



Legal Protection of Workers In The Makassar Industrial Area

Arman Muis¹, Teguh Prasetyo², Elvira Fitriyani Pakpahan³ and Roswita Sitompul⁴

¹ Faculty of Law, Prima University, Medan, Indonesia

² Faculty of Law, Pelita Harapan University, Tangerang, Indonesia

³ Faculty of Law, Prima University, Medan, Indonesia

⁴ Faculty of Law, Prima University, Medan, Indonesia

armanmuists@gmail.com

Abstract. This study aims to analyze the implementation of legal protection for workers in the Makassar Industrial Area (KIMA), with a focus on identifying factors that influence the effectiveness of legal protection and providing recommendations for improvement. This study aims to analyze in depth how legal protection for workers is implemented in the Makassar Industrial Area. Through a normative legal approach, this study will identify factors that influence the effectiveness of legal protection through the Occupational Safety and Health (K3) System. Data were collected through literature studies and interviews at KIMA. The results of the study indicate that the implementation of legal protection for workers in KIMA still faces various obstacles. Legal protection for workers in the Makassar industrial area includes the right to receive compensation and damages in the event of a work accident caused by negligence or lack of attention to K3 standards by the company. This study recommends improving supervision and law enforcement, increasing the socialization of regulations to employers and workers, and strengthening the role of trade unions in protecting the rights of their members. It is hoped that this study can contribute to improving legal protection for workers in KIMA and other industrial areas in Indonesia.

Keywords: Employment, Implementation, Right.

1 Introduction

Industrial development in Indonesia, including in the Makassar Industrial Area (KIMA), has a crucial role in driving economic growth and creating jobs. However, the rapid development of industry often raises challenges related to legal protection for workers. Law Number 13 of 2003 concerning Manpower is the main legal basis that regulates the rights and obligations of workers and employers in Indonesia. This law aims to provide comprehensive protection for workers, including the right to

decent wages, occupational safety and health, social security, and the right to associate and bargain.

However, the implementation of these laws and regulations in the field often faces various obstacles. The gap between legal norms and the reality of practice can result in violations of workers' rights, especially in industrial areas such as KIMA. Factors such as lack of supervision, employers' lack of understanding of regulations, and weak law enforcement can be the main causes of this gap.

Legal protection for workers covers various aspects, including economic, social, occupational health, and legal certainty. In addition, protection also includes basic workers' rights such as the right to work, fair wages, freedom of association, and protection of occupational safety and health. Article 27, paragraph (2) of the 1945 Constitution guarantees the rights of every citizen to work and a decent living.

This study aims to analyze in depth how legal protection for workers is implemented in the Makassar Industrial Area. Through a normative legal approach, this study will identify factors that influence the effectiveness of legal protection, as well as provide recommendations to improve the implementation of laws and regulations in order to realize optimal worker protection in KIMA. This study is expected to provide a positive contribution to the advancement of workers' rights and improve the welfare of workers in Indonesia, especially in the Makassar Industrial Area.

2 Discussion

2.1 Protection through the Occupational Safety and Health (K3) System

The law on protection of occupational safety and health (K3) for workers aims to provide protection for workers' rights and to determine the level of awareness of workers in implementing occupational safety and health (K3). Legal protection for occupational safety and health must be provided to all workers as regulated in Article 86 and Article 87 of Law Number 13 of 2003 concerning Manpower.

In general, workers must have protection of their rights. Wherever the worker/laborer works, protection of occupational safety and health is a right that must be owned by the worker/laborer. Law Number 13 of 2003 Article 86 paragraph (1) letter a states that "every worker/laborer has the right to obtain protection of occupational safety and health" and paragraph 2 also states "to protect the safety of workers/laborers to realize optimal work productivity, occupational safety and health efforts are carried out". Therefore, it is very clear that the safety and health of workers/laborers is a top priority in carrying out their work. Every company must get used to the new normal life to follow health protocols in the company's work environment or area in accordance with government instructions.

The implementation of occupational safety and health (K3) is expected to protect workers from health problems due to current conditions, so that work productivity is maintained. Occupational safety and health affect employee work productivity. Based on the results of the study, it can be seen that occupational safety and health are very important to implement in an organization or company. In addition to being a form of safety and health guarantee for all workers or employees, it is also an effort for organizations or companies to increase employee productivity and work performance [1].

