gas 3. Building / construction 4. Retail trade (ex: local shop, grocery store, online shop) 5. Hotels and restaurants (including food stalls, shops) 6. Finance and housing 7. Health and education 8. Community and individual services (e.g., salon, laundry) 95. Other, please type:
A7x	What was your husband position at work?	<ol style="list-style-type: none"> 1. Staff 2. Manager/head of department 3. Director 95. Others, please type:
A8	How many children did you have at the time of your last pregnancy while being employed?	[] []

B. Employment Characteristics (of which you work while pregnant - latest pregnancy)

B1	In what sector of job do you work?	<ol style="list-style-type: none"> 1. Agriculture and Mining 2. Manufacturing (factory), electricity and gas 3. Building / construction 4. Retail trade (ex: local shop, grocery store, online shop) 5. Hotels and restaurants (including food stalls, shops) 6. Finance and housing 7. Health and education 8. Community and individual services (e.g., salon, laundry) 95. Other, please type:
B2	What is your position at work?	<ol style="list-style-type: none"> 1. Staff 2. Manager/head of department 3. Director 95. Others, please type:

C2	Did you know about your rights to obtain leave after miscarriage?	1. Yes, 1.5 months after miscarriage 2. Yes, less than 1.5 months 3. No 95. Other, please type:
C3	Did you know that your employers <u>had obligation to grant you</u> maternity leave at the time of your pregnancy?	1. Yes 2. No
C4	Did you know the procedures to access the leave in your company at the time of pregnancy?	1. Yes 2. No

D. Pregnancy/childbirth experience of female workers (latest pregnancy while working)

D1	What was the outcome of your pregnancy?	1. Livebirth 2. Miscarriage
D2	When did you give birth?	Month [] [] Year [] [] [] []
D3	Did your company pay for all the expenses of your birth delivery?	1. Yes, all in 2. Yes, but half/certain proportion 3. Not at all
D4	How much out of pocket did you pay?	Rp. [] [] [] [] [] [] [] [] [] 96. Do not remember
D5	Why did you have to pay that amount of out of pocket (see D3)	Please type your answer:
If question D1 answered as livebirth → E1 . If respondent answer miscarriage → D6 .		
D6	[for those who experienced a miscarriage] Did your company grant you 1.5 months leave after the miscarriage?	1. Yes 2. No
D7	Were your workload being adjusted after miscarriage?	1. Yes, increased 2. Yes, reduced 3. Not, it stays the same.

E. Experience in taking maternity leave

E1	Did your company provide paid maternity leave before giving birth (or due date) of your last pregnancy?	1. Yes 2. No
E2	Did your company provide paid maternity leave after giving birth (or due date) of your last pregnancy?	1. Yes → E4 2. No
E3	If the company did not provide maternity leave, did you propose to have and/or were you granted the mandatory 3 months (at least 1.5 months before & after childbirth) of fully paid leave?	1. Yes, I proposed but declined → F1 2. Yes, I proposed and granted → E4 3. No, I never proposed → F1
E4	How many months of maternity leave granted by employers?	1. Exactly 3 months → E6 2. Less than 3 months → E5 3. More than 3 months → E6
E5	[If less than 3 months], What were the reasons for not granting 3 months mandatory leave?	a. Company did not get replacement b. Company refuse to pay full salary] c. Other reason, please write... d. Don't know
E6	What do you think about the period of maternity leave you had in your last pregnancy while being employed (Actual)?	1. My maternity leave was too short 2. My maternity leave was long enough

E7	How long did you take maternity leave before and after the birth/delivery?	Pre-natal/before the due date: [] [] weeks Post-natal/after the due date: [] [] weeks
E8	What was the amount of total salary received during maternity leave?	1. 100% of salary at the time of pregnancy 2. Half or less of full salary at the time of pregnancy 3. Full, but only basic wage (no allowances etc) 95. Others, mention
E9	How much was the amount of cash benefit (other than salary)	Rp. [] [] [] [] [] [] [] [] 00. None 96. Do not remember
E10	Do you think that the amount of salary (and cash benefit if you received it) enough to cover expenses during maternity leave?	1. Salary and/or benefit is enough to cover expenses 2. Salary and/or benefit is not enough to cover expenses

