

Occupational Safety and Health Protection for Informal Domestic Workers Viewed from the Perspective of Law Number 13 of 2003 concerning Manpower

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ABSTRACT

Occupational Safety and Health (K3) is a program created for workers/laborers and employers as a preventative measure against incidents caused by work relations in the work environment by identifying things that have the potential to cause accidents and illnesses due to work relations, and anticipatory measures if work accidents occur by providing compensation, guidance, and increasing recognition of human rights, social, economic, and physical protection through norms in work relations.

The purpose of this study is to analyze the rights of informal domestic workers and legal protection in Indonesia through Law Number 13 of 2003 concerning Manpower and Regulation of the Minister of Manpower (Permenaker) Number 2 of 2015 concerning Protection of Domestic Workers. This type of research is qualitative using a normative-empirical approach. Data sources include primary data in the form of interviews while secondary data through a legal science approach and document studies. The results show that the rights of domestic workers have not been fully regulated to provide a decent life for domestic workers and the creation of Permenaker Number 2 of 2015 has not been a state protection for domestic workers because the regulation focuses on supervising placement agencies. Therefore, government awareness is needed regarding the existence of domestic workers.

***Keywords:** Protection; Safety & Occupational Health*

1. Introduction

Labor or manpower, according to the concept of employment, includes people who are already working or currently employed, those who are looking for employment, and those engaged in other activities such as attending school and managing household duties. According to Law Number 13 of 2003 concerning Manpower, labor is defined as every person who is capable of performing work in order to produce goods or services to fulfill their own needs as well as the needs of society.¹ Labor is a very important asset of a company in the production process; therefore, efforts must be made to ensure that the health condition of workers is always maintained at an optimal level. For workers/laborers, occupational safety and health are of primary importance. Work accidents and occupational hazards may occur either directly or indirectly.

Discussing the rights of workers/laborers means discussing human rights. The

¹ Lalu Husni, *Pengantar Hukum Ketenagakerjaan Indonesia* (PT. Grafindo Persada, 2008).

human rights of workers/laborers include the right to obtain decent work that upholds human dignity, as recognized in the 1945 Constitution as a constitutional right.² The affirmation in the written constitution, namely the 1945 Constitution, Article 27 paragraph (2) explains that "Every citizen has the right to work and a decent living for humanity." This goal is realized in the form of citizen rights, where the state is obliged to provide protection for its citizens.³

A worker/laborer is any person who works for wages or other forms of compensation. An employer is an individual, businessman, legal entity, or other body that employs workers by paying them wages or other forms of compensation. From a legal perspective, the status of a worker/laborer and an employer is equal.

Based on the agreed work agreement, the rights and obligations of each party will be born, for example the rights of workers, namely receiving wages, becoming BPJS Employment participants, receiving K3 (occupational safety and health). Article 15 Paragraph 1 of Law Number 24 of 2011 concerning BPJS states that employers are gradually required to register themselves and their workers as participants with BPJS in accordance with the social security program they follow. Therefore, in the event of a work accident, the company must pay attention to work protection for workers.

Legal protection for workers is protection that is legally provided to workers in the informal sector, including recognition of work or the type of work performed, regulation of balanced and fair work relations or labor relations, regulation of social security for workers.⁴ According to Law Number 40 of 2004 concerning the National Security System in Article 1 it is stated that "Social security is a form of social protection to ensure that all people can fulfill their basic needs for a decent life. It is actually quite a strong reason for Indonesia to make protection regulations for its citizens regardless of their type of work so that they receive appreciation and a decent living from the work, including Domestic Workers (PRT). Domestic Workers, hereinafter abbreviated as PRT, are people who work for individuals in households to carry out household work by receiving wages and/or other forms of compensation.

The legal status or status of domestic workers is still unclear, to the point that they can be considered "workers." The implementation of agreements or employment contracts between domestic workers and employers, which include work, working days, working hours, and wages, has not been optimal. Furthermore, almost no domestic workers in Indonesia receive social protection (health and work accident insurance). This occurs because domestic workers are still considered by society as "helpers" rather than "workers." Furthermore, the position of the domestic

² Adrian Sutedi, *Hukum Perburuhan* (Sinar Grafika, 2009).