Every company must implement an Occupational Safety and Health Management System, based on Article 6 Number 50 of 2012 concerning the Implementation of an Occupational Safety and Health Management System, namely:

The Occupational Safety and Health Management System, as referred to in Article 3 paragraph (1): 1) establishment of K3 policies, 2) K3 Planning, 3) implementation of the K3 plan, 4) monitoring and evaluation of K3 performance, and review and improvement of the performance of the occupational health and safety management system.

The implementation of SMK3 as referred to in paragraph (1) is stated in the guidelines listed in the attachment as an integral part of these regulations.

Work safety protection is very necessary for workers who work at high risk. Because these things are for prevention, control, and handling. Article 2 of the Republic of Indonesia Government Regulation Number 50 of 2012 concerning the Implementation of the Occupational Safety and Health Management System. The implementation of SMK3 aims to: 1) increasing the effectiveness of planned, measurable, structured and integrated occupational safety and health protection, 2) prevent and reduce work accidents and work-related diseases by involving management elements, workers/laborers, and/or workers' unions/labor unions, and 3) creating a safe, comfortable and efficient workplace to encourage productivity.

Implementation of K3 Programs to Reduce the Risk of Work Accidents and Maintain Worker Health. Occupational safety and health (K3) is a fundamental aspect of every work activity that aims to protect workers, the work environment, and company assets from various potential hazards. In the ever-evolving world of work, the risk of work accidents and health threats is a challenge that must be faced seriously. The implementation of the K3 program is not just to fulfill the obligations of laws and regulations, but also a strategic effort to create a safe, healthy, and productive work environment. With a shared commitment and awareness, the risk of work accidents can be minimized, and worker welfare can continue to be maintained.

Implementation of K3 is a process of directing, directing, and providing work facilities to people who are organized in formal groups to achieve the desired goals [2]. K3 is a form of protection for workers from the dangers arising from

technological developments. Although it remains so until now, there is now a greater emphasis on the role of employers. Our attitude has changed from protecting machines to protecting humans and increasingly focuses on anticipating danger (risk assessment) rather than waiting for work accidents to occur.[3] According to Gempur Santosa, the implementation of K3 is an effort to achieve results or goals that have been set by utilizing other people through planning, organizing, leadership, and control activities, as well as the ability to manage all things professionally [4]. Thus, K3 is part of a complex overall system, which is needed for the development, implementation, achievement, assessment, and maintenance of K3 in order to control risks related to work activities in order to create a healthy, safe, efficient, and productive workforce. Implementation of K3 is an effort made to minimize and prevent work accidents, work-related diseases, and diseases due to work relationships.

The basic principles of K3 implementation consist of five points which are: implemented continuously, the five principles are: 1) commitment, 2) planning, 3) implementation or application, 4) measurement or evaluation, and 5) review and improvement [5].

Commitment is divided into 3 important things, namely: Leadership and commitment, initial review of K3, and Implementation of K3. The importance of commitment to implementing K3 in the workplace from all parties in the workplace, especially from the management and workers/laborers. And other parties are also required to participate in this implementation.

Other than that, planning made by the company must be effective by containing clear targets as the embodiment of the implementation of workplace K3 and performance indicators and must be able to answer the implementation of K3. Things that need to be considered in planning are the identification of sources of danger, risk assessment and control, and the results of the initial review of K3.

After making commitments and planning, now arrived at an important stage, namely the implementation of K3. At this stage, companies need to pay attention to, among others, the existence of guarantees of ability, supporting activities, identification of sources of danger, risk assessment and control.

Measurement or evaluation is a useful tool to: 1) determine the success of K3 implementation, 2) identify corrective actions, 3) measure, 4) monitor and 5) evaluate the performance of K3 implementation. In order to maintain the level of trust in the data to be obtained, several processes must be carried out such as tool calibration, equipment testing and examples of software and hardware. There are three activities in conducting measurements or evaluations introduced by this regulation: 1) inspection and testing, 2) K3 implementation audit, corrective, and 3) preventive actions.

The review must include: 1) evaluation of the implementation of OHS, OHS objectives and performance, 2) OHS implementation audit findings, 3)

evaluation of the effectiveness of OHS implementation, and 4) the need to change the implementation of OHS.