F. Experience when returning to work

F1	Did you return to work [to the same job/company before give birth] directly after maternity leave was ended?	1. Yes, returned and obtained full salary as before maternity leave → F7 2. Yes, returned but obtained less salary than before maternity leave. → F7 3. No, I took extra leave (taking annual/sick leave) before returning → F2 4. No, I quit from my previous job → F4
F2	How long did you take a break before returning?	1. [] [] days, 2. [] [] weeks 3. [] [] months
F3	Why did you take extra break before returning to the same job after maternity leave ended?	1. Could not find childcare 2. Medical reasons 3. Husband/family forbid to return early 4. Personal reason Go to F7
F4	Did your employer ever asked you to resign before/during/after maternity leave?	1. Yes, before the maternity leave → F6 2. Yes, during maternity leave → F6 3. Yes, after maternity leave → F6 4. No, I resigned based on my own decision
F5	Why did you decide to quit your work after maternity leave?	1. I want to move to another job/employer 2. I want to open my own business 3. Childcare related issue 95. Other, please type:
F6	Did employer give severance payment/termination benefits?	1. Yes → STOP 2. No
F7	Did you resume to the same position and salary when returning to work?	1. Yes 2. No, I was promoted to higher position. 3. No, I was demoted to lower position or lower salary
F8	Who provided care for your child when you returned to work?	1. Parents/family 2. Neighbour 3. Domestic workers/babysitters 4. Spouse 5. Day care centres

Annex 3. Interview guide

Interview guide for study on income security for women workers during maternity leave in Indonesia

Good morning/afternoon/evening, Madam/Ma'am [what is the name of the respondent].

Thank you for participating in this discussion. As we have said, this discussion was held to obtain information about your experience in terms of income security during maternity leave. The discussion will last for approximately 1 hour.

There are several points that we need to convey in this discussion process, namely:

- From the LD FEB UI team, there was [name/introduce the research team] who attended with as the main interviewer; and other team members will ask questions as needed.
- We ask for permission to record this conversation to ensure the accuracy of the data or information that we will analyse (ask their consent before recording; otherwise we are not ethical to record).
- You have the right to stop this interview at any time, and have the right to refuse to answer our questions.
- The input we collect in this discussion session is anonymous; it will be processed in the report that we will compile and will only be used for the purposes of this study.
- All the information we get from this discussion will be used as a reference for compiling a report that will be used to analyse the experiences of women workers during maternity leave that has been going on so far.

Thus, Madam / Ma'am. So far, do you have any questions or concerns? Can we start, Madam / Ma'am?

Name/Initials :
Workplace agency : (optional)
Sector :
Employment Contract Status :
Position : Staff/Manager/Director
Interviewer Name : _____

Interview Date : _____

Key questions for the In-depth Interview guidelines

Questions	Probing
<ul style="list-style-type: none"> ▶ What do you understand about maternity leave? ▶ How does it apply in your workplace? 	<ol style="list-style-type: none"> 1. What do you understand about statutory paid <i>maternity leave (cash maternity benefit)</i>? Note: (Law No. 13 of 2003 concerning Manpower, 3 months maternity leave and during this leave full wages are paid) 2. Does the company you work for provide maternity leave for female workers before giving birth? Are wages still paid in full? Have you ever taken maternity leave (at your current job)? 3. Does the company you work for provide maternity leave for female workers after giving birth? Are wages still paid in full? Have you ever taken maternity leave (at your current job)? <p>If yes,</p> <ol style="list-style-type: none"> 4. How is paid maternity leave applied in your workplace? Did your company provide money/assistance (besides full salary/basic wage) when you gave birth? 5. What is your opinion on employers who apply shorter periods and lower wages than legal paid maternity leave? <p>If not,</p> <ol style="list-style-type: none"> 6. Why doesn't your company provide full paid maternity leave for female workers before and/or after giving birth? 7. Have you ever been offered to resign or dismissed by your employer before/during/after taking maternity leave? What is the reason?

