



## Legal Lacunae in Work Accident Insurance: A Case Study of Permanent Disability in Indonesia

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### Abstract

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*The protection of workers who experience work accidents in Indonesia has been regulated in various regulations, such as Government Regulation Number 49 Year 2023 (PP49/23). However, in practice, there is still a legal vacuum that results in some workers, especially freelancers, not getting proper coverage. This study analyzes the case of a worker who suffered permanent disability due to a work accident, but did not receive appropriate compensation from the company. Using a juridical-normative approach and case analysis, this study finds that loopholes in the legal system and weak supervision mean that workers' rights are not fully met. Therefore, there is a need to revise policies and improve supervision mechanisms so that every worker, regardless of employment status, receives optimal legal protection.*

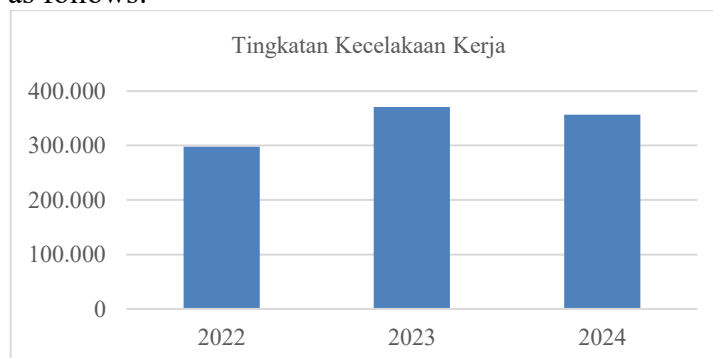
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## INTRODUCTION

The work that has become everyone's preoccupation has had a negative impact in early October 2024 by contributing more than 350,000 cases of work accidents (Damiana, 2025). This is certainly an important point of attention because basically the work, especially against work accidents, is given juridical protection in Peraturan Pemerintah No. 50 Tahun 2012 tentang Penerapan Sistem Manajemen Keselamatan Dan Kesehatan Kerja abbreviated as "PP50/12". The existence of this protection is of course to provide legal guarantees for workers if there are things that are not wanted such as work accidents which are currently on the rise. According to the Ministry of Manpower, it has recorded the trend of the last 3 (three) years as follows:



### **Grafik 1.** Trend Kecelakaan Kerja Tahun 2022-2024

Seeing this high rate of workplace accidents raises questions about the legal guarantees and solutions to workplace accidents. In the regulation of Peraturan Pemerintah Nomor 49 Tahun 2023 Tentang Perubahan Kedua Atas Peraturan Pemerintah Nomor 44 Tahun 2015 Tentang Penyelenggaraan Program Jaminan Kecelakaan Kerja Dan Jaminan Kematian (abbreviated as PP49/23) has provided answers to solutions for workers who are hit by work accidents, but apparently this option is not an accurate solution for some workers as experienced by Aminudin as reported in various news media.

Mr. Amanudin who is a piecework worker at PT X located in Gondang Legi Hamlet, Cengkaring Village, Malang City, Beji District has suffered permanent disability due to an accident in the work he has done. According to his confession to several media, one of which is Anka Post, he said *“Saya kerja masih dapat 2 bulan waktu itu dibagian luar akan tetapi sama atasan saya disuruh masuk dibagian mesin menggantikan pekerja yang tidak masuk, saya terus terang tidak paham dengan urusan mesin akan tetapi saya disuruh oleh Bu Haris sebagai HRD untuk tetap di bagian mesin, tak lama dari itu kejadian ini terjadi kecelakaan kerja dan 2 jari tangan saya putus”* then he continued *“Saya terus terang sangat menyangkan dari PT Sakari Sumber Abadi yang lepas tangan dan tidak peduli atas kejadian yang saya alami ini, dan ini juga diperkuat oleh Pak Mad (HRD sekarang) waktu itu masih Kepala Produksi yang seolah olah sok gak tau”* (Nayla, 2024). Then in another alert Mr. Amanuddin continued *“Kemudian saya disaat mengerjakan tugas itu tangan saya masuk mesin penggiling kayu dan ya ini akhirnya putus 2 jari tangan saya, dan saya langsung dibawa ke Rumah Sakit di kota Sidoarjo, yang saya sayangkan Bu Haris HRD sempat bilang pada keluarga saya kalau untuk pengobatan di Rumah Sakit, Bu Haris sampai jual sepeda motornya, dari PT Sakari Sumber Abadi juga tidak berikan pesangon atau santunan pada saya atas kecelakaan kerja hingga 2 jari tangan saya putus”* (Damiana, 2025).