The Directorate General of Manpower Supervision and Occupational Safety and Health (abbreviated as Ditjen Binwasnaker & K3) is an implementing element that is under and responsible to the Minister of Manpower. The Directorate General of Binwasnaker & K3 is led by the Director General who has the task of formulating and implementing policies in the field of manpower supervision and occupational safety and health.

The Directorate General of Manpower Supervision and Occupational Safety and Health carries out the following functions:

Formulation of policies in the field of labor supervision systems and occupational safety and health institutions, development of labor norm inspections, development of occupational safety and health testing, as well as development of labor inspectors and occupational safety and health examiners;

Implementation of policies in the field of labor supervision systems and occupational safety and health institutions, development of labor norm inspections, development of occupational safety and health testing, as well as development of labor inspectors and occupational safety and health examiners;

Preparation of norms, standards, procedures and criteria in the field of occupational safety and health institutions, development of inspection of employment norms and development of occupational safety and health testing;

Providing technical guidance and supervision in the field of occupational safety and health institutions, coaching on inspection of employment norms, and coaching on occupational safety and health testing;

Implementation of evaluation and reporting in the field of labor supervision systems and occupational safety and health institutions, development of labor norm inspections, development of occupational safety and health testing, as well as development of labor supervisors and occupational safety and health examiners;

Implementation of the administration of the Directorate General of Manpower Supervision and Occupational Safety and Health; and implementation of other functions assigned by the Minister.

Implementation of the K3 Program is a critical stage in efforts to maintain worker safety in the work environment [6]. The K3 program is a series of steps designed to identify, prevent, and reduce the risk of work accidents and promote safety in the workplace [7]. Successful implementation involves several important aspects. First, the program must be designed comprehensively, taking into account the specific hazards present in a particular industry or work environment. Training workers is a key step in ensuring their understanding of the hazards and the actions to

be taken in hazardous situations. Close supervision and monitoring of the program implementation is also required, both by project management and OHS staff [8]. In addition, providing appropriate personal protective equipment (PPE) and regular inspections of PPE are an important part of this program.

Personal Protective Equipment (PPE) is an essential component in maintaining the safety and health of workers in a variety of work environments, including the construction industry.[9] PPE includes a variety of equipment and supplies specifically designed to protect workers from a variety of physical, chemical, biological, or ergonomic hazards that may be encountered while performing their duties. Examples of PPE in the construction industry include helmets, gloves, safety shoes, safety glasses, respirators, safety vests, and other safety equipment [10]. PPE plays a critical role in reducing the risk of injury, especially in situations where the hazard cannot be eliminated or significantly reduced by other means. However, effective use of PPE requires proper worker training and compliance. Workers must understand the type of PPE required for their task, how to use it properly, and when to use it. Close monitoring and regular maintenance of PPE are also essential to ensure that it remains effective in protecting workers from potential hazards. As such, PPE is one of the first lines of defence in keeping workers safe in the construction industry and plays a critical role in reducing the risk of serious injury.

Management needs to support the K3 program with sufficient commitment and resources and ensure that all workers comply with existing occupational safety guidelines. Successful implementation will create a strong safety culture in the workplace, where every worker feels responsible for the safety of themselves and their colleagues. Safety is not just an individual responsibility, but a culture that is embedded in the organization, which will ultimately result in a safer work environment and reduce the risk of work accidents.

The implementation of the K3 program is not only a strategic step in increasing worker productivity and welfare, but also an obligation regulated in various laws and regulations in Indonesia. The existence of laws regarding K3 aims to protect workers' rights and ensure that every workplace meets safe and healthy standards for workers.

In Indonesia, the legal basis for K3 is regulated in Law Number 1 of 1970 concerning Occupational Safety. This law regulates the obligation for employers to ensure the safety and health of workers in the workplace. One of the important articles in this law is the obligation of employers to provide training, facilities, and equipment needed to protect workers from potential accidents and occupational hazards. Employers are also required to identify potential hazards in the workplace and implement appropriate preventive measures.

In addition, Law Number 13 of 2003 concerning Manpower also provides a legal basis for worker protection, stating that every worker has the right to

work in a safe and healthy environment. This law requires employers to provide occupational health and safety guarantees and ensure that K3 standards are met in every aspect of work. If a work accident occurs, employers are required to provide compensation in accordance with applicable provisions, such as in Government Regulation Number 44 of 2015 concerning the Implementation of Work Accident Insurance.

