



Legal Protection as a Preventive Strategy Against Violence for Female Nurses on the Night Shift

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Article	Abstract
<p>Keywords: Women Workers; Legal Protection; Night Workers; Nurses</p>	<p><i>The aim of writing this research is to analyze the legal protection for female nurses who are employed at night and to describe the obstacles that may occur in implementing legal protection for female nurses who are employed at night at the Mabarrot Hasyimiyah NU Manyar Clinic, Gresik Regency. This research is empirical legal research, which was carried out by looking at the implementation of law according to conditions in society. Based on an analysis of the laws and regulations in Indonesia which regulate protection for female workers who are employed at night, forms of protection for female workers were found, namely getting nutritious food and drinks, maintaining decency and safety while at work, getting pick-up and drop-off transportation for women, female workers going to and from work, Availability of security guards at the workplace, Availability of proper bathrooms with adequate lighting and separate for female and male workers. Based on the research, it was concluded that there are still several factors such as limited operational funds, lack of workers' understanding of their rights, and lack of supervision and guidance from related agencies which are the main obstacles in implementing legal protection for female nurses who work at night.</i></p>

INTRODUCTION

The Constitution of the Republic of Indonesia has provided guarantees for workers. All workers have equal rights in obtaining employment and earning a decent living, expressing opinions, assembling, and forming trade union organizations. Rights are interests protected by law. However, citizens do not create these interests because they already exist in social life. The state only chooses to protect certain rights (Mahmud Marzuki 2009). Legal protection is an important element related to the establishment of a state. Therefore, the formation of a state is closely related to the formation of laws that regulate the behavior of its citizens (Rizal Farid 2022). Article

27 paragraph (2) of the Constitution of the Republic of Indonesia reads; "*Every citizen has the right to work and a decent living for human beings.*" This regulation is also contained in the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) which has been ratified by Law Number 7 of 1984. Another convention, namely, Convention No. 100 concerning Equal Remuneration for Men and Women for Work of Equal Value, was ratified in Law No. 80 of 1957 (Susiana 2017).

The crucial role of workers in the national development process cannot be ignored. These human resources interact closely with other elements of development capital, including natural resources, the role of technology, and the outlined development framework. This collaboration has the primary goal of supporting development programs aimed at strengthening the economic sector and improving public welfare.

The relationship between employee and employer is a complementary one, so that when one party fulfills its obligations, the rights of the other party will be properly fulfilled. Likewise, this principle applies vice versa, where if all obligations are fulfilled, the rights of each party will be properly guaranteed. (Mega Jayantari 2013).

The reality on the ground is that many women work. They must work at night, such as in supermarkets, hotels, and healthcare facilities like clinics or health centers. The use of female workers who work at night must comply with established regulations. This is intended to protect female workers whose night shifts are particularly risky.

In today's industry, workers Not only male workers, but also involving female workers . Both male and female workers They play a vital role in supporting household financial and economic balance. Furthermore, their role in the workforce contributes to the achievement of various government programs, including the creation of health development programs , which encompass health efforts and workers in the health sector . This has significant potential for leveraging health efforts, including medical services provided by nurses.

The government must be able to carry out its duties and functions properly in accordance with existing regulations. Oversight of the implementation of regulations by companies or employers that provide opportunities for female night workers should be a priority, as the reality is still very minimal and is a fundamental issue (Maulana dan Muslim 2020), considering the duration of night work. can affecting the safety and health of workers, employers have an obligation to provide protection for female workers who work night (Andira and Mustari 2016)shifts .

Male and female workers have equal rights, encouraging them to take on greater roles in social and economic life. Opportunities for women to take on these roles are increasingly open with the increasing number of educated women (Khotimal Azis 2018). Currently, female workers constitute a significant part of the workforce, engaged in various forms of work, both for their own benefit and in the context of

employment relationships with employers or other legal entities. Because they are often in a weaker position compared to their superiors or employers, it is crucial to provide adequate protection for their rights.