The case of Mr. Aminuddin will be used as a reference in assessing the relevance of work safety guarantees listed in PP49/23 to be analyzed in depth, and given a solution if something similar happens to other workers and become a reference for making research on similar topics.

The problem that arises in the case example against PP49/23 as the provision of guarantees is the absence of guarantees that can overcome permanent loss or disability for the victim (in this case Mr. Aminuddin), Article 25 Paragraph 1 of PP49/23 has emphasized the following *“Participants who experience work accidents or occupational diseases are entitled to JKK benefits”* but seeing the brief chronology of Mr. Amanuddin which has been justified by various alerts from the media even though there is no permanent legal force and seeing the losses suffered by Mr. Amanuddin can be anticipated in the future for other workers and for the law itself in order to be better at enforcing labor rights to get compensation guarantees due to suffering from work accidents. The legal vacuum seen from this case will be studied in depth so that the meeting point of the problem will be found.

## **METHODS**

The research method used in this research is based on juridical-normative or legal research which according to Peter Mahmud Marzuki in Muhaimin (2020) and Pratama & Apriani (2023) is a process of finding a legal rule which will later be used as an argument to solve the problems he faces in a prescriptive manner by using the law which is considered to be the norm. In this case, the case used as an example is the uncertainty of work accident insurance that Mr. Aminuddin (this is the phenomenon of the problem) has opposed the applicable regulations, namely PP49/23 (this law is the norm) so that it is questionable why Mr. Aminuddin did not get work accident insurance (this is the problem to be analyzed), therefore this study tries to analyze and provide a perspective view in the form of an argument to answer this research problem.

The approach used is a statutory approach and a case approach, in this study the statutory approach is intended for the perspective used to solve the problem, namely PP49 / 23 and for the case approach, namely what happened to Mr. Aminuddin, although there is no permanent legal force, the losses experienced by Mr. Aminuddin are in fact what has happened so that it is considered that even though there is no permanent legal force, the case can be used as a legal in-depth study but only limited to providing anticipation before a similar incident.

Given the classification of this research is normative, there are several legal research materials which are divided into 3 (three) types, namely primary, secondary and tertiary (S et al., 2024). Primary legal materials here refer to legislation or other government regulations that have permanent legal force with a high level of relevance to the topic under study such as PP49/23. Then secondary legal materials are intended for previous studies that contain relevant arguments and doctrines relevant to the topic of discussion, for example, such as legal research journals, legal books and many more. And the last is tertiary legal material is additional legal material to support this research such as news related to Mr. Aminuddin.

Data collection techniques for this type of secondary legal research material are very easy because at this time government regulations, journals, books, and news and other research material information can be obtained easily via the internet so that in scientific language this technique is called a literature study. This research does not use data testing techniques such as general research (but because this is legal research so it has a different nature) so that the validity of this data is determined by classification techniques that emphasize relevance to the topic of the problem as an example it is impossible for Undang-Undang Nomor 8 Tahun 1999 tentang Perlindungan Konsumen to be used in this study which discusses its main topic of work safety. Then the data that has been obtained is processed in order to provide a strong solution or reference to this research by means of grammatical interpretation, namely exploring the meaning of the primary legal material in order to answer legal problems.

## **RESULTS & DISCUSSION**

### ***Results***

#### **Legal Basis of Employment**

Labor protection refers to the safeguarding of workers, based on constitutional principles as outlined in Undang-Undang Dasar Tahun 1945 Negara

Republik Indonesia (commonly abbreviated as UUD45). Specifically, Article 27, Paragraph 2 of the UUD45 states: “*Tiap-tiap warga negara berhak atas pekerjaan dan penghidupan yang layak bagi kemanusiaan*” This provision emphasizes that every Indonesian citizen is entitled to a job that is humane and fair. Furthermore, Article 27, Paragraph 1 of the UUD45 clarifies that all citizens are equal before the law and are collectively obligated to uphold the law and government, without exception. These two fundamental provisions reinforce that labor protection for Indonesian citizens is centered around ensuring humane working conditions, and this principle is mandated through the legal system. Additionally, labor protection is further underscored in Articles 28D, Paragraphs 1-2 of the UUD45, which assert that every individual has the same right to recognition, guarantees, protection, and legal certainty before the law, as well as the right to fair and just treatment in employment relationships. Articles 28D, Paragraphs 1-2 clearly state that every person is entitled to equality before the law and must receive justice in their work relationships, without exception. Beyond legal foundations, labor protection can also be viewed through the lens of social justice, which is a national ideology enshrined in the fifth principle of Pancasila: “Keadilan Sosial bagi Seluruh Rakyat Indonesia”, From this perspective, it can be concluded that any arbitrary abuse of freedom toward others cannot be tolerated in society, particularly in the realm of employment.