In addition to the law, other regulations support the implementation of the K3 program, such as the Regulation of the Minister of Manpower of the Republic of Indonesia Number 5 of 2018 concerning the Implementation of the Occupational Safety and Health Management System. This regulation regulates how companies must systematically and structurally compile and implement a K3 management system to reduce potential hazards in the workplace. Companies are required to conduct K3 audits, prepare action plans to manage risks, and monitor the effectiveness of the policies implemented.

The implementation of these laws and regulations shows the importance of the government's role in creating a safe and healthy work environment. In addition to protecting workers, compliance with these regulations also provides benefits to companies, such as reducing costs due to work accidents and improving their reputation in the eyes of the public. By meeting the established K3 standards, companies can avoid legal sanctions and create a more conducive work atmosphere [11].

In this context, every company has a moral and legal responsibility to ensure that the K3 program is implemented properly and in accordance with applicable provisions. Failure to fulfill this obligation can result in serious legal risks, including lawsuits from workers or families of victims of work accidents, as well as fines or administrative sanctions from the government. Overall, the implementation of a K3 program based on law provides maximum protection for workers and companies. By complying with existing regulations, companies can create a safe, healthy, and productive work environment, while supporting the creation of harmonious industrial relations between employers and workers.

Supervision of the implementation of the K3 program is an important step to ensure that the policies and procedures that have been set are running effectively and in accordance with applicable regulations. This supervision is not only carried out by company management, but also involves various external parties, such as the government and K3 supervisory institutions [12].

The company has an obligation to monitor the implementation of the K3 program routinely. This internal supervision is carried out by the K3 team or department, which is tasked with ensuring all aspects of K3 in the workplace. In reducing the risk of work accidents and maintaining worker health, a comprehensive and integrated approach is needed, involving various preventive measures, careful

planning, and continuous monitoring. Here are ten steps that can be taken by companies and workers: 1) risk identification and evaluation, 2) preparation and implementation of K3 Standard Operating Procedures (SOP), 3) the use of appropriate personal protective equipment, 4) K3 training and education, 5) improvement of working conditions and environment, 6) implementation of K3 management system, 7) worker health monitoring, 8) increasing worker awareness and participation, 9) implementation of Zero Accident Policy, and 10) periodic evaluation and supervision [13].

The first step to reduce the risk of workplace accidents is to identify and evaluate potential hazards in the workplace. Companies need to: 1) conduct routine inspections to detect hazardous conditions in the work area, 2) assess risks associated with equipment, chemicals, work processes, or environmental factors that may harm worker health or safety, and 3) identify ergonomic hazards, such as improper posture or excessive workload.

Secondly, once potential risks have been identified, the next step is to develop clear standard operating procedures (SOPs) to reduce or eliminate those hazards. These SOPs include: 1) safe procedures for every work activity, 2) use of appropriate personal protective equipment, and 3) evacuation steps in an emergency and 4) provision of PPE [14].

Besides that, the use of appropriate personal protective equipment is an important step to prevent workplace accidents and maintain worker health. Some types of PPE that must be provided in the workplace include: 1) a safety helmet to protect the head, 2) masks or respirators to protect workers from exposure to hazardous chemicals or dust. 3) eye protection or safety glasses to avoid eye injury, 4) gloves to protect hands from physical or chemical hazards, and 5) protective shoes to protect feet from heavy or sharp objects.

Moreover, the regular OHS training is essential to ensure all workers understand the risks in the workplace and how to avoid them. This training includes: 1) knowledge of proper safety procedures, 2) correct use of PPE, 3) first aid techniques (P3K) and emergency measures, and 5) how to quickly report potential hazards or accidents [15].

Additionally, a good working environment greatly affects the health and safety of workers. Some actions that can be taken to improve working conditions include: 1) good ventilation to avoid the buildup of harmful gases or chemicals, 2) sufficient lighting so that workers can work safely, and 3) care and maintenance of work equipment to ensure the tools used are safe and not damaged [16].

The implementation of an OHS management system, such as ISO 45001 also help companies systematically plan, implement, and monitor OHS policies. This system allows companies to: 1) ensure that all preventive measures are implemented

consistently, 2) conduct periodic evaluations to ensure the effectiveness of the policies implemented, and 3) involve all employees in the K3 program [17].