The high demand and drive to improve their qualifications are the reasons why many women want to work. In fact, this motivation illustrates that, despite the diverse motives of these women to work, their role in the workforce has a significant positive impact, both directly and indirectly, for all parties involved. One reason is the family economy. The family economic unit is one of the economic units studied on a small scale within a larger economic system, such as companies or business entities and the state. There are factors that influence a person's socioeconomic condition in society (Hasan et al. 2022), namely:

- 1) Level of education
- 2) Type of work
- 3) Income Level
- 4) Ownership of wealth or facilities
- 5) Type of residence

A female worker should receive protection from potential risks related to the work they do. This is regulated in Article 49 of Law Number 39 of 1999 concerning Human Rights. For female workers such as nurses, employers are required to provide facilities and rights as stipulated in Article 76 of Law Number 13 of 2003 concerning Manpower;

- 1) "Female workers/laborers aged under 18 (eighteen) years are prohibited from being employed between 23.00 and 07.00.
- 2) Employers are prohibited from employing pregnant female workers/laborers who, according to a doctor's statement, are dangerous for the health and safety of their fetus or themselves if they work between 23.00 and 07.00 .
- 3) Employers who employ female workers/laborers between 23.00 and 07.00 are required to :
 - a. provide nutritious food and drinks; and
 - b. maintain decency and safety while at work.
- 4) Employers are required to provide shuttle transportation for female workers/laborers who go to and from work between 23.00 and 05.00.
- 5) The provisions as referred to in paragraphs (3) and (4) are regulated by Ministerial Decree."

The legislation outlined in this regulation represents one of the government's efforts to provide certainty in guaranteeing occupational safety, namely providing health protection for workers from all forms of threats while performing their work. Curative and rehabilitative efforts are carried out to ensure the protection and health of workers (Djojodibroto 1999). Legal protection for female workers during night shifts is considered very reasonable considering the nature of women themselves. Female workers are considered more vulnerable and require more protection than male

workers. According to Iman Soepomo, women it really needs to get more treatment which are related both health, morality and work safety (Soepomo 1983).

The healthcare sector is one of the sectors with the largest number of female workers. According to the ILO, globally, more than 70 percent of workers in the healthcare sector are women (ILO 2020). A sick person will be taken to an available healthcare facility. One such facility is a clinic/health center. According to Indonesian Minister of Health Regulation No. 9 of 2014, "*A clinic is a healthcare facility that provides individual healthcare services that provide basic and/or specialist medical services.*" The large number of clinics currently available forces a sick person to choose a trusted clinic to provide care and treatment. This is a right of every sick person or family.

Healthcare workers, both male and female, share the same responsibility for patient care. The law defines nursing as a profession based on scientific knowledge, a professional code of ethics, skills-based education, public service practices within the profession, and a professional association (Mendri and Sarwo Proyogi 2017).

Nurses in the workforce, who fall into the category of healthcare or vocational workers, also enter into agreements with healthcare foundations. The employment agreements applied in this context can vary, particularly in the case of healthcare workers, and are typically based on an employment contract that governs the nurse's rights and obligations. Legal protection for nurses in this situation depends heavily on the details of the legal relationship agreed upon in that agreement. An employment contract must clearly outline the performance of both employers and employees to protect the interests of both parties. Furthermore, a written employment contract can serve as a legal basis that provides legal certainty for all parties. Legal certainty is a form of legal objective that encompasses consistency in legal implementation (Suwiryo 2017).

Nurses working in clinics/health centers must agree to a written employment agreement, which serves as the legal basis for the employment relationship between the nurse and their employer, the clinic/health center. Nurses will be assigned work hours, and it's also possible to work at night.

Nurses working at night have a higher level of risk regarding safety and health that they can experience, compared to nurses who work in the morning or during the day. Some risks that may occur include the potential for crime for female workers who work at night, including sexual harassment and even rape.