The dynamic evolution of life continuously brings changes to the dynamics of labor protection law, which upholds these fundamental principles as mandates that must be executed. This process led to the first legal framework for labor protection with the enactment of Undang-Undang Nomor 23 Tahun 1948 tentang Pengawasan Perburuhan which regulated the activities of employers (now known as employers in modern terms) who employed workers in their companies, aiming to prevent any injustices that might occur toward the workforce (Hadistianto, 2017). However, this law was deemed insufficient in providing justice and legal protection. As a result, the legal framework for labor was reformed to provide a more comprehensive and complex foundation, culminating in the enactment of Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan. This was later revised and codified into Undang-Undang Nomor 6 Tahun 2023 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 tentang Cipta Kerja menjadi Undang-Undang which was then established as a formal law (commonly abbreviated as UU6/23).

It can be concluded that the legal foundation used to enforce justice and provide protection in labor matters is found in UU6/23. This regulation comprehensively addresses various elements of labor, including minimum wages, working hours, the relationship between employers and employees, principles, and other relevant aspects.

### **Principles of Employment and its Elements**

Talking about principles, especially legal principles if defined means the legal basis or basic principles of an applicable legal regulation, this is slightly different when talking in the context of a juridical legal basis because legal principles, although definitively the same as a basis for law, are only conceptually and apply in writing and become norms (Rangkuti, 2024). The definition of the legal principle in its application is in every applicable legal regulation, the function

of this principle in brief is as a limiter and reference (this is like the use of Pancasila and UUD45 in consideration in every law formation).

In the legal system of employment protection or on a large scale, namely labor law, there are principles in question and these principles are based on the constitutional basis which is a separate principle so that it becomes the main view in making laws and regulations that come from the 1945 Constitution and Pancasila so that in labor law there are the following principles:

1. Benefit principle, in short, this principle prioritizes benefits in everything in work for workers, employers and policy makers;
2. The principle of Joint and Family Enterprises, intended from the principle of Economic Democracy so that it is interpreted as a joint effort of the entire community (in another sense this principle is also called the principle of kinship);
3. The principle of democracy, every decision that arises and is needed in a process of labor relations and in the work itself must be based on consensus;
4. The principle of openness, giving the public the absolute right to obtain correct and non-discriminatory information;
5. Fair and Equitable Principle, providing equality to all people without distinguishing from any angle (non-discriminatory);
6. The principle of Work Partnership, in this principle it is emphasized that the position of employers and workers is business partners not as leaders and subordinates or bosses and subordinates so that it is defined as partners in work, partners in enjoying the results of work, and partners responsible for their work.
7. The principle of cohesiveness is more directed at the government, where there must be functional coordination across central and regional sectors;
8. Non-Discrimination Principle, this discrimination is used in determining wages such as differences in wages for women and men.

Then in addition to paying attention to these principles which are seen as the basis for labor regulations, there are elements that must be fulfilled, because if these elements are not present or present then it is not included in a job so of course the principles referred to above which are directed at work in positive law today do not apply. The elements in question are as follows (Situmorang, 2010):

**Command**

In Law No. 13 Year 2003 on Manpower, Article 35 stipulates that: (1) an employer who requires labor may recruit labor directly or through a labor placement agency; (2) the labor placement agency referred to in paragraph (1) is obliged to provide protection to labor starting from the recruitment stage until placement; (3) the employer stipulated in paragraph (2) is responsible for ensuring labor protection which includes aspects of welfare, safety, and health both physical and mental. Furthermore, Pasal 36 Undang-Undang No. 13 Nomor 2003 explains that: (1) placement of workers by the implementer as stated in Article 35 paragraph (1) is carried out through the provision of worker placement services; (2) worker placement services referred to in paragraph (1) are integrated in one placement system which includes the following elements:

1. Job seekers;
2. Job vacancies;
3. Labor market information;

4. Mechanism between jobs;
5. Institutionalization of labor placement.

In paragraph (3), it is explained that the elements in the manpower placement system listed in paragraph (2) can be implemented separately, with the aim of achieving the realization of effective manpower placement.

