



RESEARCH ARTICLE

Implications Of The Omnibus Law On The Dual Role: Social Risks For Women In The Balinese Tourism Industry

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Abstract

This research aims to identify the impact of the implementation of the Omnibus Law (*UU Cipta Kerja*) on the position of women in the tourism sector in Bali, focusing on the social and cultural risks faced by female workers due to changes in labor policies. This study explores the role conflicts between traditional duties and job demands arising from labor deregulation. Using a qualitative methodology approach, data were collected through a literature review, document analysis of legal texts, academic articles, government reports, and news articles. The data were then analyzed using content analysis to identify key themes, such as the dual burden faced by women, social tensions, and the impact of policy changes on the well-being of female workers in Bali's tourism sector. The findings reveal that the implementation of the Omnibus Law worsens the social and economic conditions of female workers in the tourism sector by removing key labor protections such as menstrual leave and maternity leave. Challenges, such as the lack of gender-sensitive policies and cultural considerations continue to hinder the full potential of these workers. The study concludes that the Omnibus Law negatively impacts women's well-being, highlighting the need for labor policy reforms that are more inclusive of gender and culture to reduce inequalities and better support Balinese women in balancing their professional and traditional roles. Recommendations for future policy changes include implementing protections for female workers, ensuring cultural sensitivity, and providing better support systems for women in the workforce.

Keyword: Bali Tourism, Omnibus Law, Women, Labor, Role Conflict

Introduction

Tourism has been the backbone of Bali's economy for more than five decades. According to data from the Bali Provincial Statistics Agency (BPS), the tourism sector (accommodation and food services) contributes over 50% to the province's Gross Regional Domestic Product (PDRB). It creates jobs for more than one million people, including many women (Badan Pusat Statistik (BPS) Provinsi Bali, 2025). Perempuan Bali secara aktif terlibat dalam berbagai sektor pariwisata, mulai dari Balinese women are actively involved in various tourism sectors, ranging from hospitality, spas, and culinary arts to handicrafts and other service industries closely linked to Balinese culture. Women's contributions to the tourism economy improve household income and transform gender relations and social structures at the community level (Shantika et al., 2021).

However, women's involvement in this sector cannot be separated from Balinese society's complex social and cultural structure. As a community still heavily influenced by traditional and religious values, Balinese women are viewed not only as economic subjects but also as the primary bearers of social, religious, and kinship duties. Their roles in traditional activities, such as *ngayah* (voluntary social work), prayer ceremonies, and customary rituals, are structural and non-negotiable. These responsibilities persist throughout a woman's life, regardless of her social or professional status (Fadli et al., 2022).

In light of this, a complex challenge arises when the state intervenes in economic policy through the Omnibus Law (Job Creation Law), which was later refined into Law No. 6 of 2023. This law aims to boost investment and create jobs by simplifying various regulations (Kemsetneg RI, 2020). However, some have pointed out that the deregulation introduced by this law could negatively affect

vulnerable groups, including women working in professional sectors. For instance, removing specific provisions on menstrual leave and loosening rules regarding fixed-term employment contracts (PKWT) could weaken protections for women workers in the informal or tourism sectors (Stmik & Riau, 2023).

In the context of Bali, these provisions could worsen the working conditions for women, as they are faced with two competing obligations: as professional workers in a capitalist economic system and as members of a customary community bound by traditional norms. This situation risks causing prolonged role conflicts, where women must choose between meeting work targets or attending customary ceremonies deemed mandatory by their community and social environment. In the long term, this could lead to psychological fatigue, a loss of cultural identity, and disparities in access to job opportunities and promotions in the workplace (Tajeddini et al., 2017). Furthermore, women who cannot meet traditional expectations due to work demands often face social exclusion, such as being ostracized from their *banjar* (neighborhood groups) or being seen as neglecting family duties. On the other hand, women who choose to focus on traditional activities risk losing their jobs or economic opportunities. The situation places women in a dilemma, potentially creating a new social divide between "*traditional*" women and "*modern*" women (Putra, 2020).

Unfortunately, little research is examining the cultural and social impact of the Job Creation Law on Balinese women in the tourism sector. Most studies remain macro and do not address the unique local dynamics of Bali, where the customary system holds legal and social power that cannot be ignored. Understanding the local social reality is essential to ensure national policies are implemented fairly, effectively, and sensitively to Indonesia's cultural diversity (Robinson Sihombing et al., 2020).