The number of clinics/health centers in East Java is not small. In total, in 2021 there were 973 clinics/health centers, divided into the top 5 districts/cities as follows:

Table 1 Number of Clinics/Health Centers in East Java Province 2021

No	Regency/City	Clinic/Health Center
1	Surabaya City	170
2	Sidoarjo Regency	124
3	Gresik Regency	71
4	Banyuwangi Regency	47

Source: Central Statistics Agency of East Java Province (2022)

Based on Table 1.1, Gresik Regency is among the top three regencies/cities in East Java Province with the number of clinics/health centers after Surabaya City and Sidoarjo Regency (Badan Pusat Statistik 2022). In Gresik Regency, the number of violence against children and women is increasing. According to data from the Family Planning, Women's Empowerment and Child Protection Service (KBP3A) in Gresik Regency, the number of violence against women in 2022 was recorded at 230 cases from 2021 there were only 170 cases (Chofifah 2022). This figure is higher than Surabaya City, Based on data from the Women's Empowerment, Child Protection and Population Control and Family Planning Service (DP3APPKB) in 2021 there were 138 cases (Widiyana 2023). Meanwhile, in Sidoarjo Regency, according to the Women's Empowerment, Child Protection and Family Planning Service (DP3AKB) of Sidoarjo Regency, there were 142 cases recorded in 2021 (Januar 2023).

The criminalization of medical personnel is becoming an increasingly worrying issue in the Indonesian healthcare sector . According to data from the Indonesian Medical Association (IDI), there was a 30 percent increase in cases of violence against medical personnel in 2022 compared to the previous year (Ali Ashhabul Kahfi 2023). Violence against healthcare workers previously occurred in Gresik Regency. The incident began when an angry man, unable to take a rapid test, resorted to violence against healthcare workers at a hospital in Sangkapura District, Bawean Island, Gresik Regency (Saputra 2020).

Mabarrot Hasyimiyah Clinic , a private clinic located in Gresik Regency, has experienced rapid growth due to the increasing number of patients. The clinic offers a variety of outpatient services covering a wide range of medical needs. Some of the outpatient services available at Mabarrot Hasyimiyah Clinic include a 24-hour emergency room (ER), 24-hour maternity care, inpatient care, general clinic, dental clinic, maternal and child health/family planning clinic, obstetrics and gynecology clinic, beauty clinic, pharmacy and cooperative, and laboratory.

To meet patient needs quickly, the clinic operates several clinics 24 hours a day, including the Emergency Department, General Services, and Maternity Services. This allows patients to receive the care and treatment they need at any time, ensuring access to efficient and responsive healthcare.

The management of Mabarrot Hasyimiyah Clinic divide the work into 3 shifts each day, starting at:

- a. 0 8.00 to 14.00 W IB is the morning shift;
- b. 2:00 PM to 20.00 W IB is the day shift;
- c. 2 0.00 to 0 8.00 W IB is the night shift.

Provisions governing night working hours must be implemented by employers. to female workers. In the workplace, clinics/health centers, only a small part of the

normative labor rights can be implemented by the workforce. However, there are still many health workers who do not receive sufficient attention from the companies where they work, for example not receiving Employment social security (Jamsostek), workers who cannot work properly due to health conditions, do not receive full wages, are not allowed to take maternity leave and so on.

The risk level for nurses working day shifts can be considered lower compared to those working night shifts. This is due to the different working conditions and situations, which can be potentially more dangerous on night shifts. Female nurses who work night shifts should receive additional legal protection, given the potential for undesirable situations and conditions at work. Furthermore, nurses have the right to health and legal protection from the state.

Based on the description of the problems in Based on the above, the author is interested in analyzing and conducting in-depth research on "Legal Protection as a Preventive Strategy for Violence Against Female Nurses on Night Shifts." The author considers this research important because this research can help determine how the implementation of protection for female workers who work at night, knowing the rights of female workers who work at night and evaluating the Company's policies in implementing protection and fulfilling the rights of female workers.

METHOD

Basically, this section explains how the research was conducted. The main material of this section is : (1) research design; (2) population and sample (research targets); (3) data collection techniques and instrument development; (4) and data analysis techniques. For research that uses tools and materials , it is necessary to write the specifications of the tools and materials. The tool specifications describe the sophistication of the tools used, while the material specifications describe the types of materials used.

For qualitative research such as classroom action research, ethnography, phenomenology, case studies, etc., it is necessary to add the presence of researchers, research subjects, informants who helped along with the methods of collecting research data, location and duration of research as well as a description of checking the validity of research results.

