

**Implementation of Legal Protection
for Employees Experiencing Workplace Accidents**
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Abstract

This study aims to analyze the implementation of legal protection for employees experiencing workplace accidents at HCP Ltd. and to evaluate the extent to which the company fulfills workers' rights in accordance with Indonesian labor regulations. The findings demonstrate that HCP Ltd. has formally implemented legal protection through employee participation in the BPJS Employment program, provision of medical treatment access, continuation of wage payments during recovery periods, and maintenance of employment relationships for injured workers. However, the implementation of such protection remains predominantly procedural and reactive, indicating a substantial gap between formal legal compliance and the substantive fulfillment of workers' rights. Delays in Work Accident Insurance (JKK) claims, limited employee understanding of labor protection mechanisms, inconsistent occupational safety and health (OSH) supervision, and the absence of structured psychological rehabilitation reflect that worker protection has not yet fulfilled the due diligence standard required within contemporary labor governance. The novelty of this research lies in its empirical and micro-level examination of labor protection effectiveness within a specific corporate setting, thereby moving beyond conventional normative labor law studies that primarily emphasize statutory adequacy without critically assessing practical implementation. Theoretically, this study contributes to the development of labor law scholarship by strengthening the discourse on substantive legal protection, corporate due diligence obligations, and human-centered occupational safety governance. Practically, this research recommends strengthening internal OSH supervision, institutionalizing worker legal education, accelerating administrative claim mechanisms, and integrating psychological rehabilitation into post-accident recovery systems to ensure more effective, sustainable, and justice-oriented worker protection.

Keywords: *Legal Protection; Occupational Health and Safety; Social Security; Work Accident*

1. INTRODUCTION

Workplace accidents constitute one of the most serious issues in the field of labor and employment, as they can cause losses not only to workers but also to companies and the state. The risk of workplace accidents affects not only the safety and health of workers but also has implications for company productivity and the overall welfare of employees. Furthermore, workplace accidents may generate broad social and economic impacts, particularly for workers who serve as the primary breadwinners for their families. Therefore, legal protection for employees who experience workplace accidents is essential to ensure the fulfillment of workers' rights and to provide legal certainty for all parties involved in employment relationships.¹

In Indonesia, labor protection has been regulated under various laws and regulations, including Law Number 1 of 1970 concerning Occupational Safety, Law Number 6 of 2023 concerning the Stipulation of Government Regulation instead of Law Number 2 of 2022 on Job Creation

¹ M. B. Zaman, T. Pitana, and A. B. Septianto, "Identification of Occupational Accident Relations of Shipyard Labour in Terms of Individual and Workplace Factors," *Journal of Occupational Health and Safety* 12, no. 3 (2021): 210–222.

into Law as an amendment to Law Number 13 of 2003 on Manpower, and Law Number 24 of 2011 concerning the Social Security Administering Body (BPJS). These regulations affirm the obligation of companies to ensure occupational safety and health and to provide social security guarantees for workers who suffer workplace accidents in the course of their employment. However, in practice, the implementation of such legal protection has not always been carried out optimally.²

The continued occurrence of workplace accidents that are not followed by the adequate fulfillment of workers' rights indicates a gap between existing legal provisions and their implementation in practice. Employees who experience workplace accidents often face various obstacles, such as delays in the provision of compensation, inadequate access to medical treatment, and uncertainty regarding their employment status after the accident. In some cases, workers also encounter difficulties in obtaining compensation or the restoration of proper working conditions. This situation creates legal uncertainty and potentially disadvantages workers, who are generally in a weaker position within employment relationships.³

The failure to fulfill workers' rights following workplace accidents is not merely a procedural legal issue, but also constitutes a potential violation of fundamental human rights. Workers have an inherent right to safe and healthy working conditions, as well as to social security protection as part of their basic rights guaranteed under the 1945 Constitution of the Republic of Indonesia and various international human rights instruments. When these rights are not fulfilled, the consequences extend beyond individual harm; they may trigger industrial relations conflicts between workers and employers, undermine trust in the existing labor protection system, and ultimately threaten social stability within the workplace. Moreover, the weak enforcement of labor regulations by relevant authorities further exacerbates this vulnerability, leaving workers with limited recourse when their rights are violated.

HCP Limited Company (Ltd.), as a company operating in a particular business sector, is not exempt from the risk of workplace accidents within its operational environment. Work activities involving human labor, equipment, and specific working conditions inherently pose potential hazards that may threaten worker safety if not balanced with the proper implementation of occupational safety and health standards. Consequently, the company bears both legal and moral responsibility to provide maximum protection to its employees, especially in the event of workplace accidents.⁴

Several previous studies have examined legal protection for workers who experience workplace accidents. First, research conducted by Cameron (2022) emphasized that labor law functions as an instrument of protection for workers who experience workplace accidents. The study found that workers' limited understanding of their rights and weak government

² H. Widianingsih, A. Gustomo, and F. S. Mokhtar, "Effects of Compensation for Contractual Employees: A Case Study of a Coal Mining Company in Indonesia," *International Journal of Human Resource Management* 14, no. 1 (2023): 58–73, <https://doi.org/10.46930/ojsuda.v31i5.3707>.