Furthermore, it is important for companies to routinely monitor the health of workers to detect health problems that may arise due to work. Steps that can be taken include: 1) regular health checks to detect diseases or health problems due to exposure in the workplace, 2) provision of adequate medical facilities in the workplace, such as a first aid room or health clinic, and 3) vaccination programs to prevent diseases that can be transmitted in the workplace [18].

Worker involvement in creating a safe working environment is essential. Workers should be given the opportunity to: 1) participate in hazard identification and safety solutions, 2) provide input regarding working conditions and potential risks and increase awareness to always follow established K3 procedures [19].

Some companies implement a Zero Accident policy as part of their work culture. This policy encourages workers and management to work together to reduce workplace accidents to a minimum through various preventive programs, strict supervision, and continuous improvement in every aspect of operations.

In order for occupational accident prevention and health protection measures to remain effective, periodic evaluation and supervision are required. Supervision can be in the form of: 1) safety inspections by internal and third-party teams, 2) K3 audit to evaluate whether safety standards have been implemented correctly, and 3) evaluate accidents or incidents to determine their causes and prevent recurrence of similar incidents.

Reducing the risk of work accidents and maintaining worker health requires a comprehensive and continuous approach, starting from risk identification, provision of protective equipment, training, to evaluation and supervision. By implementing these steps consistently, both by management and workers, companies can create a safe and healthy work environment, reduce accident rates, and increase work productivity.

Supervision of the implementation of the K3 program must be carried out comprehensively and continuously, involving internal supervision by the company and external supervision from the government and related institutions. Effective supervision will ensure that K3 policies are implemented properly and detect and address potential risks early. With good supervision, the K3 program can run in accordance with the goal of creating a safe, healthy, and productive work environment for all workers.

PT. Kawasan Industri Makassar (KIMA) has two main functions in relation to companies operating in the Makassar industrial area, namely contractual and operational functions. In terms of land use in the industrial area, every company operating in it is required to establish a contractual relationship with PT. KIMA,

which includes agreements related to land use and the obligations and rights of each party. Meanwhile, in terms of operational aspects of the industrial area, PT. KIMA is responsible for supervising and managing various activities related to area management, including supervision of environmental aspects, waste management, security, and general work safety.

However, although PT. KIMA has a role in the operational management of the industrial area, the internal management of the companies operating in the area, including employment and operational matters, is entirely the responsibility of each company. In other words, each company in the industrial area has the freedom to organize and manage their internal aspects in accordance with applicable policies and regulations, without direct intervention from PT. KIMA, except in matters relating to order and safety at the industrial area level as a whole [20].

Implementation of Stricter K3 Standards and More Intensive Supervision in the Makassar Industrial Area- Occupational Health and Safety (OHS) is a very important aspect in the industrial world, especially in industrial areas that have high potential risks to workers and the surrounding environment. The implementation of strict OHS standards and intensive supervision is one of the strategic steps to prevent work accidents, occupational diseases, and environmental damage.

In Indonesia, occupational safety and health are regulated in Law Number 1 of 1970 concerning Occupational Safety, which is the main legal basis for the implementation of K3 in all industrial sectors. This law regulates the obligation of companies to provide a safe and healthy working environment for workers, as well as the obligation of companies to take preventive measures against potential hazards that can cause accidents or occupational diseases.

In addition, Government Regulations such as PP No. 50 of 2012 concerning the K3 Management System and other regulations also further regulate how companies must meet occupational safety standards. These standards include the provision of PPE, emergency response procedures, management of hazardous materials, and the provision of adequate training for workers to recognize and address potential hazards in the workplace.

Supervision of the implementation of K3 standards is an important part of the legal system that ensures that every company carries out its obligations in accordance with applicable laws. This supervision has two main objectives: 1) ensuring corporate compliance to the established K3 regulations, and 2) preventing work accidents, which can be detrimental to workers and companies, and violating workers' rights to work in safe and healthy conditions [21].

Supervision of K3 is carried out by various related agencies, both at the central and regional government levels. One of the agencies that has an important role in this regard is the Manpower Office in each province or district/city. The Manpower

Office is tasked with conducting routine inspections in companies to ensure that K3 standards are implemented correctly.

