

Sandi, Siti Umayah, 10220080, 2014, *Legal Protection Given By Businessmen in Malang Concerning Female Employees Who Work at Night (the Perspective of Labor Law and Islamic Law)*. Thesis. Sharia Business Law Department, Sharia Faculty, Maulana Malik Ibrahim State Islamic University, Malang. Advisor: Khoirul Hidayah, S.H., M.H.

Keywords: Labor Law, Female Employees, Businessmen

Islam contains a teaching which proposes people to do their works. As a creature created by Allah, both man and woman can work and create something based on their talent and ability. Since working is one of the ways of jihad as an effort to fulfill the needs, like men, women are also allowed to work inside or outside the house as long as they do not neglect their nature. Because women have different reproduction system and cannot be replaced by men, women have the right to get different labor protection.

This research will discuss the forms of law protection given by businessmen for female employees who work at night based on the Labor Law and Islamic Law.

This research aims to know the form of law protection given by the businessmen for the female employees based on Article 76, Labor Law No. 13 of 2003 and Islamic Law. This is an empirical law research. It employs a qualitative approach by understanding the phenomenon about the researcher's experience. The data analysis method used is qualitative approach.

The research result taken from several business places in Malang shows that based on Labor Law No. 13 of 2003, there are some violations done by businessmen concerning the rights of female employees on the night shift. They do not provide nutritious food and drinks in the workplace and provide shuttle transportation service for the female employees. As a result, they depart and return back home by private or public transportation. In accordance with Islamic Law, all of the female employees' rights who works at night must be fulfilled, as regulated in Labor Law, if the company or business place has the ability to do so.