³ S. Agustin, "Workplace Accident Investigation of Finger Drops in Metal Manufacturing Industry Workers," in *Proceedings of the International Conference on Industrial Safety*, 2021, 150–159.

⁴ A. U. Abidin, M. Suryani, and P. Putra, "Implementation of Occupational Safety and Health Management System (OSHMS) and Its Effect on Work-Related Accident Rate in Manufacturing Industry in Indonesia," *International Journal of Occupational Safety and Health* 9, no. 2 (2022): 85–98, <https://doi.org/10.1088/1755-1315/933/1/01203>.

supervision are the primary factors contributing to the suboptimal implementation of legal protection.⁵ Second, research conducted by Huwaida (2023) analyzed legal protection for workers who suffer workplace accidents, including accidents occurring during work-related travel. The findings indicate that although legal protection has been clearly regulated normatively, workers still frequently face administrative obstacles and delays in the fulfillment of employment social security benefits in practice.⁶ Third, research conducted by Ariana (2025) on the legal protection of workers who experience workplace accidents in automotive workshop companies revealed that although companies have registered workers in employment social security programs, corporate responsibility after workplace accidents remains minimal and tends to focus merely on fulfilling formal obligations.⁷

While these studies have made meaningful contributions to understanding labor law protection in the context of workplace accidents, several critical limitations remain. The majority of existing research, including that cited above, tends to adopt a predominantly normative approach, examining the adequacy of legal provisions without sufficiently interrogating how those provisions are actually applied at the operational level. Furthermore, most prior studies focus on general or sectoral analyses and do not engage with the micro-level dynamics of legal protection within a specific company. The absence of empirical investigation into how individual companies respond to, manage, and fulfill their legal obligations following workplace accidents represents a notable gap in the literature. Additionally, the issue of enforcement effectiveness, that is, whether legal obligations translate into tangible protections for workers has not been adequately addressed in previous research.

The urgency of this research lies in the need to assess the effectiveness of the implementation of legal protection for employees who experience workplace accidents at the company level. Workplace accidents that are not accompanied by the optimal fulfillment of workers' rights have the potential to result in violations of workers' human rights, legal uncertainty, and industrial relations conflicts. This research is important to ensure that labor law norms are implemented fairly and justly, as well as to provide recommendations for improving labor protection.

Based on this background, the issues examined in this study focus on how legal protection for employees who experience workplace accidents is implemented at HCP Ltd. and how the company fulfills its responsibilities in meeting employees' rights after the occurrence of workplace accidents. This study also examines the extent to which labor law regulations, particularly those related to occupational safety and employment social security, have been

⁵ A. Cameron, "Workplace Safety Futures: The Impact of Emerging Technologies on Work Health and Workers' Compensation," *Safety Science* 145 (2022): 105–125.

⁶ A. T. Huwaida, A. M. Karsona, and J. Surjanti, "Perlindungan Hukum Terhadap Pekerja Yang Mengalami Kecelakaan Kerja Dalam Perjalanan Pulang Dari Tempat Kerja," *Jurnal Poros Hukum* 4, no. 2 (2023), <https://doi.org/10.23920/jphp.v4i2.1135>.

⁷ I. K. A. Ariana et al., "Analysis of Occupational Health and Safety Risk Management in Construction Projects," *ITP Civil Engineering Journal* 12, no. 1 (2025): 60–69, <https://doi.org/10.21063/JTS.2025.V1201.060-06>.

effectively implemented within the company. Thus, this research does not merely emphasize normative aspects but also addresses the realities of legal implementation in practice.⁸

The objectives of this study are to obtain a comprehensive understanding of the forms of legal protection provided to employees who experience workplace accidents at HCP Ltd. and to assess the conformity between existing practices and applicable legal provisions. In addition, this study aims to identify obstacles encountered in the implementation of such legal protection and to explore possible efforts to overcome them. Through this research, constructive solutions are expected to be identified to enhance legal protection for workers.

The results of this study are expected to provide both theoretical and practical benefits. From a theoretical perspective, this research is expected to contribute to the development of legal scholarship, particularly in the field of labor law concerning legal protection for employees who experience workplace accidents. From a practical perspective, this study is expected to serve as input for HCP Ltd. in improving its occupational safety and health protection systems, as well as a reference for other companies in fulfilling their obligations toward workers. Moreover, this research is expected to enhance workers' understanding of their legal rights in the event of workplace accidents, thereby fostering fairer and more equitable employment relationships.

2. METHOD

This research employed an empirical juridical research method, also referred to as socio-legal research, which examines law not merely as a set of written norms but as it is practiced and experienced in real social contexts. This approach was selected because the central focus of this study is the actual implementation of legal protection for employees who experience workplace accidents at HCP Ltd., rather than a purely textual analysis of applicable regulations. By combining normative legal analysis with empirical field investigation, this research is able to assess the degree of conformity as well as the existing gaps between the legal framework and its practical application at the company level. This study is designed as a case study, focusing specifically on HCP Ltd. as the unit of analysis, to obtain a deep and contextual understanding of how legal obligations are fulfilled within a specific organizational setting⁹.