### ***Jobs***

Work, in a more general sense, refers to any major activity performed by an individual. Meanwhile, in a narrower sense, the term work refers to tasks or activities that generate income for an individual. In everyday conversation, the term is often equated with profession.

### ***Wages***

Based on Article 1 Point 30 of the 2003 Manpower Law, wages are the rights received by workers or laborers in the form of money as compensation provided by employers or employers. Determination and payment of wages are made in accordance with work agreements, agreements, or provisions of applicable laws and regulations, and include benefits for workers or laborers and their families for work or services that have been or will be performed. Thus, wages include payments in the form of money as well as benefits provided.

### **Forms of Employment Protection**

The mandate to provide labor protection in the dilemma reached the end of the policy journey and gave birth to questions that triggered various opinions from experts regarding how the current legal umbrella provides labor law protection in concrete terms. This is answered by several experts, especially aimed at 2 (two) experts who are closest to the interpretation of the truth of what is aimed at the legal basis of this labor protection, namely (Auli, 2024):

#### ***Imam Soepomo's interpretation***

The first is Economic protection refers to efforts to ensure the provision of adequate income for workers to meet their daily needs, both for themselves and their families. This protection also covers circumstances where workers are no longer able to work due to factors beyond their will. Social protection is a form of protection that aims to ensure that workers can participate in social activities. The main purpose of this protection is to enable labor to develop a decent life as an individual, as well as a member of the community and family, in accordance with their rights. And finally, technical protection refers to efforts to protect workers from potential accidents caused by the use of work tools or materials provided by the company. This protection aims to reduce risks that can jeopardize the safety and health of workers while carrying out their duties (Sulaiman & Wali, 2019).

#### ***Interpretation of Abdullah Sulaiman***

Abdullah Sulaiman explains that labor protection can be divided into five main types that are interrelated and serve to ensure the welfare of workers in various aspects. First, economic protection, which relates to working conditions or labor conditions. This protection is regulated in regulations governing employment relationships or work agreements, with the aim of ensuring that workers get enough income to meet the needs of their lives and their families. Furthermore, there is work safety protection which aims to protect workers from potential hazards that may arise from work tools or materials used during work. This protection is important so that workers can carry out their duties safely without being exposed to

risks that could jeopardize their safety. In addition, occupational health protection is equally important. This protection is designed to anticipate potential losses that can occur to workers' health, both caused by conditions in the workplace and by inhumane practices that sometimes occur, especially in the industrial sector. This condition aims to keep workers healthy, both physically and mentally. Then, there is the protection of employment relations, which touches on aspects of the working arrangements between laborers and employers. This protection aims to ensure that the employment relationship takes place fairly, with workers receiving their rights in the form of wages in accordance with the agreed provisions. Finally, the protection of legal certainty ensures that there is a clear and firm legal basis in regulating the rights and obligations of workers and employers. Through applicable laws and regulations, this protection provides orders and prohibitions that must be obeyed, as well as sanctions for those who violate them. The nature of this protection is coercive, aiming to provide a sense of security and justice for all parties involved. With the existence of these five forms of protection, it is hoped that workers can carry out their duties in a safe, healthy and fair environment, and obtain rights in accordance with applicable regulations (Sulaiman & Wali, 2019).

#### **Legal Basis for Work Accident Insurance**

Work accident insurance was initially covered by law with Undang-Undang Nomor 24 Tahun 2011 tentang Badan Penyelenggaraan Jaminan Sosial. The provision of work accident insurance is to create economic development based on democratic principles so that of course in accordance with the mandate of labor, a mechanism is needed to avoid violations against workers in their work, especially in the health sector. Furthermore, the provision of work accident protection is still broadly mandated in Undang-Undang Nomor 3 Tahun 1992 tentang Jaminan Sosial Tenaga Kerja which is the forerunner of the birth of the conception of work accident insurance.