³ Abdullah Sulaiman, *Hukum Ketrenagakerjaan/Perburuhan* (Yayasan Pendidikan dan Sumber Daya Manusia (YPPSDM, 2019).

⁴ Koesparmono Irsan and Armansyah, *Hukum Tenaga Kerja (Suatu Pengantar* (Erlangga, 2016).

worker's employer is not a company but an individual. This difference in status significantly impacts the implementation of the employment relationship between both parties. In fact, Article 56 Paragraph 1 of Law Number 11 of 2020 concerning Job Creation states that "Employment agreements are made for a specific period or for an indefinite period."⁵ In fact, in the provisions of Article 56 Paragraph 1 of Law Number 11 of 2020 concerning Job Creation, it is stated that "Employment agreements are made for a specific period or for an indefinite period."

Law No. 13 of 2003 concerning Manpower itself does not sufficiently regulate the details of domestic workers (PRT). The rights and obligations of domestic workers in its implementation are unclear because there is no legal source that can be a strong legal umbrella for domestic workers. Minister of Manpower Regulation No. 2 of 2015 concerning the Protection of Domestic Workers only regulates in general the rights and obligations of domestic workers, PRT users, and LPPRT. However, matters such as wages, legal protection, occupational safety and health protection, and how to resolve disputes are not regulated in Minister of Manpower Regulation No. 2 of 2015. Although it has been accommodated in several laws related to the protection of domestic workers, it is still considered insufficient regarding the protection of domestic workers in Indonesia, so that special regulations are needed to regulate domestic workers in Indonesia.

A crucial issue is the protection or social security of informal workers (domestic workers). Legal regulations protecting informal workers are still very limited, and none specifically regulate them. This limited legal framework leaves workers in this sector highly vulnerable to exploitation and discrimination.⁶ In the informal sector, employment relationships are usually based on casual employment relationships, on family or personal relationships, or on social relationships alone, and not on written employment agreements made by both parties.

The problems experienced by domestic workers extend beyond supervision. Consequently, many employment relationships are based on unwritten or verbal agreements, making them vulnerable to violations. Domestic workers are forced to work without regulated working hours, without minimum wage provisions, and without days off. Essentially, there is no clear regulation of the rights and obligations of domestic workers, employers, and domestic worker providers. In the employment sector, domestic workers are not included in the employment category in government or private institutions. Therefore, domestic workers are included in the informal sector. The informal sector, which is filled with types of domestic work such as domestic workers, is vulnerable to various acts of violence and certainly requires extra protection from the state. Violence must be understood broadly, because basically, society understands violence only in

⁵ Devie Rakhmawati, "Hubungan Hukum Pekerja Rumah Tangga (PRT), Pengguna PRT, Dan Lembaga Penyalur PRT (LPPRT) Kota Semarang Perspektif Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan", *Skripsi, Program Study Ilmu Hukum, Universitas Negeri Semarang, 2019, 2022.*

⁶ Tri Widya Kurniasari and Much. Saleh Buchari, *Perlindungan Hukum & Sosial Terhadap Pekerja Sektor Informal* (LIPI Press, 2006).

physical form, namely beatings against someone. There is also non-physical violence, such as not receiving wages according to the agreement or not receiving wages after several months of work. Regarding the facts that occur in Indonesia, the protection of the rights of victims of domestic violence, especially domestic workers, has not been realized as it should.

In the author's opinion, although the presence of domestic workers (PRT) is greatly needed, in reality, recognition of their contributions as workers is very minimal or low. PRT has so far been based only on an employment agreement between worker and employer that is not written. Especially regarding occupational safety and health, which is essentially not regulated in the Minister of Manpower Regulation No. 2 of 2015 concerning the Protection of Domestic Workers.