This study examines the implementation of legal protection for employees who experience workplace accidents by referring to the provisions of Law Number 1 of 1970 on Occupational Safety, Law Number 6 of 2023 on Job Creation, and Law Number 24 of 2011 on the Social Security Administering Body (BPJS) as the primary legal basis for conducting a normative analysis of empirical findings in the field.¹⁰ The type of research employed is descriptive-analytical research, which aims to systematically, factually, and accurately describe the implementation of legal protection for employees who experience workplace accidents. This

⁸ Wina Marlina, Sheila Amalia Salma, and Bela Pitria Hakim, "Work Accident Risk Control in Road Construction Projects with the HIRADC Approach," *Jurnal Indonesia Sosial Teknologi* 5, no. 7 (2024), <https://doi.org/10.59141/jist.v5i7.1149>.

⁹ K. Wardiono, "Prophetic: An Epistemological Offer for Legal Studies," *Journal of Law and Justice* 1, no. 1 (2019): 17–41, <https://doi.org/10.23917/jtl.v1i1.8797>.

¹⁰ H. Handayani, "Implementation of Occupational Health and Safety Management System at PT Kereta Api Indonesia: A Case from Cirebon," *Asian Journal of Safety and Health* 8, no. 1 (2023): 33–47, <https://doi.org/10.63922/ajmesc.v3i02.346>.

research not only presents existing conditions but also analyzes them based on applicable legal provisions in order to obtain objective conclusions.¹¹

The data sources in this study consist of primary data and secondary data. Primary data were obtained through direct interviews with relevant parties at HCP Ltd. The research informants were selected using purposive sampling, a technique in which participants are deliberately chosen based on specific criteria relevant to the research objectives. The informants in this study consisted of five individuals, consisting of four employees who experienced workplace accidents during the period of January to March, and one Human Resources staff member who also serves concurrently as General Affairs (HR/GA), selected on the basis of their direct involvement in handling and documenting workplace accident cases within the company. In addition, primary data were also collected through observations of the working environment and the implementation of occupational safety and health (OSH) measures within the company. Secondary data were obtained through library research, including labor-related laws and regulations, academic books, legal journals, and company documents relevant to this study.¹²

Data collection techniques included interviews, observations, and documentation studies. Structured interviews were conducted to obtain in-depth information regarding the forms of legal protection provided by the company to employees who experience workplace accidents.¹³ Observations were carried out to directly assess working conditions and the implementation of occupational safety standards within the company. Documentation studies were conducted by reviewing documents related to company policies, workplace accident reports, and employee participation in employment social security programs.

The collected data were then analyzed using a qualitative analysis method. The analysis was conducted by processing data obtained from field research and literature studies, which were then systematically organized, classified, and compared with applicable laws and regulations. The results of this analysis were subsequently interpreted to conclude the implementation of legal protection for employees who experience workplace accidents at HCP Ltd.¹⁴

3. RESULTS AND DISCUSSION

Based on information obtained from the human resources department and several employees who have experienced workplace accidents, it can be understood that HCP Ltd., in principle, has implemented a system of legal protection for its employees. This protection is reflected in the company's policy of including its employees in the BPJS Employment program as a form of social security protection in the field of employment. Through this program, employees are registered in several protection schemes, particularly the Work Accident Insurance (Jaminan

¹¹ A. Mubarak et al., "The Relationship Of State Law And Customary Law: Reinforcement And Protection Of Customary Law In Constitutional Court Judgment," *Jurnal Jurisprudence* 13, no. 2 (2023): 188–204, <https://doi.org/10.23917/jurisprudence.v13i2.2914>.

¹² F. S. Rahman and F. Paskarini, "Occupational Accident in Industry: Causes, Types, and Impact on Workers in Sidoarjo, Indonesia," *International Journal of Modern Trends in Social Sciences* 4, no. 2 (2021): 112–129.

¹³ D. Ramadhan and R. Subekti, "Legal Examination of Military Court Decisions on the Criminal Actions of Indonesian Navy Members in Selling Illegal Timber," *Jurisprudence UMS* 15, no. 1 (2025): 67–82, <https://doi.org/10.23917/jurisprudence.v15i1.10001>.

¹⁴ D. H. Parmasari, "Analysis of Accidents and Occupational Diseases with the HAZOP Method and Risk Control of Batik Workers," *KEMAS: Jurnal Kesehatan Masyarakat* 9, no. 2 (2021): 120–131.