It's best to avoid organizing your writing into "sub-headings" in this section. However, if this is unavoidable, you can find the "Results and Discussion" section for more information.

This legal research is a form of scientific analysis activity that is guided by methods, systematics and a framework of thought, with the aim of studying legal phenomena that exist in a particular society by conducting analysis in accordance with existing legal facts and then solving the legal problems.

This study uses an empirical juridical approach, which attempts to examine the law from a factual perspective and examine the implementation of legislation in society. This legal research aims to conduct an in-depth study and analysis of the implementation of legal protection for female nurses employed at night at the Mabarrot Hasyimiyah NU Manyar Clinic in Gresik Regency, under applicable laws and regulations.

This research uses a *socio-legal approach*. This approach requires various social and legal disciplines as study materials for the existence of positive law. The *socio-legal approach* is considered important because it can provide insight into the implementation of law in society (Efendi and Ibrahim 2016). This approach can provide insight into problems that occur due to the ineffectiveness of the law in society, as well as issues related to the implementation of legal protection for female nurses who work at night at the Mabarrot Hasyimiyah NU Manyar Clinic in Gresik Regency.

RESULTS AND DISCUSSION

1.1 Implementation of Legal Protection for Female Nurses Employed at Night at the Mabarrot Hasyimiyah NU Manyar Clinic, Gresik Regency

Legal protection is a form of legal action implemented by the government towards the community as legal subjects based on their rights and obligations and then implemented in accordance with positive law in Indonesia. Satjipto Raharjo explains that legal protection is a form of protection for every human being who has rights who suffers losses because of others and is provided to the community with the aim of all rights granted by law can be enjoyed (Rahardjo 2000).

Meanwhile, according to Philipus M. Hadjon, legal protection is a form of effort to maintain the dignity and human rights that are inherent to every human being, where everyone must obey and submit to legal provisions, regulated by certain regulations or norms to protect against detrimental actions. Indonesia, in accordance with Pancasila, which has the principle of legal protection aimed at the community, must return to Pancasila as the basis of the state (Hadjon 2007).

Legal protection in the employment context provides a guarantee within the employment relationship, ensuring that workers are not subjected to unfair treatment by employers. Therefore, employers are obligated to enforce the regulations stipulated in the legislation.

Today's workforce includes not only male workers but also female workers, including nurses. Female nurses receive this protection for their safety, as workplaces can potentially face unforeseen incidents. This is especially true since they work at night, and some of the workers are women, who require protection for their safety, health, and well-being.

From a legal perspective, the relationship between employee and employer is certainly equal and equitable. However, from a sociological perspective, their status is

unequal, resulting in inequality. This social status tends to lead employers to dominate decision-making without considering the employee's perspective or their interests. Employers can easily order employees to work to the maximum, even exceeding the maximum working hours.

Steps to prevent this from happening are needed, including government contributions in providing legal protection, both to ensure workers' rights are fulfilled and to ensure workers have equal opportunities and receive non-discriminatory treatment. Protection for workers is crucial to safeguarding the basic rights they deserve, as well as preventing acts of discrimination against workers, in the face of the rapid growth of the labor market and ensuring the prosperity of workers and their families.

Protection of worker safety, security and health cannot be separated from the relationship between the employer and the worker. Worker safety, security and health are fundamental issues in implementation related to work activities. The implementation of this is closely related to Human Rights (HAM), workers remain with their honor and dignity as human beings which must also be respected and upheld.

Employers are not permitted to discriminate between male and female workers when entering into employment agreements or contracts. Women should have equal access and opportunities to perform all types of work, even if differences persist in the workplace. The reason behind these restrictions, according to the Employment Law, is to protect their health and morality, considering that female workers are physically weaker (Soepomo 1983).

The fulfillment of workers' rights must meet several requirements, namely:

- 1) Workers must at least know and understand the rights they have as stipulated in laws and regulations.
- 2) Workers' rights must be felt by workers directly as important to protect workers' interests.
- 3) Good legal procedures and awareness are needed to ensure that all workers' rights are respected and implemented.
- 4) Workers must have the skills and abilities to fight for their rights.

