

## Regulation of Workers Rights and Obligations in Labor Law

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Info Article	Abstract
<b>Article History</b> Received : 2023-07-03 Revised: 2023-07-12 Published: 2023-07-30	This study examines the provisions regarding workers' rights and obligations as stipulated in the Manpower Law as a basis for establishing fair and balanced employment relationships. This research is motivated by various employment practices that are detrimental to workers, including inappropriate wage payments, excessive working hours, and suboptimal social security coverage. This situation emphasizes the importance of understanding legal provisions that regulate the proportional status of workers and employers. The purpose of this study is to analyze the forms of regulation of workers' rights and obligations in legislation and their impact on legal certainty in employment relationships. The method used is normative legal research with a legislative and conceptual approach, conducted through a literature review of primary, secondary, and tertiary legal materials. The research stages include collecting legal materials, categorizing legal norms, and systematic analysis of relevant provisions. The results show that the Manpower Law has regulated various workers' rights, such as the right to a decent wage, regulation of working hours and rest periods, protection of occupational safety and health, and employment social security. In addition, workers are also obligated to perform their work in accordance with their employment agreement, comply with company regulations, and maintain a professional attitude in the work environment. These regulations are expected to foster harmonious working relationships, prevent industrial disputes, and enhance legal protection for both workers and employers.
<b>Keywords:</b> <i>Workers' Rights;</i> <i>Workers' Obligations;</i> <i>Employment Law</i>	

### I. INTRODUCTION

The employment relationship between workers and employers is a crucial component of a country's economic and social development system. Workers play a key role in production, while employers provide employment and capital. For this relationship to operate in a balanced and fair manner, clear and firm legal regulations are required. Without binding regulations, employment relationships have the potential to create inequality, particularly because workers generally have a weaker bargaining position than employers (Khakim, 2019). Therefore, employment law serves as an instrument to protect workers while safeguarding the interests of the business sector.

In practice, employment issues still frequently occur, such as violations of wage rights, excessive working hours, non-fulfillment of leave rights, and weak social security protection for workers (Soepomo, 2018). This condition

indicates that the existence of laws and regulations has not been fully implemented optimally in employment relations. Essentially, workers' rights are part of human rights that must be respected and protected by the state through the implementation of a fair and effective legal system (Husni, 2016). On the other hand, workers also have obligations that must be fulfilled to create a harmonious and productive working relationship, such as carrying out work according to the agreement and complying with company regulations.

The Manpower Law serves as the primary legal basis for regulating employment relations in Indonesia. This regulation covers various important aspects, including employment agreements, wages, working hours, social security, and occupational safety and health protection.

These regulations are intended to create a balance between the rights and obligations of

workers and employers to prevent exploitation or abuse of power (Asikin & Zainal, 2020). However, in practice, there are still discrepancies between applicable legal provisions and actual conditions. Many workers do not fully understand their rights and obligations, making them susceptible to unknowing violations or even violating agreed-upon work obligations.

A lack of understanding of labor law provisions not only impacts individual workers but also has the potential to trigger industrial relations disputes between workers and employers (Husni, 2016). These disputes can include rights disputes, interest disputes, employment termination disputes, and disputes between labor unions. If not handled appropriately, labor conflicts can disrupt the stability of employment relations and negatively impact productivity and the investment climate. Therefore, a comprehensive review of the regulation of workers' rights and obligations is needed to assess the extent to which applicable legal provisions can guarantee protection and legal certainty for the parties involved.

Furthermore, the ever-changing dynamics of the world of work also impact the pattern of employment relationships between workers and employers. The implementation of contract work systems, outsourcing, and flexible work patterns pose new challenges in implementing legal protection for workers (Khakim, 2019). In such conditions, clarity regarding workers' rights and obligations as stipulated in laws and regulations becomes increasingly important. Without an adequate understanding of applicable legal provisions, employment relationships risk becoming unbalanced and could be detrimental to one of the parties. Therefore, a review of the provisions on workers' rights and obligations in the Manpower Law is relevant to address the needs of today's workplace.