Kecelakaan Kerja/JKK) and the Death Benefit (Jaminan Kematian/JKM) programs, which aim to provide guarantees and compensation for workers who experience accidents while carrying out their job duties or who suffer fatal incidents related to their employment. The implementation of these programs indicates the company's effort to fulfill its obligations in providing social protection and ensuring the welfare and safety of its workforce. In addition to providing participation in the BPJS Employment program, the company also supports workplace safety by providing first aid facilities within the work environment. These facilities function as an initial response mechanism to handle workplace accidents before further medical treatment is provided, thereby minimizing the potential severity of injuries experienced by employees and ensuring that immediate assistance can be given when accidents occur in the workplace.¹⁵

In practice, employees who experience workplace accidents are immediately provided with first aid by designated personnel within the company as an initial response to the incident. This immediate assistance aims to stabilize the condition of the injured employee and prevent the injury from becoming more severe before professional medical treatment is obtained. After receiving first aid at the workplace, the injured employees are then referred to healthcare facilities that have established cooperation with BPJS Employment in order to receive further examination and medical treatment in accordance with the procedures that have been determined. Through this mechanism, employees are able to obtain proper healthcare services as part of the protection provided under the BPJS Employment program. In general, all medical expenses arising from workplace accidents are covered by BPJS Employment in accordance with the provisions stipulated in the applicable laws and regulations governing employment social security in Indonesia. This practice demonstrates that the company has made efforts to implement its responsibility in ensuring the protection and welfare of its workers by facilitating access to healthcare services and by fulfilling its obligation to provide social security protection for employees who suffer workplace accidents.

In addition to providing medical coverage for employees who experience workplace accidents, the company also implements a policy of continuing to pay wages to employees during a certain recovery period. This policy is established based on the company's internal regulations as well as the applicable employment agreements between the company and its workers. The continuation of wage payments during the recovery period reflects the company's commitment to protecting the welfare of its employees, particularly those who are temporarily unable to carry out their work due to injuries resulting from workplace accidents. Through this policy, employees do not completely lose their source of income while undergoing the recovery process, which may require a certain amount of time depending on the severity of the injury. As a result, this measure ensures that the economic protection aspect for victims of workplace

¹⁵ A. Hariri, B. Babussalam, and M. A. M. Saleh, "Between Legality and Justice: A Critical Study of the Supreme Court's Judicial Reasoning in Dispute of the Awyu Customary Forest," *Jurisprudence UMS* 15, no. 2 (2025): 146–76, <https://doi.org/10.23917/jurisprudence.v15i2.11442>.

accidents remains safeguarded, allowing employees to focus on their recovery without experiencing excessive financial pressure during the period in which they are unable to work.¹⁶

3.1 Forms of Legal Protection for Employees Experiencing Workplace Accidents

Legal protection for employees constitutes a fundamental pillar of labor law, grounded in the recognition that workers possess inherent rights that must be protected throughout the employment relationship.¹⁷ Such protection encompasses three interrelated dimensions, including normative legal guarantees, social security mechanisms, and occupational safety and health (OSH) practices. Normative protection obligates employers to provide safe working conditions, fair wages, and access to dispute resolution, while social security schemes, particularly the Work Accident Insurance (Jaminan Kecelakaan Kerja) administered by BPJS Employment, serve as a compensatory mechanism when accidents occur, covering medical treatment, temporary and permanent disability benefits, and death compensation.¹⁸ Preventive OSH measures, including safety training, the development of a safety culture, and the consistent use of personal protective equipment (PPE), complement these normative and compensatory frameworks by minimizing the risk of accidents before they arise.¹⁹ Together, these three dimensions form a comprehensive system of worker protection that labor law seeks to uphold in practice.²⁰

The forms of legal protection provided by HCP Ltd. to employees who experience workplace accidents can be seen through the implementation of repressive protection measures carried out after the occurrence of a workplace accident. Repressive protection in this context refers to the efforts made by the company to handle and resolve the consequences arising from workplace accidents experienced by employees. Such protection is manifested through the provision of access to medical treatment, the granting of work accident compensation, and the assurance of the continuity of the employment relationship for employees who become victims of workplace accidents. Employees who experience workplace accidents are entitled to obtain benefits through the Work Accident Insurance (Jaminan Kecelakaan Kerja) program, which provides various forms of protection, including coverage for medical treatment and healthcare services needed as a result of the accident. In addition, employees who are temporarily unable to work due to injuries caused by workplace accidents are entitled to temporary disability benefits as a form of income replacement during the recovery period. If the accident results in permanent disability, the employee is entitled to receive permanent disability compensation in accordance with the provisions stipulated in the applicable laws and regulations. Furthermore,

¹⁶ Evi Widowati, "Analysis of Occupational Accidents in Various Informal Sectors in Indonesia," *Unnes Journal of Public Health* 13, no. 2 (2024): 50–56.

¹⁷ A. Budiono et al., "Legal Conscience And The Pressure Of The Formal Law System," *Wisdom* 22, no. 2 (2022): 223–33, <https://doi.org/10.24234/wisdom.v22i2.790>.

¹⁸ D. G. D. A. Pramudia, I. N. P. Budiarta, and N. K. A. Styawati, "Perlindungan Hukum Terhadap Pekerja Alih Daya Pasca Berlakunya Undang-Undang Nomor 6 Tahun 2023," *Kertha Wicaksana: Sarana Komunikasi Dosen Dan Mahasiswa* 20, no. 1 (2026): 1–9, <https://doi.org/10.22225/kw.20.1.2026.1-9>.