Specific questions for IDI based on the experience of taking maternity leave

Type of interviewee	Key question	Probing Question
▶ Receive statutory maternity leave (3 months, fully paid)	<ol style="list-style-type: none"> 1. What do you think about the duration of your maternity leave? 2. What do you think about the amount of salary you receive during maternity leave? 	<ol style="list-style-type: none"> 1. Is the duration too short or long enough? Why? 2. Is the salary amount sufficient to cover your expenses during maternity leave? Why/why not? 3. Does your company offer/inform about your entitlement to paid maternity leave or do you have to apply in advance? Why is that?
▶ Receive maternity leave but less than 3 months/not fully paid	<ol style="list-style-type: none"> 1. Why didn't you get 3 months maternity leave? 2. What is the reason the company does not give you full salary during maternity leave? 	<ol style="list-style-type: none"> 1. Does your company provide cash/assistance? 2. If yes, how much is the cash/assistance and is it sufficient to cover your expenses during maternity leave? 3. Does the company provide an explanation orally or in writing about the salary you receive during maternity leave? Were you informed of these rules/policies at the start of your job?

▶ Receive paid maternity leave but take additional leave	1. Why did you take extra leave and for how long?	1. What is your main reason for taking extra leave? Is it more related to personal or professional reasons? 2. Does the company offer options regarding the length of leave before granting you additional leave?
▶ Received paid maternity leave but have difficulty returning to work (remain in the same position as before maternity leave)	1. Does the company pressure you to take extra leave and/or make it difficult for you to return to the same position? 2. Did you return to work but with a lower position or lower salary?	1. Did the company notify you that you will return to the same position after taking time off? Why or why not? 2. Did you return to work but with a lower position or lower salary? If so, were you informed about it beforehand? Why did you take a lower position or lower salary?
▶ Stop working after maternity leave	1. Why did you decide to quit your job? 2. Did the company ask you to resign?	1. Was the absence of maternity leave your main reason for quitting your job? 2. What reason did your company give when it asked you to resign?
▶ Not getting maternity leave at all	1. What is the reason you did not get maternity leave? 2. Have you ever taken the initiative to apply for maternity leave?	1. How do you keep working after giving birth? Are you taking sick leave? 2. Has your employer ever told you that you are not eligible for statutory paid maternity leave? What is the main reason your employer does this to you? 3. Have you ever taken the initiative to apply for maternity leave? If yes, was the request granted/rejected? What explanation did the company give regarding the acceptance/rejection?

Annex 4. In-depth interview participants' characteristics in the qualitative study

No.	Name/ Initials	Age	Education	Field/sector of work	Position	Contract status	Work status
Greater Jakarta							
1	NF	31	Master's Degree	Health and education	Staff	PKWTT	Still Working
2	SL	32	Associate Degree Diploma/Bachelor's Degree	Other – Consultant	Staff	PKWT	Still Working
3	RT	35	High School	Finance and property (Housing)	Sales marketing	PKWT	Still Working
4	AN	39	Associate Degree Diploma/Bachelor's Degree	Creative industry	Manager/ Head of Section	PKWTT	Not Working
5	DA	33	Associate Degree Diploma/Bachelor's Degree	Community and individual services	Staff	PKWT	Not Working
6	ES	35	Master's Degree	Other – Consultant	Expert	PKWT	Still Working
Greater Semarang							
7	WA	27	Vocational School	Manufacturing, electricity and gas	Operator	PKWT	Not Working
8	Y	38	Associate Degree Diploma/Bachelor's Degree	Other – Distributor	Staff	PKWT	Still Working
9	NF	30	Associate Degree Diploma/Bachelor's Degree	Community and individual services	Staff	PKWT	Still Working
10	IKL	30	Associate Degree Diploma/Bachelor's Degree	Health and education	Staff	PKWTT	Still Working
11	EW	38	Associate Degree Diploma/Bachelor's Degree	Community and individual services	Staff	PKWT	Still Working
Greater Surabaya							
12	MR	26	Associate Degree Diploma/Bachelor's Degree	Health and education	Staff	PKWT	Still Working
13	ER	34	Associate Degree Diploma/Bachelor's Degree	Health and education	Staff	PKWT	Still Working
14	VF	31	Vocational School	Health and education	Staff	PKWT	Still Working
15	MW	35	High School	Social work	Staff	PKWT	Still Working
16	RS	36	Associate Degree Diploma/Bachelor's Degree	Building/Construction	Staff	PKWTT	Still Working

Annex 5. Maternity leave knowledge, experience and returning to work in three metropolitan cities

► Annex table 5.1. Distribution of respondents by knowledge on maternity leave in the three metropolitan areas