Based on these conditions, this research aims to examine how workers' rights and obligations are regulated in the Manpower Law and their implications for legal protection in employment relationships. This study is crucial for providing a more comprehensive understanding of workers' legal position in the Indonesian employment system and promoting fair and balanced employment relationships.

Through a proportional understanding of each party's rights and obligations, workers and employers are expected to be able to build a working relationship that is mutually respectful and provides mutual benefits, thus optimally achieving employment development goals (Asikin & Zainal, 2020).

This study applies a normative legal research method with a statutory and conceptual approach. The legal sources used consist of primary legal materials in the form of labor regulations, secondary legal materials including textbooks, scientific journals, and previous research results, and tertiary legal materials in the form of legal dictionaries and legal encyclopedias (Soekanto & Mamudji, 2019). The legal materials were collected through a literature study, then analyzed qualitatively by examining legal norms governing workers' rights and obligations and their relationship to employment practices in Indonesia. The analysis was conducted systematically to obtain a complete picture of the balance between workers' rights and obligations in labor law.

This research aims to provide a comprehensive understanding of the provisions of workers' rights and obligations under the Manpower Law and their role in creating harmonious employment relationships. This study is expected to contribute academically to the development of labor law and serve as a reference for students, legal practitioners, and stakeholders in understanding and appropriately applying labor law provisions. Therefore, this research not only has a theoretical dimension but also contains practical value in supporting legal protection for workers and the realization of equitable employment relationships in Indonesia (Husni, 2016).

## II. RESEARCH METHODS

This research applies normative legal research methods with a statutory and conceptual approach. The statutory approach is used to examine the legal provisions governing workers' rights and obligations in the Manpower Law, while the conceptual approach is used to understand the concept of employment relations and legal protection in the employment sector. The research stages begin with identifying the

legal problem, then continue with collecting legal materials through literature studies, grouping legal materials according to the object of study, and ending with a qualitative analysis of the legal norms that relevant for drawing conclusions.

The population in this study consists of all laws and regulations related to employment, while the research sample focuses on the Employment Law and its implementing regulations. The research location was a library and through access to scientific journal databases as the primary source of legal material. Data analysis was conducted using the descriptive-analytical through systematic and logical interpretation of legal provisions to obtain a comprehensive understanding of the regulation of workers' rights and obligations in employment law in Indonesia.

### III. RESULTS AND DISCUSSION

#### A. Definition of Work and Employment Relations

Workers are the primary subject in employment relations because their presence determines the continuity of production and service activities within a company. In Indonesian employment law, a worker is defined as any individual who performs work and receives wages or other forms of compensation based on an employment relationship (Husni, 2016; Law No. 13 of 2003). This definition indicates that workers are not only limited to permanent jobs, but also include contract workers, daily workers, and workers with certain work systems as long as they include elements of work, wages, and orders (Hidayat, 2018). These three elements are the main characteristics that distinguish employment relationships from other legal relationships, such as partnerships or independent business relationships (Asikin & Zainal, 2020).

An employment relationship is a legal relationship between a worker and an employer arising from an employment agreement, whether written or unwritten (Asikin & Zainal, 2020; Khakim, 2019). This employment agreement serves as a binding basis for the parties to exercise their respective

rights and obligations. In an employment relationship, workers are obliged to carry out work as agreed, while employers are obliged to provide wages and protection in accordance with legal provisions (Soepomo, 2018). Thus, an employment relationship is not only economic in nature, but also has a legally binding dimension and gives rise to legal consequences if one party fails to fulfill its obligations (Husni, 2016).

The existence of an employment relationship also reflects an unequal position between workers and employers. Generally, workers are in a more vulnerable position because they depend on their jobs for their livelihood, while employers have greater authority to determine the terms and conditions of employment (Khakim, 2019; Widodo, 2021). Therefore, employment law exists to protect workers from abuse of power in employment relationships (Hidayat, 2018). This protection is realized through regulations regarding workers' rights, limitations on employers' authority, and mechanisms for resolving industrial relations disputes (Soepomo, 2018).