¹⁹ G. Rahmadani, M. K. Rokan, and I. Affan, "Peran BPJS Kesehatan Dalam Menanggapi Perubahan Struktur Pekerjaan Di Era Globalisasi Ekonomi," *Rechtsnormen: Jurnal Komunikasi & Informasi Hukum* 3, no. 2 (2025): 86–90, <https://doi.org/10.56211/rechtsnormen.v3i2.808>.

²⁰ S. A. Raganingtyas, T. Prima, and Mardiyah, "Pemahaman Konseptual Keselamatan Dan Kesehatan Kerja (K3): Tinjauan Sistematis Terhadap Penyebab Dan Pencegahan Kecelakaan Kerja," *JUMMA 45: Jurnal Mahasiswa Manajemen Dan Akuntansi* 4, no. 2 (2025): 150–164, <https://doi.org/10.30640/jumma45.v4i2.5034>.

in cases where a workplace accident results in the death of an employee, the heirs of the deceased worker are entitled to receive death benefits as part of the protection provided under the employment social security system, in accordance with the applicable legal provisions governing such compensation.²¹

Based on the results of interviews, several employees stated that the company has assisted them in the administrative process related to BPJS Employment claims. The assistance provided by the company generally includes helping employees prepare the required documents, guiding them through the claim procedures, and coordinating with the relevant institutions so that the employees can obtain their rights under the employment social security program. This support demonstrates that the company plays an active role in facilitating employees who experience workplace accidents to access the benefits provided by the BPJS Employment scheme, particularly the Work Accident Insurance (Jaminan Kecelakaan Kerja). However, in practice, the disbursement of JKK benefits does not always proceed promptly. Several employees reported that the process sometimes takes a relatively long time before the benefits can be received. These delays are caused by various factors, including incomplete documentation submitted during the claim process, coordination issues between the company and BPJS Employment, and administrative procedures that tend to be relatively lengthy. As a result, the disbursement of benefits may not always occur as quickly as expected, even though the employees are formally entitled to receive such protection under the applicable employment social security regulations.²²

A critical evaluation of the above findings reveals a significant tension between formal legal compliance and the substantive effectiveness of worker protection at HCP Ltd. On the surface, the company demonstrates a degree of regulatory compliance: workers are registered under the BPJS Employment scheme, and administrative assistance is provided during the claims process.²³ However, compliance with formal registration requirements does not necessarily translate into effective protection in practice. The delays experienced by employees in receiving JKK benefits indicate that the protection mechanism, while formally in place, operates in a manner that is largely procedural and formalistic rather than genuinely responsive to workers' needs.²⁴ This distinction between formal compliance and substantive effectiveness is critical, as legal protection that exists only on paper fails to serve its fundamental purpose of safeguarding workers' welfare at the time it is most needed.

Furthermore, the pattern of protection observed at HCP Ltd. appears to be predominantly reactive in nature, triggered only after accidents have already occurred rather than being embedded in a proactive safety culture. The reliance on repressive protection measures, without

²¹ E. A. Sukmandari and A. Pratiwi, "Occupational Accident Investigation: Amputation of Metal Manufacturing Workers' Fingers—A Case Study," *Promotif Journal* 6, no. 1 (2022): 45–56, <https://doi.org/10.56338/pjkm.v10i1.899>.

²² K. Najihah, C. S. Salmira, and N. Apriani, "Relationship between Occupational Safety Services and Emergency Response Management Development of Nurse Performance," *Journal of Nursing Safety* 11, no. 3 (2023): 198–210, <https://doi.org/10.61963/jpkt.v1i2.28>.

²³ N. I. Praja, I. W. Ferianasari., & C. Jaqualina, "The Effectiveness of Health BPJS Claim Discrepancies Against Health Service Standards in Indonesia," *FIRM Journal of Management Studies* 9, no. 1 (2024): 164-177

²⁴ D.D. Ansrida & J. Efendi, "State Responsibility in Safeguarding Workers Dismissed from Employment: A Study of Job Loss Insurance (JKP)," *Ius Positum: Journal of Law Theory and Law Enforcement* 4, no. 2 (2025): 67-91, <https://doi.org/10.56943/jlte.v4i2.805>

evidence of equally robust preventive mechanisms, suggests that the company's approach to worker protection remains oriented toward fulfilling minimum legal obligations rather than achieving the broader normative goals of occupational safety and health law. This formalistic orientation risks reducing legal protection to a bureaucratic exercise, wherein procedural fulfillment substitutes for genuine accountability. For legal protection to be meaningful and effective, companies must move beyond formal compliance toward a model of substantive protection that prioritizes both the prevention of workplace accidents and the timely, adequate fulfillment of workers' rights when such accidents occur.