Workers need sufficient political resources to help them fight for their rights (Sutedi 2009).

Legal protection for female workers is regulated in Law Number 13 of 2003 concerning Manpower P origin 76. The regulation regulates the prohibition of employing underage women at night between 23.00-05.00. The prohibition of employing pregnant women who are considered dangerous by doctors, there is an obligation for employers to provide healthy food of 1400kcal, the provision of shuttle transportation and maintaining morality in the workplace . These things should be a priority for employers when they employ female workers , so that protection for female

workers can be met properly. However, the fact in the field is that there are still many companies that ignore female workers.

Although normatively the rights of female workers have been guaranteed in laws and regulations and even international conventions, but currently the implementation is still not in accordance with expectations. Regulations regarding protection for female workers who work at night are not fully implemented by companies. Based on the results of research and observations conducted by researchers at the Mabarrot Hasyimiyah NU Clinic, Gresik Regency to see legal protection as a strategy to prevent acts of violence against female nurses on night shifts, it can be concluded that there is still minimal legal protection for female workers, especially as female nurses. This is proven by the results of interviews and observations that have been conducted by researchers with the Mabarrot Hasyimiyah NU Clinic, Manyar, Gresik Regency. The Mabarrot Hasyimiyah NU Clinic, Manyar, Gresik Regency, namely as an employer, has not been able to provide the rights of female nurses who are employed at night by not providing nutritious food and drinks on the grounds that they have been given replacement money. Even though providing nutritious food and drinks to female workers who have night shifts is something that is mandatory for employers to fulfill. This is stated in Article 76 paragraph (3) which reads:

" Employers who employ female workers/laborers between 23.00 and 07.00 are required to:

- a. provide nutritious food and drinks; and
- b. maintain decency and safety while at work. "

It is regulated in more detail in Article 3 of the Decree of the Minister of Manpower and Transmigration No. KEP.224/MEN/2003 concerning the Obligations of Employers Who Employ Female Workers Between 23.00 and 07.00 regarding the purpose of nutritious food to be given to female workers who work at night and the nutritious food provided cannot be replaced by money which states:

- 1) " Nutritious food and drinks as referred to in Article 2 paragraph (1) letter a must contain at least 1,400 calories and be provided during breaks between working hours.
- 2) Food and drinks cannot be replaced with money. "

Employers also have an obligation to provide transportation for female workers who work at night to and from their workplace. In this case, the Mabarrot Hasyimiyah NU Manyar Clinic in Gresik Regency has not fulfilled this obligation. This is regulated in Article 76 paragraph (4), which reads:

" Employers are required to provide shuttle transportation for female workers/laborers who leave and return from work between 23.00 and 05.00. "

Female workers certainly face significant risks that employers who employ them at night should bear. The law limits female workers from working in certain

circumstances, places, and times. These restrictions on places and hours are in line with the fact that women who work late at night are considered to face different risks than male workers . An environment that violates morality makes women appear dishonorable and can also be dangerous for themselves, as women are more susceptible to physical and psychological disorders related to safety issues . being in the workplace and the health of female workers (Soepomo 1983).

Another obligation for employers is the availability of security officers in the workplace and providing proper and separate bathrooms for female and male workers according to Article 5 of the Decree of the Minister of Manpower and Transmigration No. KEP.224/MEN/2003 concerning the Obligations of Employers Who Employ Female Workers Between 23.00 and 07.00 which reads:

" Employers are obliged to maintain the safety and morality of female workers/laborers as referred to in Article 2 paragraph (1) letter b by:

- a. provide security officers at the workplace;
- b. decent bathrooms with adequate lighting and separate for male and female workers .

The Mabarrot Hasyimiyah NU Manyar Clinic in Gresik Regency provides 24-hour security personnel, in accordance with clinic operating hours. This security presence is expected to provide a sense of security and comfort to female workers, especially those who work at night.