Survey response	Jakarta	Semarang	Surabaya	Others	Total	
	%	%	%	%	Number	%
Respondents' knowledge of right to maternity leave (n=479)						
Yes, 1.5 months before and after birth	34	28	23	41	148	31
Yes, 3 months	59	58	55	41	271	57
No	5	10	16	13	44	9
Other	1	4	7	5	16	3
Respondents' knowledge of right to maternity leave for a miscarriage (n=479)						
Yes, 1.5 months after miscarriage	35	21	20	28	134	28
Yes, less than 2 months	11	8	10	21	52	11
No	51	67	68	51	277	58
Other	4	4	3	-	16	3
Respondents' knowledge of employer being obliged to approve maternity leave (n=479)						
Yes	95	94	95	97	454	95
No	5	6	5	3	25	5
Working relation (n=479)						
Contract worker	32	50	31	44	175	37
Permanent worker	67	46	64	51	290	61
Others	1	4	5	5	14	3
Note: - = nil.						

► Annex table 5.2. Distribution of respondents by maternity leave experience in the three metropolitan areas

Survey response	Jakarta	Semarang	Surabaya	Others	Total	
	%	%	%	%	Number	%
Status of paid leave given by employer (n=479)						
Employer gave paid leave before and after birth	68	60	51	67	300	63
Employer gave paid leave before birth	9	13	12	13	51	11
Employer gave paid leave after birth	13	12	19	8	64	13
Employer did not give paid leave	11	15	19	13	64	13
Respondent's application status if employer did not give paid leave (n=64)						
Yes, I applied but was rejected	8	33	16	-	10	16
Yes, I applied and was accepted	64	40	47	60	34	53
No	28	27	37	40	20	31
Length of maternity leave (n=425)¹						
Exactly 3 months	87	78	67	59	335	79
Less than 3 months	7	20	27	32	66	16
More than 3 months	6	2	6	9	24	6
Total number	219	89	83	34	425	100

Salary received during maternity leave (n=410) ²						
100% of salary during pregnant	48	34	42	50	181	44
Half or less than full salary during pregnant	7	12	20	9	45	11
Full basic wage (no allowances)	40	45	33	38	162	40
None	2	5	5	-	13	3
Other	1	2	-	3	6	1
Do not remember	-	2	-	-	3	1
Total number	210	85	83	32	410	100

Note: - = nil. ¹ Information on leave duration were collected from respondents who (1) had maternity leave (either full leave, before birth only, or after birth only), regardless they got it immediately or were granted the leave after they made an application to the employer first, and (2) provided information on the duration of leave (n=425). ² Out of 479 respondents, 410 provided information on salary received during maternity leave. About 32 respondents did not get maternity leave and appealed for the leave and 37 respondents refused to answer.

► **Annex table 5.3. Percent distribution of respondents by experience in returning to work in three cities**

Survey response	Jakarta	Semarang	Surabaya	Others	Total	
	%	%	%	%	Number	%
Did respondent return to work after giving birth? (n=458)						
Yes, I returned and received the same full salary as before	84	83	75	89	376	82
Yes, I returned but received a smaller salary than before	2	4	6	6	17	4
No, I took extra leave	4	-	1	3	11	2
No, I quit	10	13	18	3	54	12
Reason for resigning from work after giving birth (n=48)¹						
I want to work at another company	5	18	19	-	6	13
I want to have my own business	-	-	13	-	2	4
Childcare issues	85	73	63	100	36	75
Other	10	9	6	-	4	8
Was respondent asked to resign by the employer before/during/after giving birth? (n=54)						
Yes, before maternity leave	4	-	6	-	2	4
Yes, during maternity leave	-	8	-	-	1	2
Yes, after maternity leave	9	-	6	-	3	6
No, I quit because of personal reasons	87	92	89	100	48	89
Did respondent resume their position and salary when returning to work? (n=403)²						
Yes	97	95	98	94	389	97
No, I was promoted	2	2	1	3	8	2
No, I was demoted	1	2	1	3	6	1
Persons who take care of respondents' children since they returned to work (n=403)³						
Parents/family	53	74	69	74	252	63
Neighbour	1	6	5	-	12	3
Babysitter or domestic worker	39	11	17	11	106	26
Spouse	3	4	5	6	16	4
Childcare	3	5	5	9	17	4

Note: - = nil. ¹ Among 54 respondents who resigned from work, 48 provided the reasons for resignation. ² Among 404 respondents returned to work, 1 is missing. ³ Among 404 respondents returned to work, 1 is missing.



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