From a broader labor law perspective, the findings demonstrate that effective legal protection for employees cannot be measured solely through the existence of formal social security participation or administrative compliance with statutory obligations. Substantive worker protection requires an integrated system in which preventive occupational safety measures, responsive compensation mechanisms, and institutional accountability operate simultaneously and continuously. The persistence of delays in benefit disbursement and the predominance of reactive protection indicate that the implementation of worker protection at HCP Ltd. remains compliance-oriented rather than rights-oriented. This condition reflects a structural problem frequently identified in developing labor systems, where companies tend to prioritize procedural fulfillment of legal obligations while insufficiently addressing the substantive realization of workers' welfare and security. Therefore, labor protection should be reconceptualized not merely as a post-accident compensation mechanism, but as a comprehensive governance framework grounded in due diligence, risk prevention, and the recognition of workers as rights-bearing subjects whose safety and dignity constitute integral components of sustainable industrial relations.

3.2 Corporate Responsibility toward Employees after Workplace Accidents

Within an employment relationship, employers bear a legal obligation to ensure the safety and welfare of their employees, an obligation that extends beyond the prevention of accidents to encompass the full range of consequences that arise when workplace incidents occur²⁵. This responsibility is grounded in two foundational principles of labor law, in which it requires employers to take all reasonably practicable measures to prevent harm to workers, and the principle of corporate liability, which holds employers legally accountable for injuries and losses suffered by employees in the course of their employment..²⁶ Together, these principles establish that corporate responsibility is not merely reactive, triggered only after accidents occur, but must be proactive, systematic, and embedded in the everyday management of the workplace. Employers are therefore obligated to implement preventive measures such as proper safety management, adequate supervision, and the provision of necessary protective equipment, while simultaneously ensuring that when accidents nevertheless occur, affected

²⁵ N. Berlian and T. Sulistiyono, "Tinjauan Yuridis Terhadap Tanggung Jawab Pengusaha Dalam Penanggulangan Kecelakaan Kerja Berdasarkan Undang-Undang Ketenagakerjaan," *Book Chapter Hukum Dan Lingkungan Jilid 1* (2025): 1201–1300, <https://bookchapter.unnes.ac.id/index.php/hk/article/view/555>.

²⁶ A. A. Kurnianto, H. Khatatbeh, and V. Prémusz, "Managing Disabled Workers Due to Occupational Accidents in Indonesia: A Case Study on Return-to-Work Program," *BMC Public Health* 23 (2023): 943, <https://doi.org/10.1186/s12889-023-15930-2>.

employees receive appropriate medical treatment, financial compensation, and access to social security benefits as regulated under applicable labor laws.²⁷

Corporate responsibility toward employees after workplace accidents represents a concrete manifestation of legal protection as guaranteed by statutory regulations.²⁸ In this regard, HCP Ltd., in principle, does not terminate the employment relationship of employees who experience workplace accidents as long as the employees still have the potential to recover and return to work. This policy reflects the company's commitment to respecting workers' rights and ensuring that employees who become victims of workplace accidents are not disadvantaged in terms of their employment status. Instead of immediately ending the employment relationship, the company provides employees with the opportunity to undergo the necessary recovery period and medical treatment until they are declared medically fit to work by a doctor. Through this approach, employees are given sufficient time to restore their physical condition without the fear of losing their jobs. Such a policy also demonstrates that the company seeks to maintain the continuity of the employment relationship while simultaneously providing a sense of security and legal protection for employees who experience workplace accidents.

The fulfillment of this responsibility is closely connected to the implementation of occupational safety and health management systems within companies. An effective safety management system involves several key components: strong managerial commitment, systematic hazard identification, comprehensive risk assessment, the development of clear safety policies, and regular monitoring and evaluation of safety practices. Managerial commitment plays a crucial role because the success of occupational safety programs largely depends on the willingness of company leaders to prioritize safety as an integral part of organizational policy. Systematic hazard identification and risk assessment allow organizations to recognize potential dangers and take preventive measures before accidents occur. Regular monitoring and evaluation are also essential to assess whether safety procedures are being followed effectively and to identify areas requiring improvement. When these elements are applied consistently and supported by active participation from all members of the organization, they contribute significantly to the creation of a safer working environment.

Despite the existence of legal frameworks and safety management systems designed to protect workers, the practical implementation of worker protection often encounters various challenges in the workplace. One of the primary obstacles relates to the limited level of awareness among workers regarding their legal rights and the protection mechanisms available to them under existing labor regulations. In many cases, workers may not fully understand the scope of their rights, including the right to report workplace accidents, obtain compensation, or access social security benefits when occupational risks occur. This lack of awareness can create significant barriers to the effective enforcement of labor protections, as workers may remain silent or fail to pursue available remedies when their rights are violated. In some situations, employees may

²⁷ A. Mayansara et al., "Risiko Kecelakaan Kerja: Perspektif Pegawai Terhadap Implementasi Sistem Manajemen Keselamatan Dan Kesehatan Kerja," *Health Information: Jurnal Penelitian* 17, no. 2 (2025): 176–186, <https://doi.org/10.36990/hijp.v17i2.1543>.