The concrete dynamics in early 1992 the government together with Undang-Undang Nomor 3 Tahun 1992 tentang Jaminan Sosial Tenaga Kerja established an organizing body that provides work accident guarantees with principles such as insurance where the employer must pay these guarantees with various predetermined mechanisms, the guarantee organizing body is abbreviated as JAMSOSTEK. However, it turns out that the costs required are not fair for certain groups of workers so that not all work accidents caused by work and suffered by these workers can be covered by the guarantee and then a legal vacuum arises for the protection and social justice that is.

These concerns led the government to find a new solution through Undang-Undang Nomor 24 Tahun 2011 tentang Badan Penyelenggaraan Jaminan Sosial (abbreviated as UUBPJS) and the re-establishment of an agency that executes the law, abbreviated as BPJS. In UUBPJS there is a guarantee that regulates more explicitly and more complexly about "*Jaminan Kecelakaan Kerja*" or hereinafter abbreviated as JKK. However, again the BPJS Law has not been able to provide sufficient legal protection for some workers such as the case study example in this research.

Then, with the political influence on the legal system in Indonesia, labor law again underwent changes in the procedures for implementation (or commonly in law called the procedural / administrative part) so that a more specific legal basis

related to JKK is found in Peraturan Menteri Ketenagakerjaan Nomor 5 Tahun 2021 tentang Tata Cara Penyelenggaraan Program Jaminan Kecelakaan Kerja, Jaminan Kematian dan Jaminan Hari Tua (which is abbreviated as Permenaker 5/21). In Permenaker 5/21, the meaning of work accident itself is even expanded, not only accidents arising from the work performed but also as follows “*Kecelakaan yang terjadi dalam perjalanan berangkat dari rumah ke tempat kerja/sebaliknya melalui jalan yang wajar/biasa ditempuh*” in Pasal 7 Ayat (2) Huruf b (Utomo, 2024). So that from the expansion of the definition of work accident itself, it is known that the arrangements and scope for the legal basis of work accident insurance are the same as the basis of the latest labor law, namely precisely in PP49/23, but the procedures for implementing the provision of guarantees are in Permenaker 5/21.

### **Discussion**

It can be seen in the research results section that labor protection, especially for workers who suffer from disabilities due to work accidents, has the right to get guarantees based on the applicable law in PP49/23. However, based on the news circulating on the legal events that befell Mr. Aminudin based on Nayla (2024), There was no action taken by the employer to provide guarantees in the form of rights for Mr. Aminudin as a worker who suffered a work accident and even his suffering must be accepted for life. In that incident, the employer only provided medical treatment at the hospital to Mr. Aminudin, but in law this is not justified. It turns out that this can be that bad because basically the working relationship that occurs between the employer and the worker (in this case the Open Company and Mr. Aminudin) is only limited to piecework workers (if the official language is freelance workers) so that usually in Indonesia piecework workers do not have or follow the procedures for providing work as said by UUBPJS, namely social security registration, from here of course the workers take advantage of the legal loophole.

Remembering Pasal 7 Ayat 1 dan 2 Permenaker 5/21 related to work accident criteria, namely “(a) *kecelakaan yang terjadi akibat kerja dan/atau di tempat kerja sebagaimana dimaksud dalam ketentuan peraturan perundang-undangan bidang keselamatan dan kesehatan kerja; (b) kecelakaan yang terjadi dalam perjalanan berangkat dari rumah menuju tempat kerja atau sebaliknya melalui jalan yang biasa dilalui atau wajar dilalui; (c) kecelakaan yang terjadi pada saat menjalankan tugas atau perjalanan dinas atas perintah dan/atau untuk kepentingan perusahaan dan/atau pemberi kerja atau ada kaitannya dengan pekerjaan; (d) kecelakaan yang terjadi pada saat waktu kerja dan waktu istirahat kerja karena melakukan hal-hal penting dan/atau mendesak atas seizin atau sepengetahuan pemberi kerja; (e) penyakit akibat kerja; atau (f) meninggal dunia mendadak akibat kerja*”, then actually the position of Mr. Aminudin who stated “*Saya kerja masih dapat 2 bulan waktu itu dibagian luar akan tetapi sama atasan saya disuruh masuk dibagian mesin menggantikan pekerja yang tidak masuk, saya terus terang tidak paham dengan urusan mesin akan tetapi saya disuruh oleh Bu Haris sebagai HRD untuk tetap di bagian mesin, tak lama dari itu kejadian ini terjadi kecelakaan kerja dan 2 jari tangan saya putus*” It is considered a work accident even though their employment relationship does not follow the rules of Law 6/23.