2. Research Method

This research is a normative study, examining the synchronization of laws related to the implementation of statutory provisions in fulfilling labor rights. The data sources used in this study, normative legal research, consist of primary data, namely laws related to this research, and secondary data, namely literature and previous research related to this research.

3. Result and Discussion

3.1. Occupational Safety and Health Protection for Informal Domestic Workers: The Perspective of Law No. 13 of 2003 Concerning Manpower

The reality on the ground shows that laws in Indonesia relating to the protection of domestic workers are still very limited. This is the cause of many cases of violence against domestic workers in Indonesia. Various cases of violence that occurred against domestic workers show that the mandate of the 1945 Constitution has not been implemented properly. Domestic workers still face problems in the workplace without definite legal protection. Legal protection for Domestic Workers (PRT) is a necessity to ensure safety at work and the welfare of workers is met. According to the author's understanding, in the provisions of legal protection contained in Law Number 13 of 2003 concerning Manpower, Domestic Workers (PRT) can be categorized as workers hired by an individual or by a family. They contribute to domestic income. However, above the legal document, domestic workers are not recognized by Law Number 13 of 2003 concerning Manpower as a form of formal workers who deserve to be protected by existing legal regulations. According to the author, this formalistic marginalization has in practice opened up opportunities and potential for forms of exploitation, economic, physical, and psychological, against domestic workers. The implication is that much violence against domestic workers is only seen as a minority crime, even as a private domestic matter.

The rights of Domestic Workers (PRT) as part of the workforce must be considered

because the status of PRT is different from industrial workers who are clearly protected in Law Number 13 of 2003 concerning Manpower. The rights of workers contained in Law Number 13 of 2003 concerning Manpower include receiving wages or compensation. This statement should include PRT who are also workers. In reality, in Law Number 13 of 2003 concerning Manpower, there are no substantive specific regulations regarding Domestic Workers (PRT), meaning that the legal basis for protection for Domestic Workers (PRT) cannot fully refer to this law.

The above view has significantly influenced the regulation of legal protection for domestic workers in Indonesia. As a result, public support for the importance of legal protection for domestic workers appears minimal. In the author's opinion, one of the obstacles contributing to the slow ratification of regulations on domestic worker protection is the lack of public pressure and encouragement. In fact, there is already a regulation that attempts to regulate the protection of domestic workers, namely the Minister of Manpower Regulation (Permenaker) Number 2 of 2015 concerning the Protection of Domestic Workers. However, according to Atang Irawan, a Constitutional Law expert from Pasundan University, there is uncertainty regarding the validity of the Permenaker because the origin of the law mandating its implementation is unknown.

This is not in line with the hierarchy of laws and regulations which require the issuance of ministerial-level regulations to be preceded by a related legal order. Not only that, the implementation of the Minister of Manpower Regulation has not been running well and still contains a number of problems in its contents, such as the many rights of domestic workers that have not been accommodated. The Minister of Manpower Regulation does not contain provisions regarding wage standards, regulations on working hours and weekly rest periods, annual leave, or the obligation to make written work agreements. In addition, the Minister of Manpower Regulation also does not regulate the rights of domestic workers to be free from harassment and violence, underage workers, social security and the right to an adequate and decent workplace. Special regulations regarding the protection of domestic workers are contained in the Minister of Manpower Regulation (Permen) Number 2 of 2015 concerning the Protection of Domestic Workers, however, it is not a derivative of Law Number 13 of 2003 concerning Manpower.⁷

The rights stipulated in Article 7 of the PPRT include the right to information about service users, the right to receive good treatment from users and their family members, to receive wages in accordance with the work agreement, to receive healthy food and drink, to have sufficient rest time, to have the right to receive leave as agreed, to be able to carry out worship according to their religion and beliefs, to receive holiday allowances, and to be able to communicate with their families. Meanwhile, labor rights as stipulated in Law Number 13 of 2003 concerning Manpower emphasize basic rights