Furthermore, employment relationships also create sustainable social bonds between workers and employers. This relationship extends beyond the mere execution of work, encompassing aspects of welfare, job security, and human resource development (Soepomo, 2018; Widodo, 2021). Therefore, employment relationships should be built on the principles of mutual trust, respect, and mutual responsibility. A balanced employment relationship fosters a conducive and productive work environment, ultimately benefiting both parties (Hidayat, 2018).

In a legal context, employment relationships also serve as the basis for various rights and obligations stipulated in laws and regulations. Workers' rights to wages, work

and rest time arrangements, social security, and occupational safety and health protection can only be claimed if the employment relationship is legally valid (Husni, 2016; Law No. 13 of 2003). Conversely, workers' obligations to perform their work well, comply with company regulations, and maintain work discipline also arise from the existence of the employment relationship (Khakim, 2019). Thus, the existence of an employment relationship plays a central role in determining the legal position of workers and employers in the employment system (Soepomo, 2018).

## **B. Workers' Rights According to the Employment Law**

Workers' rights are a crucial part of the employment relationship because they are directly related to the protection of workers' dignity, welfare, and survival. In the Indonesian legal system, the protection of workers' rights is clearly regulated in Law Number 13 of 2003 concerning Manpower and its implementing regulations (Law of the Republic of Indonesia Number 13 of 2003; Sutedi, 2019). These regulations are intended to create a balance between the interests of workers and employers so that employment relationships can be conducted fairly and based on humanitarian values (Husni, 2016; Widjaja, 2017).

One of the primary rights of workers is the right to a decent wage. Wages are compensation for the labor and services provided by workers to employers, and therefore, payments should not be made arbitrarily (Marbun, 2018). The state sets minimum wage standards as a form of protection so that workers can earn an income sufficient to meet their living needs. This provision demonstrates that wages are not viewed solely as an economic issue, but also as part of the protection of human rights in the employment sector (Khakim, 2019; Salim, 2020).

In addition to the right to receive wages, workers also have the right to regulated working hours and rest periods. The

Manpower Law stipulates provisions regarding maximum working hours, the right to weekly rest, and the provision of annual and special leave (Law of the Republic of Indonesia Number 13 of 2003; Budiono, 2018). These provisions are intended to maintain a balance between work life and personal life for workers, while protecting their physical and mental health so that workers remain productive and avoid excessive work fatigue (Soepomo, 2018; Hardjasoemantri, 2017).

Another worker's right is the right to occupational safety and health. Employers are required to provide a safe, healthy, and decent work environment, as well as provide protection against the risk of accidents and occupational diseases (Sutedi, 2019). Occupational safety and health protection is a crucial part of the state's and employers' responsibility to ensure workers can carry out their jobs without facing threats to their lives and health (Asikin & Budiono, 2020; Rachmad, 2018).

Workers are also entitled to employment social security, which includes work accident insurance, old-age security, death insurance, and pension insurance (Law of the Republic of Indonesia Number 13 of 2003; Sembiring, 2019). This social security aims to provide protection against various social and economic risks that workers may experience, both during and after the employment relationship ends. The existence of this social security system demonstrates the state's role in ensuring the continued well-being of workers and their families (Husni, 2016; Riyanto, 2018).

In addition, workers have the right to receive fair and non-discriminatory treatment in employment relations. The Employment Law prohibits discriminatory treatment based on gender, religion, race, ethnicity, or other backgrounds in recruitment, job placement, remuneration, and career development (Khakim, 2019; Widjaja, 2017). This principle

of non-discrimination aims to create equal employment opportunities and a work environment that upholds the values of justice and humanity (Marbun, 2018; Salim, 2020).

Thus, the regulation of workers' rights in the Manpower Law reflects the state's efforts to protect workers' status as the relatively weaker party in employment relations (Budiono, 2018; Sutedi, 2019). This protection is expected to create a balanced, harmonious, and equitable employment relationship, thus optimally achieving employment development goals (Asikin & Budiono, 2020; Riyanto, 2018).

