

Socialization and Legal Education on Occupational Health and Safety at Assoka Wijaya Workshop, Tabanan

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ABSTRACT

Universities carry out the Tri Dharma of Higher Education periodically, namely Teaching, Research, and Community Service. In terms of community service activities, there is a sense of caring from campus elements who know directly about the community. The aims of this research are as a form of the Lecturer's dedication to the community, provide opportunities for Lecturers to carry out direct service with partners to the target object, in this case in the Tabanan construction workshop to carry out one of the Tri Dharma Colleges in terms of community service, and improving cooperative relations between universities, the community, and/or companies employing employees. The implementation methods carried out in community service are directly meet partners, discussions with workers and the administration about working time. The result shows that the existence of occupational safety and health regulations which are the operational standards of implementation for the workshop company in Tabanan, after socialization and legal counseling were held, where the company leadership understood and understood the existence of the law governing occupational health and safety and company leaders prepared physical facilities and non-physical company to maintain the safety of its employees. Moreover, if the company leadership does not prepare by the law's mandate, it will be subject to imprisonment or fines. Workers who are not accustomed to using PPE after socialization and legal counseling have been carried out are very understanding and understand that work-related work safety is not only for themselves but also for their families and environment.

Keywords: Understanding, Principles of Occupational Safety and Health, Construction Workshop, Tabanan

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I. INTRODUCTION

Occupational health is a condition where workers are free from physical and physical disturbances that are found in the work environment. Health risks can occur due to work environment factors, for example, a person works beyond the limit of human capabilities within a predetermined normal time and an environment that can cause stress or physical disturbance, while work safety is a safe condition and avoid suffering and damage, as well as other losses such as the use of machines, equipment, materials, and processing processes, work floors and work environment and work methods used. Occupational safety risks can be seen from aspects of the work environment that can trigger fires, electric shocks, cut limbs, wounds, fractures, sprains, bruises, and damage to limbs (Siagian, 2020).

Occupational safety and health is a cross-disciplinary area and it is concerned with guarding the safety, health and welfare of people who are engaged in work or employment. Health is associated to the physical conditions of both mind and body, of all people at the workplace including the workers, contractors and visitors, and their protection from harm in the form of injury or disease. Safety is related to the physical condition at the worksite and applies to a state where the risk of harm and damage has been removed or reduced to a tolerable level. And the protection of environment is comprised of usually two types. First is the internal environment at the workplace and it is related to overall condition in the workplace. Second are the harmful conditions which are present in the external environment outside the workplace (Towlson, 2003). The general international statistics and historical view indicates that Occupational health and safety has always been challenging (Hinze, 2006)

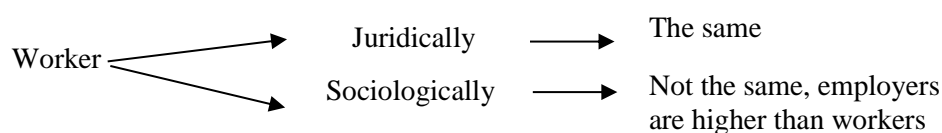
Normatively, Article 27, paragraph 2 of the 1945 Constitution of the Republic of Indonesia states that every Indonesian citizen has the right to work and a decent living for humanity. This is reaffirmed in the Constitution of the Republic of Indonesia (second amendment). Article 28D states that, Everyone has the right to work and receive fair and proper remuneration and treatment in an employment relationship. Furthermore, in Article 28i paragraph 4, it is stated that, Protection, promotion, enforcement and fulfilment of human rights are the state's responsibility, especially the government. From the legal basis above, one of the state/government's constitutional obligations is to provide jobs for its citizens because work is part of the human rights of citizens in order to maintain the existence of life. (Husni, 2019:14)

Theoretical Foundations of Government Intervention in the field of labour or employment, as contained in the Preamble of the 1945 Constitution in the fourth paragraph, there are at least four state objectives, namely:

1. Protection function, the State protects all of Indonesia's bloodshed
2. Welfare function, the State is obliged to realize welfare for all people
3. Educational function: The State is obligated to educate the nation.
4. Peaceful function, the State is obliged to create peace in the life of the nation and society, both internally and externally.

By looking at the mandate of the Preamble to the 1945 Constitution, especially the second point mentioned above, the State is obliged to realize welfare for all the people. Here the PKM Team observes that the Government is obliged to create jobs for its citizens. This means that the Government provides space and opportunities for the community to open businesses, for example, regarding licensing and capital. Legislation related to human resources is the issuance of Law no. 13 of 2003 concerning Manpower.