This research is important to fill this knowledge gap. The study aims to identify the impact of the Job Creation Law's implementation on the position of women in Bali's tourism sector and to investigate how they respond to the conflict between traditional obligations and work demands. The study also aims to analyze the social and cultural risks arising from changes in labor policies and provide recommendations for mitigation strategies that can be applied to reduce the negative impact on female workers in Bali's tourism sector. The results of this study are expected to contribute to the formulation of more gender-inclusive and

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culturally sensitive labor policies, as well as provide a deeper understanding of the social and cultural risks Balinese women face amid the changing tourism sector faces.

Method

This research employs a qualitative approach to examine the social and cultural risks faced by Balinese women in the tourism industry, particularly in the context of the implementation of the Job Creation Law (Law No. 6 of 2023). Balinese women play a dual role in society, as professional workers in the tourism sector and active participants in the customary and religious systems. This study analyzes how national policy reforms affect the balance between traditional and professional roles of women in Bali.

Referring to the unique structure of Balinese society, where traditional values, religion, and modernity intertwine, this study focuses on document analysis to identify patterns of social tension, role conflict, and potential structural vulnerabilities women face. The primary objective of this approach is to explore in depth how state regulations may create socio-cultural consequences that do not always align with local values. Data are collected through a literature and document review, including: (1) national laws and policies (Job Creation Law and its derivative regulations); (2) national and international scholarly journal articles related to gender, Balinese culture, and the tourism sector; (3) official reports from government agencies (such as the Ministry of Manpower and BPS); (4) reports from NGOs focusing on women's issues and Labor; and (5) news articles from local and national media.

Analysis uses content analysis techniques to identify key themes, such as women's double burden, cultural exclusion, labor discrimination, and the impact of regulations on social welfare. Referring to the views of Parson (2020) and Denzin (2008), the qualitative approach does not rely on mathematical logic or statistical techniques. However, it emphasizes a deep understanding of human behavior and systemic patterns (Chotim, 2022). Creswell also emphasizes that this approach focuses on purposive, open data collection and interpretive analysis based on context (Creswell & Poth, 2018).

Through this approach, the study aims to provide a comprehensive understanding of the social and cultural factors influencing the position of Balinese women amid the modernization of the tourism sector and the implementation of national policies. The findings are expected to contribute to developing more inclusive, gender-responsive labor policies that are sensitive to local cultural values.

Results and Discussion

This study relies on a social and cultural risk management approach that emphasizes the importance of identifying, evaluating, and mitigating the potential social vulnerabilities experienced by specific groups, including women, due to systemic changes such as state policies and global pressures (Helou, 2023). In the context of local culture, such as Bali, social risks encompass economic exclusion and social dysfunction resulting from the mismatch between local norms and national policy structures (Ricard et al., 2023). Cultural risks refer to the potential disruptions to values, traditional practices, and relational structures due to external interventions, including regulatory changes or market pressures (Siwi et al., 2022). Therefore, social and cultural risk management theory helps explain how communities, especially women within the customary system, respond to external pressures that may disrupt their social stability and cultural identity. Several previous studies have highlighted how women workers in the tourism sector occupy vulnerable positions structurally and culturally. Tourism is often seen as an open space for women's economic empowerment; however, it can also reinforce gender inequalities, as most women are placed in informal jobs with low wages and minimal social protection (Khadijah, 2022).

Women's involvement in Bali, particularly in the tourism sector, often conflicts with customary norms that limit their mobility and autonomy (Putra, 2020). These studies show that the inequalities faced by women in the tourism sector are not only due to imbalanced labor relations but also due to socio-cultural pressures that burden them with domestic and communal roles. It is also important to understand the dual role of women, as individuals participating in the public (professional) sphere while also being

responsible in the private or communal (traditional) sphere. The dual role theory states that women often experience role conflict, emotional exhaustion, and even a loss of identity when they cannot harmoniously balance both roles (Shantika et al., 2021). In Bali, this dual role becomes more complex due to the obligatory traditional demands that persist throughout life, without compromise regarding job status or individual preferences (Sumantra, 2020). The inability to fulfill one of these roles may lead to social sanctions from the community or exclusion from the formal labor system.