²⁸ Lawrence M. Friedman & Jack Ladinsky, "Social change and the law of industrial accidents," dalam Buku *Governing Risks*, 2021, hlm. 127-159, Routledge.

also hesitate to report workplace incidents due to concerns about potential negative consequences, such as disciplinary action, loss of employment, or strained relationships with employers or supervisors. Fear of retaliation, combined with insufficient knowledge about proper reporting procedures, can discourage workers from disclosing incidents that should otherwise be addressed through formal mechanisms. Furthermore, limited access to legal information, insufficient dissemination of workplace policies, and inadequate legal literacy among employees can weaken the effectiveness of protection policies that are intended to safeguard workers' safety and welfare. For this reason, greater efforts are required from both employers and government institutions to strengthen the practical implementation of worker protection through improving legal education, providing accessible information regarding labor rights, and encouraging open communication within the workplace.²⁹

For employees who experience a decline in physical capacity as a result of a workplace accident, the company implements job adjustments in accordance with the employee's health condition and level of work ability. These adjustments are carried out as a form of corporate responsibility to ensure that employees who have suffered workplace injuries can continue to participate in the workforce without compromising their health.³⁰ The adjustments provided by the company may take several forms, including job reassignment to positions that are more suitable for the employee's physical condition, reduction of workload so that the tasks performed do not exceed the employee's physical capacity, and modification of working hours to accommodate the recovery process and medical recommendations. Through these measures, the company seeks to create a more supportive and humane work environment for employees who experience workplace accidents, ultimately aiming to ensure that employees are still able to continue working and maintain their source of income while avoiding activities that could worsen their physical condition.³¹

However, based on the research findings, it can be observed that the company has not yet fully provided psychological assistance for employees who experience trauma as a result of workplace accidents. In practice, the company's efforts in handling workplace accidents are still largely focused on physical recovery and the provision of medical treatment, while psychological recovery has not received the same level of attention. In fact, psychological aspects constitute an important component in the overall recovery process for victims of workplace accidents, as traumatic experiences may affect an employee's emotional stability, sense of security, and readiness to return to work. Without adequate psychological support, employees who have experienced workplace accidents may continue to feel fear, anxiety, or decreased confidence when performing their duties. This condition may ultimately have an impact on their work performance, productivity, and ability to adapt to the work environment after the accident. Therefore, the absence of structured psychological assistance within the

²⁹ M. Maturrahmah and A. S. Hamzah, "Implementasi Perlindungan Pekerja Migran Indonesia (PMI) Pasca Penempatan Di Luar Negeri Menurut PP No. 59 Tahun 2021," *Jurnal Private Law Fakultas Hukum Universitas Mataram* 3, no. 3 (2023): 832–844.

³⁰ Kadriye Sönmez, Salim Yılmaz, and Derya Karabay, "Effects of psychosocial and ergonomic risk perceptions in the hospital environment on employee health, job performance, and absenteeism," *Healthcare* 13, no. 9 (2025): 1000.

³¹ Cameron, "Workplace Safety Futures: The Impact of Emerging Technologies on Work Health and Workers' Compensation."

company's post-accident handling mechanism may become one of the factors that influence the effectiveness of the employee recovery process when returning to their workplace.³²

The implementation of legal protection for employees who experience workplace accidents at HCP Ltd. still faces several obstacles. One of the primary obstacles is the relatively low level of understanding among some employees regarding their rights in relation to workplace accident insurance. Based on the research findings, several employees do not yet have a comprehensive and systematic understanding of the various benefits provided under the BPJS Employment program, particularly those related to the Work Accident Insurance (Jaminan Kecelakaan Kerja). In many cases, employees are only generally aware that the company has registered them in the BPJS Employment program, but they do not fully understand the scope of protection and benefits that can be obtained through the program. As a result, the lack of adequate information and understanding among employees may lead to difficulties in accessing their rights or in utilizing the available protection mechanisms when workplace accidents occur.³³

The second obstacle concerns the suboptimal supervision of the implementation of occupational safety and health (OSH) standards in the workplace. Although the company has provided personal protective equipment (PPE) as part of its efforts to prevent workplace accidents, in practice, there are still employees who do not fully comply with the proper use of such equipment during work activities. This situation indicates that the existence of safety facilities alone is not sufficient if it is not accompanied by effective supervision and a strong culture of occupational safety within the workplace. Several factors contribute to this condition, including habitual behavior among employees who are accustomed to working without consistently using protective equipment, a lack of awareness regarding the importance of workplace safety, and the absence of firm sanctions for violations of occupational safety rules. As a result, the implementation of occupational safety and health standards has not yet been carried out optimally, which may increase the risk of workplace accidents and hinder the effectiveness of preventive legal protection for employees.³⁴

The third obstacle relates to the administrative process of claiming Work Accident Insurance (Jaminan Kecelakaan Kerja), which in practice still requires a relatively long period of time before the benefits can be received by the employees concerned. The claim process generally involves several administrative stages, including the preparation and verification of required documents, coordination between the company and BPJS Employment, and the assessment of eligibility for the benefits to be granted.³⁵ These procedures, although intended to ensure the accuracy and legality of the claim process, often result in delays in the disbursement of JKK

³² Aisah Amini and Susilawati, "Analisis Risiko Terkait Kecelakaan Kerja Di Tambang Batubara Dan Faktor Risiko Terkait," *SEHATMAS: Jurnal Ilmiah Kesehatan Masyarakat* 2, no. 4 (2023): 772–779, <https://doi.org/10.55123/sehatmas.v2i4.2103>.