⁷ Tri Dian April Sesa, 'Analisis Yuridis Kedudukan Dan Perlindungan Hukum Pekerja Rumah Tangga (PRT) Dilihat Dari Perspektif Peraturan Perundang-Undangan Bidang Ketenagakerjaan', *Jurnal Nestor Magister Hukum*, 1.1 (2016).

which include basic rights in employment relations, social security and occupational safety and health, wage protection, limitations on working hours, rest, leave and holidays, making Collective Labor Agreements, strikes, special rights of female workers, and protection against termination of employment. Law Number 13 of 2003 concerning Manpower clearly protects the provisions for termination of employment (PHK). To be able to terminate an employee, a company must meet certain objective and accountable requirements. Conversely, in the relationship between an employer and a domestic worker, an employer can dismiss a domestic worker at any time without any conditions or reasons. Employers generally use subjective considerations when terminating a domestic worker's employment. Domestic workers' wages are also a separate problem. Unclear regulations regarding the domestic worker wage system leave domestic workers vulnerable to filing claims due to a lack of standards. Furthermore, domestic workers are denied benefits such as social security and health insurance. Law Number 24 of 2011 concerning the Social Security Administering Body (BPJS) clearly stipulates that workers must be covered by the Workers' Social Security (Jamsostek).

Domestic workers have not received legal protection in fighting for their rights as workers. In Indonesian culture, domestic workers are rarely called workers, but rather simply helpers. This occurs because many assume that domestic workers are in the informal sector, making these domestic workers reluctant to formally request employment relations with their employers. This situation refers to domestic workers who live in the same house as their employer within a family circle. The nature of this informal relationship, because many domestic workers come from distant families or the same village, makes employers view their role as paternalistic, where they protect, feed, shelter, educate, and provide spending money for the domestic workers in return for their labor. As a result, employers, in this case employers, can arbitrarily employ domestic workers without considering the time and conditions of the domestic workers. Legal protection in Indonesia still relies on the implementation of the PPRT Ministerial Regulation, but its formulation is still misguided because it does not refer to and is based on Law Number 13 of 2003 concerning Manpower. Therefore, the substance of this regulation focuses on the provisions of the Placement Institution rather than the interests of domestic workers' rights. The sanctions imposed also do not provide legal certainty because they do not include criminal sanctions but are limited to administrative sanctions against the placement institution, not the employer, who should be directly responsible for their actions against domestic workers. From the description above, both Law Number 13 of 2003 concerning Manpower and the PPRT Ministerial Regulation still have various shortcomings and are not yet optimal in providing protection for domestic workers.

3.2. Barriers to Occupational Safety and Health Protection for Informal Domestic Workers

The inhibiting factor in implementing occupational safety and health protection for informal domestic workers (PRT) is the human factor, namely workplace accidents

that can occur at any time directly due to human error. In this case, humans include workers and employers.

The condition of workers and employers who are still not fully aware of occupational safety and health regulations, according to the author, this is due to the still low level of knowledge of the importance of the right to occupational safety and health, especially regarding the use of personal protective equipment in the workplace as an early preventive measure in terms of protecting occupational safety and health.

Occupational risks, particularly for informal domestic workers, can occur at any time, as these workers frequently use materials that can cause accidents or occupational illnesses. Examples include excessive use of detergents, dish soap, and other products, which can cause burning or irritation if applied to the skin. Sociologically, barriers stem from the perception of domestic workers, which still largely disregards and considers domestic workers not to be workers. The prevailing understanding of workers in society is that they are those who carry out production activities. Domestic workers, who primarily work in household chores, are not considered workers within the definition above, and therefore do not receive the same legal protections as workers who are closely involved in production activities. It's no surprise that most Indonesians still refer to domestic workers as "maids" rather than workers.

