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Legal Protection for Informal Workers according to Law No. 6 of 2023 (Study at Rumah Makan Keluarga, Batunadua, Padangsidempuan)

Rezky Septiani Harahap 

Universitas Islam Negeri Sumatera Utara, Indonesia

E-mail: rezkyseptiani16@gmail.com

Syofiati Lubis 

Universitas Islam Negeri Sumatera Utara, Indonesia

E-mail: syofiatiylubis@uinsu.ac.id

ABSTRACT

Legal protection for informal sector workers is a crucial issue, given that the majority of the workforce in Indonesia still works outside the formal sector, including in micro businesses such as Rumah Makan Keluarga in Batunadua District, Padangsidempuan City. Informal sector workers often do not receive their rights optimally, in terms of wages, health insurance, working hours, and fair treatment. This study aims to determine the extent of the implementation of legal protection for informal workers based on Law Number 6 of 2023 on Labor in the Family Restaurant environment, as well as to identify the obstacles faced in its implementation. The method used in this study is the legal-empirical method, which involves analyzing applicable laws and regulations and examining them through on-site observations. Data was collected through direct observation, interviews with owners and workers, and documentary studies. The results of the study indicate that legal protection for workers at Rumah Makan Keluarga Batunadua is not yet fully in line with legal regulations. Wages are still below the minimum standard, BPJS is not yet fully available to all employees, and working hour regulations are not yet fully implemented. However, the business owner has shown good faith in providing THR, bonuses when sales increase, and covering medical expenses under certain conditions. In conclusion, legal protection for informal workers in micro-enterprises such as Family Restaurant remains partial and unsystematic. Therefore, policy support and active state involvement are needed to bridge the gap between regulations and labor practices in the informal sector.

KEYWORDS

Legal Protection;
Workers;
Informal



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INTRODUCTION

Everyone has a natural desire to work or seek employment to support themselves. There are many types of jobs in today's sophisticated modern world. Both men and women are needed in the workplace. Formal and informal workers are divided into two groups. Informal workers are individuals who work in the economy without a permanent employment contract or social security.¹ Based on the latest data from the Central Statistics Agency (*BPS*) in 2023, workers in the informal sector in Indonesia accounted for 59.11%. Informal sector jobs dominate in sectors such as trade, agriculture, and transportation.² Labor is an important player and development goal in the implementation of national development in the employment sector.³ How wonderful it would be if the state protected and ensured that every citizen could obtain employment without facing prejudice.

Protecting workers through social security is a focus of policy agendas in many countries, given the importance of ensuring social and economic welfare.⁴ The high risk of accidents and work-related illnesses is a serious problem in various industrial sectors, so effective and comprehensive protection mechanisms are needed for workers. The inequality in protection, both for formal and informal workers, requires harmonization to overcome disparities in the world of work.⁵

Given the slowdown in domestic and global business growth, worker protection aims to guarantee workers' basic rights.⁶ Obtaining compensation and fair treatment in the workplace is one of the rights of workers. Article 28 letter D of the 1945 Constitution states that "Every person has the right to work and to obtain fair and proper compensation and treatment in employment relationships." Starting a business is one of the best ways to make money. Given the current boom in the food industry, it is not unlikely that there will be intense competition among entrepreneurs.⁷ Workers are essential to the operation of a company. Without knowledgeable and experienced employees, entrepreneurs cannot operate optimally. Because they have more capital and a larger company than their employees, entrepreneurs are considered to have a higher status than their employees. Workers in the informal sector are in dire need of protection because these low-status employees often do not receive the protection they deserve.⁸

¹ Aura Anisah & Ratih Damayanti, "Perlindungan Hukum Bagi Pekerja Freelance: Analisis Regulasi, Tantangan, dan Akses Jaminan Sosial di Indonesia" (2024) 2:4 *Media Huk Indones*, pp. 566-571.

² Yogi Satria Nugraha et al, "Urgensi Rancangan Undang-Undang Perlindungan Pekerja Informal: Analisis Hak Atas Kesehatan" (2023) 12:2 *Fundam J Ilm Huk*, pp. 334-353.