Changes in labor regulations become an important dimension in seeing how the state facilitates or exacerbates the condition of female workers. Law No. 13 of 2003 on Labor contains provisions that protect women's rights, such as menstrual leave, maternity leave, restrictions on night working hours, and protection from unilateral termination of employment (PHK). However, in Law No. 6 of 2023, which is an improvement of the Omnibus Law, several of these protective clauses were removed or relaxed, under the premise of labor market flexibility and investment climate (Sihombing & Hanifah, 2024). The relaxation of rules regarding Fixed-Term Work Agreements (PKWT), the reduction of social security guarantees, and the absence of explicit provisions for women's special rights could worsen women's positions in the tourism sector, particularly for those in the informal sector. In the context of Bali, the absence of these protections adds to the burden of women who already face customary and cultural pressures. By integrating these four perspectives, this study seeks to fully understand how Balinese women in the tourism sector respond to regulatory, economic, and cultural pressures and how these social and cultural risks can be managed fairly and contextually.

Discussion

Implementation Of The Job Creation Law

Implementing the Job Creation Law, particularly the articles that amend provisions in Law No. 13 of 2003 on Labor, has significantly changed the labor landscape in Indonesia. This deregulation allows for the application of more flexible short-term work contracts (PKWT) and the removal or reduction of normative rights previously protecting female workers, such as menstrual leave and maternity leave, which are no longer explicitly regulated (Gede Adi Putra et al., n.d.).

In the tourism sector in Bali, this policy has created new social vulnerabilities, especially for women who dominate frontline jobs in the industry, such as hotel staff, tour guides, spa therapists, and restaurant workers. Short-term contracts make their positions highly unstable, with the potential for unilateral termination or dismissal without apparent cause. Furthermore, the relaxation of regulations on working hours and minimum wages opens gaps for exploitative practices, including imposing inhumane working hours and paying below-standard wages (Noviadi et al., n.d.). This uncertainty is further exacerbated by limited access for women to social security programs such as BPJS Employment and BPJS Health, as contract work status often does not guarantee full participation in these protection programs. In the long run, this could lead to structural poverty risks, particularly for women who are the economic backbone of their families. A study by Sholikin (2024) shows that women in informal work have significantly lower access to social benefits and government-provided labor training programs. Women's limited bargaining power in the workplace also makes it difficult for them to negotiate fair working conditions, especially in the tourism industry, which remains highly hierarchical and gender-biased. According to the ILO (International Labour Organization, 2022), the power gap between workers and employers tends to be larger in the informal service sector, especially for female workers in non-managerial positions.

In addition to economic aspects, this deregulation worsens the social burden on women. The pressure to remain productive and competitive amid uncertain working conditions triggers stress, emotional exhaustion, and burnout. This is aggravated by the double burden they carry in the domestic sphere, including responsibilities as mothers, wives, and members of the customary community. According (Manthofi et al., n.d.), women in the tourism sector have experienced a significant decline in psychological well-being over the past three years, attributed to job insecurity and lack of formal social support. This imbalance can lead to a deterioration in women's quality of life, an increase in mental health disorders, and limited social mobility. Moreover, the social

structure that is unadaptive to labor market changes also creates stigma against women who are perceived to fail to fulfill their traditional roles in society, reinforcing cultural marginalization and social exclusion. The Job Creation Law creates economic flexibility and generates complex and layered social risks, particularly for female workers in Bali's tourism sector. These risks are both individual and structural, as they touch upon broader gender injustice within the national labor system (Nurtanio & Brahmantyo, 2021).

Balinese women face unique challenges in navigating their dual roles as professional workers and active members of the customary community. In a social structure in Bali that is still heavily influenced by traditional and religious values, women must carry out social-religious roles such as *ngayah* (voluntary work), ceremonial duties, and family responsibilities, which do not allow for any compromise on time. Meanwhile, the formal labor market, particularly in the tourism sector, demands long working hours and high flexibility, often conflicting with tradition's collective and sacred demands (Kesumadewi & Pratiwi, 2021).

This role conflict creates significant psychological pressure for women. They are faced with a dilemma: fulfilling professional obligations at the risk of being labeled as non-compliant with tradition or meeting traditional demands at the risk of losing their jobs or career opportunities. The psychological burden arising from this tension can lead to chronic stress, anxiety, and prolonged guilt. In some cases, women who cannot meet traditional expectations face social marginalization, being ostracized from their banjar groups, or being labeled as unfaithful (Widiastini et al., 2018).