There are several inhibiting factors that arise in the implementation of Occupational Safety and Health (K3), namely:

1. In terms of worker awareness
In the case of a lack of knowledge and awareness of workers and employers regarding the importance of Occupational Safety and Health (K3), both parties are negligent about the importance of protecting Occupational Safety and Health (K3) in the workplace. This can certainly be detrimental to both parties when a work accident or work-related illness occurs.
2. Low Level of Worker Education
Based on the results of the interview conducted by the author with the Head of Air Panas Village, Pandalian IV Koto District, namely Mr. Rahayu A, Md., he stated that "In my opinion, this level of education greatly influences the level of knowledge of workers regarding occupational safety and health, especially for informal domestic workers who are dominated by workers with very low levels of education, namely elementary school, junior high school, or even no educational background.
3. Legal Factors
The government's issuance of the Ministerial Regulation on Domestic Worker Protection (Permenaker) is one of its efforts to provide protection for domestic workers, domestic worker employers, and domestic worker placement agencies (LPPRT) regarding their normative rights, obligations, and the existence of LPPRT. However, the Ministerial Regulation on Domestic Worker Protection (Permenaker) has not yet become a legal framework due to the lack of provisions for light, moderate, and heavy administrative

sanctions.

These sanctions can include verbal or written warnings, termination of employment, and fines, as stipulated in Minister of Manpower Regulation Number 7 of 2020 concerning Procedures for Imposing Administrative Sanctions in the Placement and Protection of Indonesian Migrant Workers. Therefore, adding provisions for administrative sanctions to the implementation of domestic worker protection is expected to increase compliance by both domestic worker employers and domestic workers in fulfilling their obligations and granting their respective rights.

4. Facilities Factor

The implementation of the obligation of domestic workers to social security is affected by the lack of means or facilities that can be used to support the implementation of the Minister of Manpower Regulation on Domestic Workers Protection. These means or facilities include all aspects including educated and skilled human resources, good organization, adequate equipment, sufficient finances, and so on. Lack of supervision from the authorized institution providing domestic workers protection for Social Security, namely BPJS in inviting the public and promoting domestic workers' rights to social security. In addition, there is a lack of information sources for domestic workers users regarding domestic workers protection. In supporting the implementation of the Minister of Manpower Regulation on Domestic Workers Protection, it is necessary to have an even distribution of information throughout Indonesia, whether carried out by the Ministry of Manpower and/or organizations protecting women and domestic workers to promote the Minister of Manpower Regulation on Domestic Workers Protection so that it is better known and complied with by the public.

5. Public Awareness Factor

Regulations regarding every citizen's right to social security have been passed and widely disseminated, so there is no excuse for citizens to be denied social security protection, including domestic workers. Public awareness of a regulation is one factor influencing its implementation.

The author also conducted an interview with worker Mrs. Sunarti, who said that she did not know that there were labor regulations. Understandably, I only graduated from elementary school, the important thing is that I can work and get paid, thank God, and what I know is that regulations are usually only for people who work in offices. If you work as a helper at home like me, I don't think you need to use legal regulations, it's complicated, she said.⁸

The author's interview with Mrs. Alfi Kurnianingsih, the employer, revealed that she was aware of the labor law, but didn't fully understand its contents. Therefore, regarding occupational safety and health, I also didn't understand that domestic workers also have rights regulated within it. I told them that if they wanted to work

⁸ 'Wawancara Dengan Ibu Sunarti Selaku Pekerja Rumah Tangga Pada 8 Desember 2024'.

with me, the type of work would be general domestic work. Regarding the salary, it would be based on the general market rate, which is Rp. 800,000 per month. If they wanted to, they could work, but if they didn't, that was fine.⁹

In the author's opinion, based on the results of the interviews above, the author can conclude that in this situation, workers are in a vulnerable position and need work. Due to limited knowledge and education, employment agreements are not written down, and workers lack bargaining power regarding their rights.

Based on market prices in a region that are common and widely practiced, according to the author, wages for domestic workers are clearly not in accordance with the district minimum wage (UMK), because domestic workers are not formal workers like employees. This is where domestic workers rely solely on their physical abilities to work without thinking carefully about the consequences if there is no written agreement. Due to reasons of low education and economic factors, domestic workers are willing to work hard for low wages according to domestic workers. They also lack special skills, so working as domestic workers is the only option for them to supplement the family income. This is where domestic workers experience injustice in the work they do, without a written agreement as a forum for them to complain and a place for them to express their opinions.