The Employment Law stipulates that every worker has an equal opportunity to obtain employment without discrimination. This is intended to guarantee workers' rights and provide equal employment opportunities without discrimination for the welfare of workers and their families, taking into account developments (Maulana dan Muslim 2020). Furthermore, there are many other regulations aimed at improving workers' welfare, but employers have not yet fully implemented them, and workers are unaware of their constitutionally protected rights. This is evident in the Mabarrot Hasyimiyah NU Manyar Clinic in Gresik Regency. The Mabarrot Hasyimiyah NU Manyar Clinic in Gresik Regency has provided a special bathroom for workers , but the bathroom facility only has one for workers. Providing separate bathrooms for male and female workers is a form of maintaining the morality of female workers by employers.

The Gresik Regency Government, through the Gresik Regency Manpower Office, has yet to provide protection for female nurses. In fact, the Gresik Regency Manpower Office does provide guidance to employers regarding regulations concerning the protection of female workers in several ways. One way is by directly inviting employer representatives to come and receive guidance at the Gresik Regency Manpower Office. Another way is by the Gresik Regency Manpower Office visiting the work location and providing direct guidance there. However, the Manpower Office's guidance only focuses on providing guidance to employers without

determining whether or not employers' obligations to workers are being fulfilled. The Gresik Regency Manpower Office should also provide guidance to female workers regarding their rights, so that if they are aware of their rights and are not being provided by their employers, they can report it to the Gresik Regency Manpower Office.

Legal certainty regarding the protection of female workers employed at night actually already exists, namely the Manpower Law. The existence of this regulation is a step taken by the government to protect the rights of female workers while providing legal guarantees in carrying out the chosen work in order to carry out the obligations given by the employer. In fulfilling the rights of female workers, it is already contained in the Decree of the Minister of Manpower and Transmigration No. KEP.224 / MEN / 2003 Concerning the Obligations of Employers Who Employ Female Workers Between 23:00 and 07:00. The Gresik Regency Manpower Office must be aware of the laws and regulations related to the rights of female workers, especially female workers employed at night in accordance with applicable regulations to provide legal protection to female workers.

Article 3 of Law Number 13 of 2003 concerning Manpower stipulates that manpower development is carried out based on the principle of integration through functional coordination across sectors at the central and regional levels. Manpower development aims to:

- 1) "Empowering and utilizing the workforce optimally and humanely;
- 2) Providing protection to workers in realizing prosperity;
- 3) Realizing equal employment opportunities and providing a workforce that meets national and regional development needs;
- 4) Improving the welfare of workers and their families."

Sanctions should be imposed on employers who fail to provide the rights of female workers employed at night, ensuring that female workers, particularly those employed at night, receive protection in carrying out their work. Employers are not only required to pay wages but also to provide the rights of female workers they employ at night. Employers who fail to fulfill their obligations can have their business licenses revoked.

1.2 Obstacles in the Mabarrot Hasyimiyah Clinic in Gresik Regency to Fulfilling the Rights of Female Nurses Employed at Night

The rights of female nurses employed at night at the Mabarrot Hasyimiyah Clinic in Gresik Regency have not yet been fully implemented. Several obstacles remain, both internal and external, hindering the implementation of legal protection for female nurses.

a) Internal Factors

Internal factors originate from both the employer and the employee. In this case, the employee was aware of the regulations regarding the rights of female nurses who work night shifts, but the employer felt unable to fulfill these

obligations, citing a lack of funds to cover daily operations at the Mabarrot Hasyimiyah Clinic .

Mabarrot Hasyimiyah NU Manyar Clinic is the only healthcare facility in Gresik Regency that accepts 24-hour BPJS services. This is why employers feel unable to fulfill the rights of female nurses, preferring to prioritize BPJS Kesehatan services. BPJS Kesehatan requires time to verify and validate the billing documents presented by healthcare facilities. Another internal factor is that workers themselves do not understand their rights if they are employed at night.