On the other hand, the lack of regulations that explicitly accommodate cultural diversity in the labor system weakens the structural protection for female workers. The state tends to view workers homogeneously, without considering the local cultural factors that can influence women's work experiences. This situation reveals a gap in public policy that is not responsive to the social realities of Balinese women (Cukier & Wall, 1995). As a result, Balinese women are often trapped in a negotiable space between economic modernity and traditional conservatism. This tension also impacts the formation of a fragmented gender identity, where women are forced to reconcile two conflicting value systems. This condition underscores the importance of labor policy approaches that are more culturally and gender-sensitive, so that women are not continuously victims of an exclusive system (Yuni et al., 2023).

The absence of Balinese women from customary activities due to work commitments in the tourism sector can trigger significant social exclusion. In a society like Bali, where traditional and religious values are firmly ingrained, participation in customary ceremonies and social community activities is considered a moral and social obligation that cannot be ignored. Women who cannot attend due to work demands or inflexible working hours often face stigma as being "*less traditional*" or not fulfilling their social obligations as family and community members (Yanthi & Pickel-Chevalier, 2021).

This social exclusion can lead to their marginalization from social groups, such as banjar, which function as social and cultural units in Bali. This marginalization worsens women's psychological conditions, as they feel isolated and unaccepted in their communities. The pressure to meet these social and cultural expectations is further exacerbated by economic challenges and uncertainty in the workplace, which often forces women to choose between their careers and social relationships.

The stigma that arises from not being able to attend customary activities also damages women's self-image in the eyes of society. This stigma not only impacts their mental and emotional health but also leads to identity tensions, where women feel divided between fulfilling their duties as professional workers and as loyal community members who adhere to tradition. This creates a profound guilt, further disrupting their psychological well-being (Rita Ritasari et al., 2024).

Social exclusion and the stigma that arise from women's absence from customary activities significantly impact their quality of life. This affects their social relationships and adds to the psychological burden they already carry from the double burden of work and customary obligations. This condition emphasizes the importance of a more inclusive approach in designing labor policies that respect local cultural values without sacrificing women's social and economic rights.

Labor policies that are not responsive to the needs of female workers, especially regarding flexible working hours and protection of women's rights, become a significant obstacle. Without policies that support work-life balance, the efforts made by women to balance their roles only reflect a temporary adaptation to less-than-ideal conditions, rather than a long-term solution to gender injustice in the labor sector (Suryani, 2021). While the various efforts implemented by women to face this role conflict show their resilience and adaptive capacity, these strategies are insufficient to address the existing structural injustices. Therefore, it is important to develop more inclusive policies that are responsive to the needs of female workers, particularly related to the balance between work, family, and customary obligations, so that women can achieve better social and economic well-being.

Using the social and cultural risk management approach proposed by (Beck et al., 2023), the situation faced by female workers in Bali illustrates the weakness of existing risk mitigation systems regarding national labor policies and social protection. In social risk management theory, risk is considered a threat to individuals and a social construct closely related to power structures and inequality. In this case, female workers in Bali's tourism sector are in a vulnerable position, where they must face various risks that are not only economic but also social and cultural.

Beck's 2019 theory (Kusvianti et al., 2023) states that in the modern era, individuals tend to become the primary subjects in risk management, facing threats generated by larger social and political systems. In this context, female workers in Bali become risk managers for themselves, forced to navigate between the flexible demands of work and rigid customary expectations. They must manage time and resources independently, without adequate structural support from the state or the companies they work for.

Meanwhile, the cultural risk management approach proposed by Renn, 2019 (Abgadshava et al., 2021) emphasizes that risk is related to physical or economic threats and cultural and social identity. In this case, Balinese women must risk losing their cultural identity if they cannot fulfill customary duties. The conflict between the demands of economic modernity and customary obligations adds to the complexity of the risks they face, as there is no sufficient protection mechanism to address these tensions.

Both theories underline that the existing risk mitigation systems are not responsive enough to the social and cultural realities, especially in the context of Bali. Without policies that consider local cultural diversity and the needs of female workers in the tourism sector, they will continue to remain in a vulnerable position. The state, in this case, has not been able to provide adequate protection, and women must struggle alone to manage the risks arising from structural and cultural injustices.

The social and cultural risk management approach shows that female workers in Bali face not only economic uncertainty but also risks to their identity and social well-being that are deeply linked to cultural traditions. Therefore, reforming labor policies to be more inclusive is necessary to accommodate the needs and local context of female workers in the tourism sector.