According to Mr. M Muaraganti Hasibuan, Head of Manpower at the Rokan Hulu Cooperatives, SMEs, Transmigration, and Manpower Office, "The obstacle so far has been that the working relationship between employers and domestic workers is based on verbal agreements. This makes it difficult for us in the office to fulfill and provide special attention to domestic workers. He also mentioned that so far no institution has registered to become a Domestic Worker Placement Agency (LPPRT) in the Rokan Hulu area. This also becomes one of the problems for us in being able to directly review the agreements made between employers and domestic workers. Because of course there will be no domestic worker reports if they do not go through the LPPRT.¹⁰

Considering that the law functions as a tool of social engineering, which also encompasses changing societal perspectives, the existence of laws, particularly laws on the protection of domestic workers, not only guarantees the fulfillment of their constitutional rights but also changes society's perspective on domestic workers. This will foster respect for domestic workers as a profession worthy of protection, just like workers in other fields. While workers need jobs to supplement their family income, some do not understand that certain rights remain unfulfilled. Therefore, the author believes that the government needs to provide legal certainty for informal domestic workers through specific regulations governing informal domestic workers. This will ensure workers feel protected and their rights are met.

⁹ 'Wawancara Dengan Ibu Alfi Kurnianingsih Selaku Pemberi Kerja Pada 7 Desember 2024'.

¹⁰ 'Wawancara Dengan Bapak M Muaraganti Hasibuan Selaku Kepala Bidang Tenaga Kerja Di Dinas Koperasi, UKM, Transmigrasi, Dan Tenaga Kerja Rokan Hulu.'

3.3. Efforts Made to Implement Occupational Safety and Health Protection for Informal Domestic Workers

Labor protection covers very broad aspects, namely physical protection which includes protection of safety from work accidents and occupational health as well as the maintenance of work morale and treatment in accordance with human dignity and religious morals, as explained in Article 86 of Law Number 13 of 2003 concerning Manpower.

The author understands that implementing occupational safety and health protection for informal domestic workers will not be without obstacles. These obstacles stem from legal provisions, obstacles from workers, and obstacles from employers. Overcoming these obstacles certainly cannot be done overnight. Therefore, the author will explain the efforts made to overcome these obstacles, including:

1. To raise awareness among workers and employers regarding the importance of occupational safety and health, workers and employers will review the provisions of labor laws. They will determine whether their existing agreements are in accordance with the law. If not, the employer will provide the protections they are able to provide. However, if the employer objects, it may not be possible to comply at this time.
2. Efforts are being made to address the low level of education and knowledge of workers and employers regarding occupational safety and health for informal domestic workers. Employers consistently remind workers to be vigilant and careful in carrying out their work. When workers make mistakes, employers do not scold them, only advise them to improve.

The low level of knowledge of workers and employers makes them not understand the importance of legal protection for occupational safety and health guarantees when carrying out work. As a result, the purpose of occupational safety and health according to the author can be achieved when the government provides guarantees to informal sector domestic workers, then employers and workers understand the contents of the regulations so that efforts to protect occupational safety and health for informal domestic workers can be implemented. Efforts to prevent accidents and occupational diseases must continue and be further improved by anyone, both companies and individual employers so that the hope of zero accidents can be created in the workplace environment.