### C. Workers' Obligations According to the Employment Law

In addition to their rights, workers are also burdened with obligations that must be fulfilled in the employment relationship. Worker obligations are a crucial part of creating a balance between the interests of workers and employers, ensuring that the employment relationship can run in an orderly, productive, and equitable manner. Under Indonesian labor law, workers' obligations stem not only from statutory regulations but also from employment agreements, company regulations, and collective bargaining agreements agreed upon by the parties (Husni, 2016; Sutedi, 2019).

An employee's primary obligation is to perform their work as stipulated in the agreed-upon employment agreement. This obligation includes carrying out tasks professionally and responsibly, and in accordance with company standards. Employees are required to utilize their abilities, skills, and energy optimally to achieve company goals. This obligation reflects the principle of good faith in employment relationships, where employees are not only physically present but also carry out their work professionally (Khakim, 2019; Widjaja, 2017).

Furthermore, workers are obliged to comply with company regulations and

applicable workplace provisions. Company regulations are established to maintain order, safety, and the smooth running of work processes. Compliance with these regulations is crucial to prevent disruptions to production activities or working relationships between workers. Violations of company regulations can result in administrative sanctions, up to and including termination of employment, as long as they are implemented in accordance with applicable legal procedures (Soepomo, 2018; Marbun, 2018).

Employees also have an obligation to maintain company confidentiality and refrain from actions that could harm their employers. In carrying out their work, employees often gain access to important information, including business strategies, financial data, and company technology. Therefore, employees are obligated to maintain the confidentiality of this information and not use it for personal gain or for the benefit of others. This obligation aims to protect business interests and maintain trust between employees and employers (Asikin & Budiono, 2020; Rachmad, 2018).

In addition to maintaining company secrets, workers are also obligated to maintain the work facilities and infrastructure provided by the employer. Work tools, machinery, and other facilities are part of the business's capital and must be used responsibly. Careless or inappropriate use can result in material losses and occupational safety risks. Therefore, workers are required to use work facilities carefully and in accordance with established procedures (Khakim, 2019; Budiono, 2018).

Another equally important obligation is maintaining harmonious working relationships with fellow employees and superiors. Employees are expected to cooperate, respect their colleagues, and maintain professional ethics and attitudes in

the workplace. Harmonious working relationships can create a conducive work environment, encourage increased productivity, and reduce the potential for conflict that could disrupt company stability (Husni, 2016; Riyanto, 2018).

Thus, workers' obligations under the Manpower Law extend beyond simply carrying out work duties, but also include compliance with regulations, protecting company interests, and maintaining good working relationships. Consistently fulfilling these obligations will support the creation of balanced and fair working relationships, thus optimally achieving the goals of legal protection and workforce development (Asikin & Budiono, 2020; Sutedi, 2019).

#### **D. Legal Consequences If Rights and Obligations Are Not Fulfilled**

In employment relationships, the fulfillment of rights and obligations by both workers and employers is a primary requirement for creating a fair and harmonious working relationship. If one party fails to fulfill its obligations or ignores the rights of the other party, legal consequences will arise, including administrative, civil, or criminal sanctions, in accordance with labor laws and regulations. Regulations regarding these legal consequences are intended to ensure legal certainty and prevent abuse. authority in employment relations (Husni, 2016; Sutedi, 2019).

If employers fail to fulfill workers' rights, such as failing to pay wages according to regulations, failing to provide social security, or violating the right to regulated working hours and rest periods, workers have the right to file a claim through industrial relations dispute resolution mechanisms. These disputes can be resolved through bipartite negotiations, mediation, conciliation, arbitration, or through an industrial relations court. Employers found to have violated labor

law provisions may be subject to administrative sanctions in the form of warnings, restrictions on business activities, or even revocation of business permits, depending on the severity of the violation (Khakim, 2019; Widodo, 2021).

In addition to administrative sanctions, violations of workers' rights can also give rise to civil liability for employers. In this case, workers can sue for compensation for material and immaterial losses suffered as a result of the violation. This civil liability aims to restore workers to their pre-violation conditions and to serve as a deterrent for those who violate legal provisions (Soepomo, 2018; Rachmad, 2018).