Logic and custom if applied to the habit of hiring freelancers in Indonesia usually does not occur in writing but verbally, but even if it is written, there is usually no insurance or guarantee, especially the social security of the workers, thus of course in legal logic this is an abuse of will, of course in consumer protection law it is also explained that there is a position gap in favor of the employer in the contents of the agreement. This clearly violates the law even though there is approval from Mr. Aminudin, but because this research has limited legal facts, it is only an opinion.

The employer in this case has violated its obligation to register Mr. Aminudin into the social security program organized by BPJS so that the sanctions applied are administrative referring to Pasal 17 Ayat 1 UU BPJS dan Pasal 5 Peraturan Pemerintah Nomor 86 Tahun 2013 tentang Tata Cara Pengenaan Sanksi Administratif kepada Pemberi Kerja selain Penyelenggara Negara dan Setiap Orang, Selain Pemberi Kerja, Pekerja dan Penerima Bantuan Iuran dalam Penyelenggaraan Jaminan Sosial that is “(a) teguran tertulis; (b) denda; dan/atau (c) tidak mendapat pelayanan public tertentu”.

Mr. Aminudin's ordeal of losing two of his 5 fingers on his hand was “cacat” If you see the specificity of the guarantees given but the employer does not give his rights, it is clear that this can be said to be a big sin that has occurred. The defect referred to earlier, if seen in its jurisdiction, is in the explanation of Pasal 25 Ayat 2 Huruf b Angka 3 PP 44/2015 and also Pasal 1 Angka 8,9,10 Permenaker 5/21 that is “(a) cacat sebagian anatomis adalah keadaan berkurang atau hilangnya sebagian anggota badan yang secara langsung atau tidak langsung mengakibatkan berkurang atau hilangnya kemampuan pekerja untuk menjalankan pekerjaannya; (b) cacat sebagian fungsi adalah keadaan berkurang atau hilangnya sebagian fungsi anggota badan yang secara langsung atau tidak langsung mengakibatkan berkurang atau hilangnya kemampuan pekerja untuk menjalankan pekerjaannya; (c) cacat total tetap adalah cacat yang mengakibatkan ketidakmampuan seseorang untuk melakukan pekerjaannya”. Mr. Aminudin's case certainly falls into the category of partial anatomical disability so that from here there are rights based on Pasal 25 Ayat 2 PP82/19 yakni “(a) pelayanan kesehatan sesuai kebutuhan medis yang dapat ditemukan lebih lanjut dalam Pasal 25 ayat (2) PP 82/2019; (b) santunan berupa uang meliputi antara lain: (1) santunan cacat sebagian anatomis, cacat sebagian fungsi, dan cacat total tetap; (2) santunan berkala yang dibayarkan sekaligus apabila peserta meninggal dunia atau cacat total tetap akibat kecelakaan kerja atau penyakit akibat kerja”.

Given this regulation, it is clear that Mr. Aminudin should get compensation that can be provided periodically and not just the provision of medical services, from this it can also be concluded that the employer has violated several Labor Laws that convey the protection of workers who suffer from disabilities, but because of the unfavorable employment relationship for Mr. Aminudin it is clear that the strength if debated in law is less strong. So this needs to be used as a lesson for all groups to continue to pay attention to personal safety, and intellectuality in making agreements for employment relationships and the government should be stricter in regulating regulations and supervision.

## CONCLUSION

Based on this research, there is a legal vacuum in the protection of workers against work accidents that cause permanent disability. Although regulations such as PP49/23 have regulated work accident insurance, its implementation still does not provide optimal protection for workers, especially for those who are freelancers. The case studies analyzed show that there are loopholes in the legal system that allow companies to avoid their responsibilities towards workers who experience work accidents. This research confirms that labor protection should not only cover formal legal aspects, but also ensure effective implementation in practice. Therefore, stricter policies and better oversight mechanisms are needed to ensure that every worker, regardless of their employment status, gets the rights and guarantees they deserve in accordance with applicable laws. Reforming labor policies and increasing legal awareness among workers and employers are important steps to prevent similar cases from occurring in the future.