³³ Huwaida, Karsona, and Surjanti, "Perlindungan Hukum Terhadap Pekerja Yang Mengalami Kecelakaan Kerja Dalam Perjalanan Pulang Dari Tempat Kerja."

³⁴ S. A. Situmorang, "The Impact of Communication and Trust in Leadership on Workers' Compensation: A Case Study of Suka Ramai Coffee Shop in Tanjung Pinang City," *Journal of Business Law* 5, no. 2 (2022): 77–90, <https://doi.org/10.21512/becossjournal.v5i3.10393>.

³⁵ H. Hanisah, A. Ainy, & I. S. Budi, "A Position Analysis of BPJS Claims Administration Officers and Verifiers (Case Study: Jambi Province Regional Mental Hospital)," *Preventia: The Indonesian Journal of Public Health*, 8, no. 2 (2023): 5.

benefits a condition that is particularly burdensome for employees who rely heavily on daily wages as their primary source of income.³⁶

When examined in light of Law Number 1 of 1970 on Occupational Safety, Law Number 6 of 2023 on Job Creation, and Law Number 24 of 2011 on the Social Security Administering Body, HCP Ltd. has generally demonstrated normative compliance with its legal obligations. The company has registered employees under the BPJS Employment program, facilitated access to healthcare services following workplace accidents, and supported the provision of JKK compensation benefits. From the perspective of corporate liability, these measures indicate that the company acknowledges its legal accountability toward employees who suffer workplace injuries. However, normative compliance alone does not constitute the fulfillment of due diligence obligations in their fullest sense. The principle of due diligence requires not only that legal formalities are observed, but that employers take substantively effective and continuous measures to prevent harm and to respond adequately when harm occurs. Assessed against this standard, the company's performance reveals notable gaps: internal supervision remains inconsistent, employee awareness of their rights is inadequately developed, and the psychological dimension of post-accident recovery has not been structurally addressed.³⁷

Critically examined, the corporate responsibility model implemented by HCP Ltd. illustrates the evolving paradigm of employer liability in contemporary labor law, in which companies are increasingly expected to adopt a human-centered approach that extends beyond economic compensation to encompass holistic worker recovery. Modern occupational safety governance requires employers not only to fulfill formal legal obligations, but also to ensure the physical, psychological, and social rehabilitation of employees affected by workplace accidents. In this context, the absence of structured psychological recovery mechanisms demonstrates that post-accident protection at HCP Ltd. remains predominantly biomedical and administrative in orientation, rather than comprehensive and rehabilitative. Such limitations reveal that workplace accident management should no longer be understood solely through the lens of legal compliance but rather within a broader framework of corporate social responsibility and sustainable labor governance. Consequently, strengthening internal monitoring systems, improving worker legal literacy, and institutionalizing integrated post-accident rehabilitation policies become essential measures to transform occupational protection from a reactive legal obligation into a proactive culture of corporate accountability and worker-centered justice.

4. CONCLUSION

This study concludes that HCP Ltd. has formally implemented legal protection for employees experiencing workplace accidents through participation in the BPJS Employment program, provision of medical treatment access, continuation of wage payments during recovery periods, and maintenance of employment relationships for injured workers, thereby demonstrating normative compliance with Indonesian labor regulations. However, the findings reveal that the

³⁶ Najihah, Salmira, and Apriani, "Relationship between Occupational Safety Services and Emergency Response Management Development of Nurse Performance."

³⁷ A. E. Apsari and H. Purnomo, "Occupational Safety and Health (OSH) Factors Identified in Indonesian Batik Textile Small/Medium Enterprises," *International Journal of Industrial Ergonomics* 78 (2023): 103–114, <https://doi.org/10.21744/irjeis.v6n2.877>.

implementation of worker protection remains predominantly procedural and reactive, indicating a significant gap between formal legal compliance and the substantive fulfillment of workers' rights. Delays in the disbursement of Work Accident Insurance (JKK) benefits, limited employee understanding of labor protection mechanisms, inconsistent occupational safety and health (OSH) supervision, and the absence of structured psychological rehabilitation demonstrate that worker protection has not yet fulfilled the due diligence standard required within contemporary labor governance. The novelty of this research lies in its empirical and micro-level examination of labor protection effectiveness within a specific corporate setting, moving beyond conventional normative labor law studies that primarily focus on statutory adequacy without critically assessing practical implementation. Theoretically, this study contributes to labor law scholarship by strengthening the discourse on substantive legal protection, corporate due diligence obligations, and human-centered occupational safety governance. Practically, the study recommends strengthening internal OSH supervision, institutionalizing worker legal education, accelerating administrative claim mechanisms, and integrating psychological rehabilitation into post-accident recovery systems to ensure that labor protection functions not merely as formal compliance but as an effective instrument for safeguarding worker welfare, dignity, and social justice within sustainable employment relations.

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