Comparison of Law No. 13/2003 and Law No. 6/2023

Law No. 13/2003 contains several protective provisions, including menstrual leave and overtime work regulations. Meanwhile, Law No. 6/2023 emphasizes flexibility and economic efficiency. This comparison reveals a regression in specific protections for women in the tourism industry.

Table 1. Comparison of Law No. 13/2003 and Law No. 6/2023

Aspect of Protection	Law No. 13/2003	Law No. 6/2023	Implications for Women in Bali's Tourism Sector
Menstrual Leave	Explicitly regulated in Article 81: women have the right not to work on the first and second day of menstruation Not explicitly	Not explicitly stated in the revised law	Women in the informal sector or on short-term contracts risk losing their right to menstrual leave

	stated in the revised law		
Maternity Leave	Granted for 3 months before and after childbirth.	Still accommodated, but implementation depends on fixed-term contracts (PKWT) and work agreements.	Employment uncertainty makes it difficult for women to access maternity leave rights.
Night Work for Women	Regulated with restrictions; employers must provide health and safety facilities	Relaxed hour limits; employers have less responsibility	Women risk greater exploitation, especially in the hospitality and nightlife sectors
Fixed-Term Work Agreements (Perjanjian Kerja Waktu Tertentu) (PKWT)	Only for specific jobs with a precise duration and limited protection.	PKWT can be extended indefinitely without clear time limits (Articles 56–59).	Women can be dismissed at any time without job continuity guarantees
Protection Against Unilateral Dismissal	Dispute resolution mechanisms through industrial relations.	Resolution leans more toward mediation and bipartite agreements.	Women are vulnerable to dismissal without fair compensation, especially in labor-intensive sectors.
The right to breastfeed at the Workplace	Requires employers to provide lactation rooms for breastfeeding mothers.	This right is still regulated but not strictly supervised.	Weak implementation in the informal tourism sector affects the health of mothers and children.

Law No. 13 of 2003 on Manpower provided several protective provisions to safeguard workers, especially women, in the workforce. Key provisions regulated by this law included menstrual leave, maternity leave, and stricter overtime regulations. These provisions were designed to allow women to fulfill their reproductive obligations without being hindered by unbalanced work demands. The law also included regulations protecting women's rights at work, ensuring welfare guarantees, and stronger social protection. With the implementation of Law No. 6 of 2023 (Omnibus Law), the primary focus shifted towards flexibility and economic efficiency. One of the significant changes introduced by this law was the deregulation of various sectors, including employment. This law facilitated the implementation of fixed-term employment contracts (PKWT) with more leniency regarding duration and termination, potentially increasing job uncertainty for many workers, especially women heavily involved in the tourism sector. The removal or reduction of specific rights, such as menstrual leave and more flexible overtime regulations, made this law more favorable to employers seeking to reduce costs. However, it negatively impacted the specific protections for female workers. A comparison between Law No. 13/2003 and Law No. 6/2023 shows a regression in protecting women workers' rights, particularly regarding social security and protective provisions. Under Law No. 13/2003, female workers were regulated with more explicit protections, providing fundamental rights that directly supported well-being and equality in the workplace. In contrast, Law No. 6/2023 prioritizes flexibility in employment relationships, disregarding the specific needs of women in the workforce, such as

work hours that align with their reproductive roles or specific health protections required during menstruation or pregnancy. The changes brought about by the Job Creation Law tend to lower the standards of labor protection for women, thereby exacerbating gender inequality in the workplace. This underscores the need for policy reforms that are more sensitive to the needs of women, ensuring that their rights are not sacrificed for broader economic efficiency.

Conclusions and Recommendations

This study aims to identify the impact of implementing the Job Creation Law on the position of women in Bali's tourism sector and to analyze the social and cultural risks that have emerged as a result of changes in labor policy. Based on a literature review from previous studies and several data related to human resources, changes in labor regulations, particularly the removal of protections for female workers such as menstrual leave and maternity leave, have worsened the social and economic conditions of female workers in the tourism sector. This has led to women being caught in a role conflict between traditional obligations and work demands, and at risk of experiencing social marginalization and gender inequality in the workplace. This research focuses solely on implementing the Job Creation Law without considering other labor policies that may also affect female workers. For future research, it is recommended to adopt a more comprehensive approach, such as interviews or direct surveys with female workers in the tourism sector, to gain deeper insights into the impact of this policy on their social and economic lives and identify more effective mitigation strategies.

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