On the other hand, if workers fail to fulfill their obligations, such as failing to perform work according to the employment agreement, violating company regulations, or engaging in actions detrimental to the employer, the employer has the right to impose sanctions in accordance with applicable regulations. These sanctions can include verbal warnings, written warnings, demotions, or even termination of employment, as long as they are implemented proportionally and in accordance with established legal procedures. This demonstrates that workers also have legal responsibility for fulfilling their obligations within the employment relationship (Asikin & Budiono, 2020; Budiono, 2018).

However, termination of employment may not be carried out arbitrarily, but must be based on legitimate reasons and through mechanisms stipulated in laws and regulations. If an employer terminates employment unlawfully, the employee has the right to file a lawsuit for restitution, either in the form of reinstatement or compensation in accordance with applicable regulations. This reflects the legal protection for workers from

unilateral, detrimental actions (Husni, 2016; Riyanto, 2018).

Thus, the legal consequences of non-fulfillment of rights and obligations in employment relationships demonstrate that employment law not only regulates norms but also provides a law enforcement mechanism that ensures certainty, justice, and protection for all parties. Understanding these legal consequences is expected to encourage workers and employers to exercise their rights and obligations responsibly, thereby creating stable, productive, and equitable employment relationships in accordance with national employment development goals (Asikin & Budiono, 2020; Sutedi, 2019).

#### IV. CONCLUSION AND SUGGESTIONS

##### A. Conclusion

Based on the results of research on the regulation of workers' rights and obligations in the Manpower Law, it can be concluded that workers' rights and obligations are the main foundation for creating fair, harmonious, and productive employment relationships. Workers' rights, such as the right to decent wages, working hours and rest periods, occupational safety and health, social security, and fair and non-discriminatory treatment, play a vital role in protecting workers' welfare while ensuring respect for human rights in the employment sector.

On the other hand, workers have obligations they must fulfill, such as performing their work according to the employment agreement, adhering to company regulations, safeguarding company secrets and facilities, and maintaining harmonious working relationships. Fulfilling these obligations is essential for smooth production activities, preventing conflict, and maintaining a balance between the interests of workers and employers.

Failure to fulfill these rights and obligations will result in legal consequences, including administrative, civil, or criminal sanctions, depending on the severity of the

violation and the applicable resolution mechanism. This mechanism demonstrates that employment law not only regulates norms but also enforces legal certainty and protection for all parties in the employment relationship.

Thus, the creation of harmonious and balanced employment relationships depends heavily on respect for workers' rights and the consistent implementation of their obligations. The Employment Law plays a crucial role in maintaining this balance, ensuring that employment relationships are fair, productive, and just.

Furthermore, the effectiveness of regulating workers' rights and obligations is greatly influenced by the level of legal awareness of the parties involved in the employment relationship. Workers who understand their rights and obligations are better able to protect themselves from unfair labor practices, while employers who understand their obligations are more cautious in implementing employment policies. This legal awareness is a crucial factor in preventing violations and strengthening the implementation of legal norms in daily employment practices.

Furthermore, the state's role through labor supervision is crucial to the successful implementation of the Manpower Law. Effective supervision ensures that legal provisions are not only enforced normatively but also implemented in practice. With synergy between workers, employers, and the government, equitable and sustainable employment relationships can be more optimally realized, supporting national labor development.

##### B. Suggestion

Based on this research, it is recommended that employers and workers improve their understanding of their respective rights and obligations through regular outreach and training. A good understanding can minimize the risk of violations and disputes in the workplace.

Furthermore, relevant institutions, including the government and labor unions, need to strengthen oversight and enforcement

mechanisms for labor laws so that any violations can be handled fairly, transparently, and in accordance with legal procedures. This step is crucial to ensure legal certainty and encourage a fair and harmonious working environment.

Employment regulations also need to be regularly updated to adapt to developments in the world of work, such as contract work, outsourcing, and flexible working hours. Responsive regulations ensure workers' rights are protected, while their obligations remain clear and realistic.

Further research can be conducted to evaluate the implementation of the Manpower Law in various industrial sectors, thus providing more specific and applicable policy recommendations. With these steps, it is hoped that employment relations in Indonesia will become more harmonious, productive, and equitable, in line with national employment development goals.

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