According to Hadi Setia Tunggal, in his book Outsourcing Law, the author, I Nyoman Putu Budiarta, stated that the enactment of Law no. 13 of 2003 is intended to improve the quality of the workforce and their participation in development, as well as to increase the protection of workers and their families by their dignity (Budiarta, 2016). This is intended to realize the welfare of Workers/Labourers and their Families while still considering the business world's development (I Dewa Gede Atmadja, 2018). Employment law is a law that regulates labour. Juridically the position of workers is free, but socially and economically, the position of workers is not free. The position between employers and workers is not the same. In essence, the legal position of workers based on the provisions of Article 27 of the 1945 Constitution is the same as that of the employer. However, socially and economically, the position between workers and employers is different. In this case, it can be illustrated in the following picture:



This unequal position remembers that workers only rely on their inherent power of themselves to carry out their work. Here work is an external factor in the production process, and some even think that the employer is Herr in Lous (this is my house, any authority is in my hands). This situation gives employers a tendency to act arbitrarily toward workers/labour (Khakim, 2003).

Looking at the relationship between workers and employers mentioned above, the PKM Team and we saw the application of this worker relationship to agricultural equipment companies, production of animal feed processing machines and organic and non-organic waste processing machines at the ASSOKA WIJAYA workshop located in Tabanan Regency. This PKM focuses on observing the implementation or application of Law no. 1 of 1970 concerning Occupational Safety and Law no. 23 of 1992 concerning Occupational Health. The PKM team sees that if the workers' safety is guaranteed, it can be ascertained that their health is also guaranteed.

Law No. 1 of 1970, Article 2 states work safety in all workplaces, whether on land, on the ground, on the surface of the water, in the water or in the air, which is within the jurisdiction of the Republic of Indonesia. So the risk of work accidents can occur at any time. For this reason, awareness regarding Occupational Health and Safety is very necessary. Because everyone knows that the risk of accidents can occur anytime and anywhere, including in the workplace. Therefore, occupational

health and Safety is a government regulation that guarantees safety and health at work. There is nothing wrong with the company's owner, who employs workers to observe and learn more about occupational health and Safety.

By observing this, we from the PKM Team at Warmadewa University feel compelled to provide counselling and socialization of Law no. 1 of 1970 concerning Occupational Safety and Law no. 23 of 1992 occupational health and Safety. The location for this year's PKM is the Assoka Wijaya Workshop, which is located on Jalan Pulau Batam No. 14 Tabanan – Bali. The Assoka Wijaya workshop was established in 1980 and employs 11 face-to-face employees, 10 men and 1 woman. The production results are in the form of machines such as:

1. Corn Seed Mixer
2. Corn Cob Mixer
3. Elephant Grass Cutting Copper Machine
4. Garbage Shredder
5. Garbage Sifter Machine
6. Garbage Filter Machine
7. Brick Printing Machine
8. Rice Cutting Machine
9. Organic Fertilizer Making Machine
10. Steel Hood Maker for Warehouses and other buildings such as GOR

From initial observations in the field, the Warmadewa University PKM Team has seen the lack of implementation of work safety for workers, so work safety for workers will not be guaranteed. Based on initial observations in the field and firsthand how the workers operate and operate the equipment, it crossed our minds to provide the proper understanding for the owner of the company and the workers. This is the background for the PKM Team to carry out Community Service on Occupational health and safety for the Assoka Wijaya Workshop company so that work accidents do not happen again. The target of this activity is socialization and legal counseling regarding Law no. 1 of 1970 concerning occupational health and safety and Law no. 13 of 2003 concerning Manpower. Develop a plan to periodically refresh and raise public awareness of Law no. 1 of 1970 concerning occupational health and safety and Law no. 13 of 2003 concerning Manpower, Journal Manuscripts, and Short videos.

The problem identification are not yet understood in-depth about the existence of occupational health and safety regulations as the Operational Implementation Standards for workers at an Assoka Wijaya Construction Workshop, and workers feel uncomfortable using personal protective equipment for Occupational health and safety. The aims of this research are as a form of the Lecturer's dedication to the community, provide opportunities for Lecturers to carry out direct service with partners to the target object, in this case in the Tabanan construction workshop to carry out one of the Tri Dharma Colleges in terms of community service, and improving cooperative relations between universities, the community, and/or companies employing employees. The special aims are to prepare plans to periodically refresh and raise public awareness by conducting socialization and legal counseling. In this case, inventory and increased public awareness are company leaders and employees to socialize with legal counseling on the existence of Law no. 1 of 1970 concerning occupational health and safety and Law no. 13 of 2003 concerning Manpower. Moreover, the unique aims are to inventory and increase public awareness, in this case, company leaders and employees, to socialize with legal counseling on the existence of Law no. 1 of 1970 concerning occupational health and safety and Law no. 13 of 2003 concerning Manpower, and prepare plans to periodically refresh and raise public awareness by conducting socialization and legal counseling.

II. METHOD

The implementation methods carried out in community service are:

- a. Directly meet partners to see the workplace situation at the Assoka Wijaya workshop.
- b. Discussions with workers and the administration about working time and providing welfare to workers.
- c. The PKM implementation team can apply the methods used to carry out socialization and legal counseling on Occupational Health and Safety as stipulated in Law no. 1 of 1970.