According to Mr. M. Muaraganti Hasibuan as Head of the Manpower Division at the Cooperatives, SMEs, Transmigration, and Manpower Office of Rokan Hulu Regency, his party said that in the future we fully support regulations that can guarantee the rights of informal domestic workers, his party will also conduct outreach to the regions and collaborate with village governments (Village Heads) to participate in protecting the rights of domestic workers. Because these domestic workers are mostly located in the smallest sectors, namely rural areas, our hope is that these employers will employ

domestic workers in accordance with their right to a decent living, thereby helping to reduce poverty in the Regency. Of course, by always reminding employers to employ domestic workers fairly, or in other words, to treat them humanely. Furthermore, we hope that after the socialization and collaboration, in the future, work agreements between employers and domestic workers can be made in writing, so that there is evidence that can be shown if there is a dispute in the work relationship. What is of concern to us is the issue of working hours and wages. In my opinion, individual employers here can be said to be like Small and Medium Enterprises, and according to my knowledge, the wage rate is 50% (Fifty Percent) of the City/District Medium Wage (UMK).¹¹

Based on the description above, it can be seen that occupational safety and health are very important things that must be implemented by companies and employers to all workers in order to increase optimal work productivity. If the government, employers and companies specifically pay attention to occupational safety and health, workers can work safely, peacefully and productively in carrying out their work.

4. Conclusion

Based on the results of the discussion that have been revealed above, conclusions can be drawn regarding Occupational Safety and Health Protection for Informal Domestic Workers, namely:

1. The provisions of Article 1 number 1 of the Regulation of the Minister of Manpower Number 2 of 2015 concerning the Protection of Domestic Workers state that "Domestic Workers, hereinafter abbreviated as PRT, are people who work for individuals in households to carry out household work by receiving wages and/or other forms of compensation. Meanwhile, Employers According to Article 1 number 4 of Law Number 13 of 2003 concerning Manpower, state, "Employers are individuals, entrepreneurs, legal entities or other bodies that employ workers by paying wages or other forms of compensation.
2. Legal protection for Occupational Safety and Health for Informal Domestic Workers is still not running as it should. Law Number 13 of 2003 concerning employment cannot guarantee certainty regarding occupational safety and health protection for informal sector domestic workers, basic rights for informal workers are not specifically regulated in the provisions of the articles contained in the employment law. This then results in the continued exploitation of domestic workers, especially female workers. Because these domestic workers are predominantly women. As with domestic workers in Air Panas Village, legal protection for these domestic workers is still very low, where workers are employed without using a written contract. And this has an impact on domestic workers losing their rights. Among them are low wages

¹¹ 'Wawancara Dengan Bapak M Muaraganti Hasibuan Selaku Kepala Bidang Tenaga Kerja Di Dinas Koperasi, UKM, Transmigrasi, Dan Tenaga Kerja Rokan Hulu.'

and excessive working hours. The implementation of legal protection for domestic workers from the perspective of Law Number 13 of 2003 concerning Manpower, in reality domestic workers are not included in the provisions of the law because domestic workers are not included in formal workers.

3. The low level of knowledge of workers and employers means that both of them do not yet understand the importance of legal protection for occupational safety and health guarantees when carrying out work. As a result, the objectives of occupational safety and health according to the author have not been achieved and can be achieved when the government provides guarantees to informal sector domestic workers, then employers and workers understand the contents of the regulations so that efforts to protect occupational safety and health for informal domestic workers can be implemented.

The Domestic Workers Protection Law is urgently needed because, in addition to its main objective of protecting domestic workers working in the country, it also helps improve protection for Indonesian domestic workers working abroad.¹² Protection for domestic workers has been established, but it is still not enough to protect their rights and interests.

Legal protection in Indonesia utilizes the implementation of the Manpower Regulation (Permennaker), but its formulation remains misguided and is not based on the Manpower Law. Therefore, the substance of this regulation focuses on the provisions of the Placement Institution rather than the rights of domestic workers. The sanctions imposed also do not provide legal certainty because they do not include criminal sanctions but are limited to administrative sanctions. The government must pay attention to workers in the informal sector, especially domestic workers.

The state must guarantee protection for domestic workers by providing proper rights in the economic and social fields and also stopping discriminatory violence. This is in line with the second and fifth principles of Pancasila, namely "Just and Civilized Humanity" and "Social Justice for All Indonesian People" as well as the provisions of the Constitution of the Republic of Indonesia, Article 28D paragraph (2) which states, "Everyone has the right to work and to receive fair and proper compensation and treatment in employment relations.

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