### **CONFLICT OF INTEREST**

This research is directed towards legal scholarship and only to that extent, we write this in the hope that it can provide understanding and caution for parties similar to the phenomena in this research. We expressly want to convey that there is no coercion from any party in this article, nor is there any intention to corner certain parties because basically this article is an opinion.

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### **REFERENCES**

- Auli, R. C. (2024). *Jenis-Jenis Perlindungan Tenaga Kerja di Indonesia*. Hukum Online. [https://www.hukumonline.com/klinik/a/jenis-jenis-perlindungan-tenaga-kerja-di-indonesia-lt6321be2336d65/#\\_ftnref13](https://www.hukumonline.com/klinik/a/jenis-jenis-perlindungan-tenaga-kerja-di-indonesia-lt6321be2336d65/#_ftnref13)
- Damiana. (2025). *Kecelakaan Kerja Makin Marak, Tembus 350.000 Kasus per Oktober 2024*. CNBC Indonesia. <https://www.cnbcindonesia.com/news/20250114142723-4-603079/kecelakaan-kerja-makin-marak-tembus-350000-kasus-per-oktober-2024>
- Hadistianto, M. F. (2017). PRAKTEK PENGAWASAN PERBURUHAN DALAM KONTEKS PENEGAKAN HUKUM PERBURUHAN HETERONOM. *Jurnal Surya Kencana Satu : Dinamika Masalah Hukum Dan Keadilan*, 8(2), 21–38. <https://doi.org/10.32493/jdmhkdmdhk.v8i2.692>
- Muhaimin. (2020). *Metode Penelitian*. Mataram University Press. [https://eprints.unram.ac.id/20305/1/Metode Penelitian Hukum.pdf](https://eprints.unram.ac.id/20305/1/Metode%20Penelitian%20Hukum.pdf)
- Nayla. (2024). *PT Sakari Sumber Abadi Sudah Melanggar Undang Undang*

- Ketenagakerjaan, Pekerja Sampai Cacat Seumur Hidup*. Angkasa Post. <https://ankasapost.id/2024/11/09/pt-sakari-sumber-abadi-sudah-melanggar-undang-undang-ketenagakerjaan-pekerja-sampai-cacat-seumur-hidup/>
- Peraturan Pemerintah No. 50 Tahun 2012 Tentang Penerapan Sistem Manajemen Keselamatan Dan Kesehatan Kerja.
- Peraturan Pemerintah Nomor 49 Tahun 2023 Tentang Perubahan Kedua Atas Peraturan Pemerintah Nomor 44 Tahun 2015 Tentang Penyelenggaraan Program Jaminan Kecelakaan Kerja Dan Jaminan Kematian.
- Pratama, D. E., & Apriani, R. (2023). Analisis Perlindungan Hukum Konsumen bagi Penonton Bola dalam Tragedi di Stadion Kanjuruhan. *SUPREMASI HUKUM*, 19(1), 1–15. <https://doi.org/10.33592/jsh.v19i1.2921>
- Rangkuti, M. (2024). *Asas Hukum: Pengertian dan Macam – Macam Asasnya*. Fahum UMSU. <https://fahum.umsu.ac.id/blog/asas-hukum-pengertian-dan-macam-macam-asasnya/>
- S, G. N., Faridah, H., Masrifah, & Pratama, D. E. (2024). Tanggung Jawab Pidana Terhadap Masyarakat Yang Mengajak Orang Lain Untuk Golput Dalam Pemilu. *KRTHA BHAYANGKARA*, 18(2), 328–342. <https://doi.org/10.31599/krtha.v18i2.755>
- Situmorang, B. (2010). *Menghimpun dan Mengetahui Pendapat Ahli Mengenai Pengertian Sumber-Sumber Hukum Mengenai Ketenagakerjaan*. <https://bphn.go.id/data/documents/ketenagakerjaan.pdf>
- Sulaiman, A., & Wali, A. (2019). *Hukum Ketenagakerjaan/Perburuhan*. Yayasan Pendidikan dan Pengembangan Sumber Daya Manusia.
- Undang-Undang Dasar Tahun 1945 Negara Republik Indonesia.
- Utomo, B. L. P. (2024). PERLINDUNGAN HUKUM TERHADAP PEKERJA AKIBAT KECELAKAAN KERJA DITINJAU DARI UU CIPTA KERJA. *Lex Jurnalica*, 21(1), 63–71. <https://ejurnal.esaunggul.ac.id/index.php/Lex/article/view/7639>