No.	Program	Implementation Method
1.	Program in the absence of a clear and in-depth understanding of Occupational Health and Safety (OHS) regulations which are the Operational Standards for their implementation for workers in an Assoka Wijaya Construction Workshop	Provided socialization and legal counseling regarding Law no. 1 of 1970 concerning Occupational Safety, and Law no. 23 of 1992 concerning Occupational Health. Where this law states that specifically the company is obliged to check the health of workers in accordance with the nature of the work given, and vice versa, workers are also obliged to wear personal protective equipment (PPE) properly and correctly, and comply with all required Occupational Safety and Health requirements.
2	The program increases the understanding of workers who feel uncomfortable using Personal Protective Equipment (PPE) for Work Safety.	Provide direction on the importance of Personal Protective Equipment (PPE) and the use of the required personal protective equipment. With this, workers must comply with all required safety and health requirements.

III. RESULT AND DISCUSSION

3.1 Partner's Contribution to Implementation

Partners in Community Service's contribution in understanding and applying Occupational Health and Safety is to do good cooperation to reduce work accidents in the company. In this case, the contribution and cooperation received a perfect response from the company's leadership by bringing employees to the Construction Workshop to find out the need for occupational safety and health for employees by the mandate of the Act. Occupational Health and Safety is a system created for workers and employers as an effort to prevent occupational accidents and occupational diseases. The implementation of Occupational Health and Safety in a workplace is a responsibility of all parties, so it is hoped that all can play an active role according to their authorities and functions to be able to cultivate Occupational Health and Safety (OHS) in order to prevent occupational accidents and occupational diseases. The ultimate goal is to increase productivity in the workforce (Suma'mur, 2009). That OHS plays a role in ensuring that every worker gets protection from safety during work and guarantees every source of production that is proper and safe to use to reduce the risk of loss caused by work accidents.

3.2 Workers' Rights in Obtaining Occupational Safety and Health Protection from Not Understanding the Law on Occupational Health and Safety

As stated in Article 1 number (2) of Law no. 13 of 2003, everyone can do work to produce goods or services to meet their own needs (Husni, 2019:26). With the enactment of Law no. 13 of 2003 for workers is intended to improve the quality and participation in development (Nyoman, 2016). Occupational Health and Safety is the company's responsibility. The company should be responsible for the safety and health of all employees who work in the company.

The main target of Occupational Health and Safety is to ensure the safety of other people, in this case, the workers in a company. Besides that, the company leadership is also obliged to provide welfare in this case, salary, overtime pay, and health insurance for employees and their families. The company also prepares a proper place to work in order to avoid work accidents.

From the above concept, it is clear that workers have a crucial role in the nation's economic progress. In addition, for the survival of himself and his family. Workers at the Asoka Wijaya Workshop were working on production machines. From the observations of the Community Service Team, workers have not used the maximum personal protective equipment following the work being done, so following the mandate of the Act, workers should be required to use Personal Protective Equipment (PPE) and require companies to provide the PPE equipment free of charge and appropriately to provide the necessary training on the use of the PPE equipment.

Workers, in this case, are also obliged to fulfill and comply with all occupational health and safety requirements and use personal protective equipment provided by the employer. Workers can object and stop working if protective equipment is not provided. According to Suparyadi (2015), Work safety can be defined as a condition in which employees carry out their work limitedly from the

possibility of accidents so that they do not feel worried when they have an accident. Occupational health is included in the science of health/medicine and its orthotics, which aims to ensure that workers/society obtain the highest possible health status, both physically, mentally, and socially, with preventive and quantitative efforts, against diseases or health problems caused by factors- factors of work and work environment and against common diseases.

3.3 Sanctions for Violations of the Occupational Health and Safety Law for Employers

Law no. 1 of 1970 concerning Occupational Safety regulates the obligations of workplace leaders and workers in implementing work safety, while Law no. 23 of 1992 concerning Health states that, in particular, the company is obliged to check the Health of the body of newly hired workers. As for occupational Health and safety in a construction workshop company, it is obligatory to provide:

1. Personal Protective Equipment (PPE) for Employees
2. Accident First Aid Box
3. Light Fire Extinguisher
4. Physical Security of the Workplace

Suppose this is not available to the company, especially the Construction Workshop. In that case, the sanctions regulated by Law NO. 1 of 1970 Article 15 for parties committing Occupational safety and health violations are in the form of imprisonment for a maximum of 3 months or a fine of Rp. 100,000. Law Number 13 of 2003 Article 90 also regulates the need for Occupational safety and health, but there is no application of criminal sanctions for those who violate it. The Manpower Law only contains administrative sanctions for companies not implementing Occupational safety and health.

IV. CONCLUSION

The existence of occupational safety and health regulations which are the operational standards of implementation for the workshop company in Tabanan, after socialization and legal counseling were held, where the company leadership understood and understood the existence of the law governing occupational health and safety and company leaders prepared physical facilities and non-physical company to maintain the safety of its employees. Moreover, if the company leadership does not prepare by the law's mandate, it will be subject to imprisonment or fines. Workers who are not accustomed to using PPE after socialization and legal counseling have been carried out are very understanding and understand that work-related work safety is not only for themselves but also for their families and environment.

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