Lack of awareness among employers is one factor contributing to the ineffective implementation of legal protections for female nurses who work at night . Beyond employers themselves, the effectiveness of implementation can be measured by employee factors, which are the primary determinant of whether a regulation is being implemented effectively.

b) External Factors

These external barriers stem from employers and the Gresik Regency Manpower Office . These barriers can lead to violations and suboptimal oversight of employers who employ female workers at night. The Mabarrot Hasyimiyah NU Manyar Clinic itself lacks awareness regarding fulfilling its obligations to female workers. This occurs in addition to a lack of knowledge about employers' obligations regarding the rights of female workers employed at night . A lack of operational funds is also a major problem . Regulations are formulated in such a way as to provide legal certainty regarding worker protection . In this case, employers are still largely unaware of their obligations to female workers who work at night.

Regulations designed to provide legal certainty and protection for women workers who work at night still have numerous loopholes. The authorized enforcement agency for labor law, the Department of Manpower, has not yet fully implemented its obligations. Supervisors and law enforcement officers often carry out their duties inconsistently with existing regulations. This is reflected in the continued lack of understanding by many companies of the laws and regulations that constitute the responsibility of law enforcement officers.

The element of labor supervision is one of the elements that must play a role in improving the welfare, safety, and health of workers. Because of its role as a law enforcer in the field of labor, this supervisory element should act as an early detection in the field, so that with the hope that early detection is able to know all the turmoil that will arise early which in turn can provide a safe and stable atmosphere in the field of labor which can thus contribute to national development, so that it has a good impact on economic growth (Manulang 2010).

In the formation of legislation in Indonesia, the application of the theory of legal fiction is still frequently encountered. This means that everyone is assumed to

know the law if it is stated in the legislation, and a person's ignorance of the applicable legislation still binds that person from legal prosecution (HSB 2017). The principle of legal fiction actually has consequences for law enforcement officials to convey the existence of legislation related to worker protection, so that the presence of the government as a third party between workers and employers is real. In reality, employers do not fulfill their obligations to provide workers' rights due to ignorance and employers because there is no regular counseling and guidance provided by existing law enforcement officials.

If no action is taken to anticipate the above forms of obstacles , then in the implementation of legal protection and guidance for female workers who work at night , there will be more and more violations which will result in the goal of legal protection and supervision of female workers who work at night never being fully implemented .

CONCLUSION

Legal protection against the risk of violence against nurses who work at night at the Mabarrot Hasyimiyah Clinic NU Manyar, Gresik Regency , has not fully implemented the regulations stipulated in Law Number 13 of 2003 concerning employment. The Mabarrot Hasyimiyah Clinic NU Manyar Gresik Regency only differentiates between toilets/bathrooms for workers and visitors but does not differentiate between male and female workers, and there is a security section for night work hours , while regarding the provision of food and pick- up and drop-off facilities, the Mabarrot Hasyimiyah Clinic NU Manyar Gresik Regency does not provide this due to the low turnover of the Mabarrot Hasyimiyah Clinic. NU Manyar Gresik Regency is one of the causes of nurses' rights not being fully fulfilled .

Legal protection against the risk of violence against nurses who work at night at the Mabarrot Hasyimiyah Clinic NU Manyar Gresik Regency , due to internal policies from the Mabarrot Hasyimiyah Clinic NU Manyar, Gresik Regency , and the lack of guidance from the Gresik Regency Manpower Office for female workers. Nurses' lack of knowledge regarding labor laws, particularly regarding the rights they should receive while working at night.

SUGGESTION

Mabarrot Hasyimiyah Clinic NU Manyar, Gresik Regency It is appropriate to provide rights to female nurses who have night working hours as mandated by Law No. 13 of 2003 concerning employment . When the Mabarrot Hasyimiyah Clinic... NU Manyar fully implements the regulations to guarantee legal protection against the risk of violence against nurses who work at night .

Female nurses who work at night should be know about the rights that the Mabarrot Hasyimiyah Clinic must provide NU Manyar . These female nurses are

expected to improve their legal knowledge by researching relevant regulations and attending seminars or classes on employment law. This can minimize workers' lack of understanding of their rights while working. Workers are expected to dare to complain to the labor office if you know that your rights are not or have not been fulfilled properly by your employer .

Gresik Regency Manpower Office should increase its supervision and firmness in implementing the applicable labor laws and regulations and provide guidance not only to employers but also to female workers who have night work hours related to labor laws and regulations , so that they can implement good relations and no party is harmed between workers and employers .

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