Intensive supervision of the implementation of K3 standards is very important to ensure that all policies, procedures, and regulations that have been established related to occupational safety and health are properly implemented in the workplace. This supervision aims to ensure that the work environment remains safe and healthy and minimizes the potential for accidents and occupational diseases. Effective supervision also helps ensure that the company not only meets legal obligations but is also committed to protecting workers. The purpose of intensive supervision of K3 are: 1) ensuring compliance with regulations, 2) preventing occupational accidents and diseases, and 3) improving K3 awareness and culture [22]. First and foremost, supervision aims to ensure that the company complies with existing rules and regulations, both those set by the government and international standards regarding K3. Without strict supervision, there is a possibility that the company will not fully implement the required K3 standards.

One of the main objectives of K3 supervision is to identify potential hazards in the workplace and take preventive measures before accidents or occupational diseases occur. This supervision serves to prevent greater losses that can harm workers, companies, and the community.

Other than that, the intensive supervision also serves to build a better work safety culture among workers. If supervision is carried out regularly, workers will be more careful and comply with applicable safety procedures. This helps create a higher awareness of the importance of K3 in the work environment.

The intensive K3 supervision methods are: 1) routine K3 inspection, 2) periodic K3 audit, 3) report of work incidents and accidents, 4) supervision by Trade Union and independent institutions, and 5) use of technology for surveillance [23].

Firstly, one of the most common forms of supervision is routine inspections carried out by a supervisory team either from within the company or by external agencies such as the Manpower Office. This inspection aims to check the suitability of workplace conditions with applicable K3 standards, including checking personal protective equipment (PPE), the presence of warning signs, and the condition of work machines and equipment.

Secondly, K3 audit is a comprehensive evaluation of K3 policies and implementation in a company. This audit is conducted by an independent team that has knowledge and expertise in the field of K3. This audit aims to assess whether K3 procedures have been implemented correctly and if not, provide recommendations for improvement.

Besides that, intensive supervision also involves a transparent reporting system regarding incidents or accidents that occur in the workplace. Every incident,

no matter how small, must be reported and analyzed to prevent similar incidents in the future. This supervision encourages companies to conduct a thorough evaluation after an accident and take necessary corrective measures.

In addition, the Unions or independent oversight bodies also play an important role in OHS oversight. Workers are often more aware of potential hazards in the workplace, and through unions or independent oversight bodies, they can report violations or unsafe conditions without fear of retaliation. This multi-stakeholder oversight can increase the company's accountability to workers.

Moreover, in the digital era, the use of technology is also a very effective tool for K3 supervision. Companies can use applications and software to monitor workplace conditions in real-time, such as using sensors to detect hazardous gas leaks, or incident reporting systems that can be accessed directly by supervisors.

In the Makassar Industrial Area, with various types of industries operating, the implementation of stricter K3 standards involves not only efforts from companies, but also the active role of the government and the community. More intensive supervision is needed to ensure that all parties involved comply with existing regulations and procedures, in order to create a safe, healthy and productive work environment.

The implementation of strict K3 standards in the Makassar Industrial Area is very important because it can protect workers from various risks in the workplace and reduce the number of work accidents that can occur. Industrial areas generally have a high level of risk, because there are various types of activities involving heavy machinery, hazardous chemicals, and activities that require special skills. Therefore, the implementation of clear and structured K3 standards is mandatory for every company in the industrial area.

In addition to regulations, workplace OHS procedures are steps that must be followed to prevent accidents and injuries. These procedures include but are not limited to: 1) identify potential hazards, 2) risk assessment, 3) prevention and control measures, and 4) monitoring and evaluation. An important first step in the OHS procedure is to identify potential hazards in the workplace. This includes the risk of accidents that can occur due to heavy equipment, hazardous chemicals, fire, or physical and psychological disorders.

Once hazards have been identified, companies need to assess how much impact the potential hazards will have on workers. This risk assessment will determine the mitigation measures required.

Other than that, the companies must take steps to control or reduce identified risks. For example, ensuring that workers use appropriate personal protective equipment, providing training on safe working practices, and designing clear emergency procedures.

Companies also need to conduct regular monitoring and evaluation of the implementation of K3 standards. This aims to ensure that the standards that have been implemented are running well and can be fixed if gaps or deficiencies are found.

Every company operating in the Makassar Industrial Area is required to follow these steps seriously. Preventive steps taken aim to identify and reduce potential hazards that can cause accidents or injuries to workers. For example, if a chemical plant operates in an industrial area, the company must ensure that workers are trained to handle hazardous chemicals safely, use protective equipment such as masks and gloves, and have emergency procedures in the event of a chemical spill or fire.

The government, through related institutions such as the Ministry of Manpower and the regional Manpower Office, must play an active role in formulating policies that support the strengthening of the implementation of K3 in industrial areas. On the other hand, companies must commit to providing adequate facilities and resources to ensure that K3 standards are implemented optimally. Education and training related to occupational safety and health must also be provided continuously to all workers, from the lower level to top management. This aims to ensure that every individual in the work environment has a sufficient understanding of the hazards that exist, as well as the steps that can be taken to mitigate risks.

If there is a violation of K3 standards that causes a work accident or endangers the safety of workers, law enforcement officers, such as the police and other related institutions, have an important role in following up on the case. This legal follow-up aims to ensure that the guilty party is held accountable for incidents that harm workers, either in the form of work accidents or other losses incurred. In this case, the Indonesian legal system provides clear sanctions for companies that are proven to have violated K3 standards. These sanctions can be in the form of fines, which function as financial penalties for the company, revocation of business licenses, which can shake the company's existence, or even criminal penalties if the violation causes a serious work accident or results in the death of a worker. The application of these strict sanctions is not only to provide justice for the victim, but also to provide a deterrent effect on other companies to better comply with existing regulations.

The Indonesian legal system has clearly regulated legal protection for workers who experience accidents or health problems due to their work. In this case, workers have the right to file a claim with the company to obtain compensation or damages for the work accident or work-related illness they experienced. This claim process allows workers to obtain medical expenses, rehabilitation, and compensation for losses incurred due to accidents or illnesses caused by an unsafe work environment. In addition, if workers feel that their rights related to K3 are not being fulfilled, they have the right to report to the Manpower Office or other authorized institutions that can follow up on the problem. This report is one way for workers to

demand that the company improve the situation and ensure that K3 standards are implemented properly.

If there is a violation of K3 standards that causes an accident or loss to workers, workers can also file a lawsuit against the company. This lawsuit can be filed either through civil law, to obtain compensation, or through criminal law, if the violation is classified as negligence that seriously harms worker safety. This provides workers with the assurance that they can obtain justice if their rights are violated and provides a deterrent effect for companies that are negligent in meeting occupational safety standards.

Workers at PT. KIMA should be able to continue to improve their efforts in terms of qualifications and professionalism, because this has a significant impact on improving the company's overall performance. If we compare the work ethic between workers in the western and eastern regions, it is clear that workers in the eastern region are still far behind compared to workers in the western region. In fact, PT. KIMA is the only industrial area in the eastern region that has great potential to boost the regional economy. Therefore, strengthening the work ethic and professionalism of workers in this industrial area is very important to encourage more equitable and sustainable economic growth.

In addition, law enforcement based on the principle of balanced justice between workers and companies is also very important. Proper law enforcement will create a better and more harmonious legal relationship between the two parties, which will ultimately support the achievement of the objectives of establishing PT. KIMA is a productive and sustainable industrial area. In this context, laws and regulations in the field of employment need to be synchronized in order to provide a comprehensive understanding for both workers and companies.

With a comprehensive understanding of the rights and obligations of each party, it is hoped that the implementation of employment regulations can run well and in accordance with the expectations of policy makers. This will support the creation of a harmonious and mutually beneficial relationship between workers and companies, which in turn will contribute to a more stable and productive industrial relations balance. It is also hoped that the government policies issued will further support the achievement of these goals, as well as maintain sustainability and balance in the relationship between workers and companies in the industrial area.

3 Conclusion

Legal protection for workers in the Makassar industrial area includes the right to receive compensation and damages in the event of a work accident caused by negligence or lack of attention to K3 standards by the company. If workers experience an accident or health problems due to working conditions that do not meet standards, they have the right to file a claim with the company, which will then be evaluated by the authorities, such as the Manpower Office or BPJS Ketenagakerjaan.

Furthermore, the industrial area in Makassar, which involves many workers, requires more intensive supervision. If a violation of K3 standards is found that results in a work accident or endangers worker safety, workers have the right to report to the relevant agency and file a lawsuit against the company. This encourages companies to be more serious in complying with K3 regulations, considering the legal consequences that can be faced, such as fines, revocation of business licenses, or criminal charges if the violations committed cause serious harm to workers

The implementation and supervision of strict K3 standards in the Makassar industrial area is not only to fulfill legal obligations, but also to create a safer and more productive work environment. With clear legal protection for workers, it is hoped that it will not only prevent accidents from occurring but also reduce the number of work accidents that often occur in the industry. This protection provides a sense of security for workers to do their jobs better and encourages companies to be more responsible in providing safe work facilities and environments, in accordance with applicable K3 standards.

References

1. Lestari, N.A., Shalihah, F.: Protection of occupational safety and health (K3) guarantees for gas station workers in Yogyakarta City. *Legal Perspective* 1(1), 47–58 (2021)
2. Ramlan, D.: *Basics of Occupational Safety and Health*, vol. 1. Unsold Printing, Purwokerto (2006)
3. Ridley, J.: *Occupational Health & Safety Overview*. 3rd edn. Erlangga, Jakarta (2008)
4. Gempur, S.: *Occupational Safety & Health Management*. Prestasi Pustaka, Jakarta (2004)
5. Satya, R.R.D., Sinambela, S., Maulana, I., Nurdeni, N.: Counseling on 5R culture and occupational health and safety at PT. Tunggal Indotama Abadi. *Journal of Community Service and Quality Improvement (Janayu)* 3(2), 105–115 (2022)
6. Sari, W.P., Soegiarto, A.: Video safety briefing as one of the communication strategies in the implementation of occupational health and safety (K3) programs in the tourism industry. *JIKA (Andalan Journal of Communication Science)* 5(2), 183–199 (2022)
7. Tutuko, B., Pudjiharjo, H.S., Nugroho, B.J., Santosa, T.B.: Analysis of quality control management system in improving the performance of construction process time of high-rise buildings in Surabaya City. *Journal of Civil Engineering and Technology Sciences* 1(2), 56–68 (2023)
8. Fenelia, N., Herbawani, C.K.: Factors related to compliance with the use of personal protective equipment in construction workers: Literature review. *Prepotif: Journal of Public Health* 6(1), 221–230 (2023)
9. Mola, Herlina: Analysis of the level of compliance in the use of personal protective equipment at PT Wijaya Karya Industri and Construction of Steel Fabrication Plants. *Jurnal Persada Husada Indonesia* 7(25), 14–22 (2022)
10. Ramli, S.: *Occupational Health and Safety Management System OHSAS 18001*. Dian Rakyat, Jakarta (2009)
11. Anizar: *Industrial Occupational Health and Safety Engineering*. Graha Ilmu, Yogyakarta (2009)
12. Sucipto, C.D.: *Occupational Safety and Health*. Gosyen Publishing, Yogyakarta (2014)

13. Safitri: Use of Personal Protective Equipment (PPE) by Staff of Ghasia Mental Hospital, Special Region of Yogyakarta in 2017. Thesis. Yogyakarta Health Polytechnic, Yogyakarta (2017)
14. Tarwaka: Occupational Safety and Health. Harapan Press, Surakarta (2008)
15. Wibowo, A.: Public Health in Indonesia. PT. Rajagrafindo Persada, Depok (2014)
16. Personal Communication with Alif Abadi, President Director of PT. Kawasan Industri Makassar in Makassar, 2024/12/09
17. Yuantari, Nadia, H.: Analysis of occupational safety and health risks in cleaning staff in hospitals. *Faletehan Health Journal* 5(3), 107–116 (2018)
18. Fauziah, S.: The Influence of Supervision on Work Discipline Through Organizational Culture as an Intervening Variable on Employees of PT. BRI (Persero) Tbk Blitar. Thesis. State Islamic University of Maulana Malik Ibrahim (2016)
19. Situmeang, R.: The influence of supervision and work experience on employee performance at PT. Mitra Karya Anugrah. *Ajie* 2(2), 148–160 (2017)
20. Saputa, Shalahuddin, D., Darmawan: The influence of supervision and work discipline on employee productivity at PT. Kideco Jaya Agung. *Scientific Journal of Management* 4, 143–151 (2020)
21. Hongadi, E.: Analysis of the implementation of occupational health and safety (K3) programs at PT. Rhodia Manyar in Gresik. *Agora* 1(3), 9 (2013)
22. Personal Communication with Alif Abadi, President Director of PT. Kawasan Industri Makassar in Makassar, 2024/12/09
23. Personal Communication with Alif Abadi, President Director of PT. Kawasan Industri Makassar in Makassar, 2024/12/09

Open Access This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial 4.0 International License (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits any noncommercial use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