³ Mar'ie Mahfudz Harahap Arifuddin Muda Harahap, Rahmad Efendi, "Hukum Ketenagakerjaan Sebagai Bagian Dari Diversifikasi Pendidikan Tinggi Hukum Untuk Menghasilkan Legal Professionals' Laporan Penelitian BOPTN UINSU MEDAN 2023" (2023).

⁴ Anita Kristina, "Jaminan Sosial Bagi Tenaga Kerja Indonesia (Mencari Pelajaran Dari Implementasi Kebijakan di Berbagai Negara)" (2018) 13:2 *Media Trend*, pp. 167-177.

⁵ Hari Susanta Nugraha, Fitri Ariyanti & Darwanto, "Penerapan Branding Pada UMKM Makanan Ringan Di Kabupaten Jepara" (2017) 6:1 *J Adm Bisnis*.

⁶ San Mikael Sinambela et al, "Perkembangan dan Dinamika Hukum Ketenagakerjaan di Indonesia" (2024) 2:1 *Hakim J Ilmu Huk dan Sos*, pp. 25-43.

⁷ Aldo Hardi Sancoko & Veronika Rahmawati, "Membangun strategi pemasaran UMKM kuliner kajian fenomenologi angkringan di Surabaya" (2019) 17:2 *J Keuang Dan Bisnis*, pp. 96-124.

⁸ Fahri Azis Sibagariang et al, *Gambaran pekerja informal dan faktor-faktor yang memengaruhinya di Indonesia tahun 2022* (2023).



The research location was a family restaurant in Padangsidempuan City, specifically in the Padangsidempuan Batunadua District, which was specifically chosen because it was related to the research objective of legal protection for workers in the informal sector. Regarding legal protection for workers at this Family Restaurant, based on the survey conducted by the author, the implementation of workers' rights and obligations is nearly fully realized. However, there are still some rights that have not been fully implemented, such as inadequate health insurance, working hours that do not comply with regulations, and wages below the minimum wage.

METHOD

The research method used in this journal is an empirical legal approach, which aims to examine how legislation can be effectively implemented in society.⁹ This approach combines analysis of written legal norms with the reality on the ground, examining both primary and secondary facts. The primary data in this study were collected through direct observation and interviews with relevant parties, namely the owners and employees of Rumah Makan Keluarga, located in Padangsidempuan Batunadua District, Padangsidempuan City. This approach is in line with the opinion of Zainuddin Ali, who states that primary data is information obtained directly from the source through informal documents, observations, interviews, and reports that have been processed by the researcher.

Meanwhile, secondary data was obtained from various relevant literature and official documents, such as government publications, previous research results, theses, scientific journals, and laws and regulations. In this context, Law No. 6 of 2023 serves as one of the primary references analyzed to assess its implementation in labor practices at Family Restaurants. This perspective aligns with Zainuddin Ali's definition of secondary data, which encompasses information from various relevant written sources about the research subject. The research location was set at Rumah Makan Keluarga as a case study object to assess the extent to which the provisions of the Manpower Act have been implemented in daily work practices. An analysis of relevant laws and regulations was the first step taken, followed by data collection through literature review, direct observation, and interviews with pre-selected informants. This combination of normative and empirical studies is expected to provide a comprehensive picture of the effectiveness of labor law implementation in the micro-business sector, such as restaurants.

RESULT & DISCUSSION

I. Analysis of Workers' Rights and Obligations in the Informal Sector at Rumah Makan Keluarga, Batunadua, Padangsidempuan

All workers have legal rights that must be upheld to ensure their welfare and humanity in the workplace. The rights of unorganized workers at Restoran Keluarga Batunadua.

⁹ Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2005).



a. Right to Earn Wages

Individuals who work hard and contribute their time expect to receive compensation. Based on preliminary research findings, Batunadua Family Restaurant staff have high expectations that their salaries will match their skill levels. Work skills and length of service determine salary increases. Wages, which are set and stipulated in employment contracts, are the amount of money earned and paid by employers in return for work completed.¹⁰ Workers value wages because they are an inalienable right that must be provided by companies.¹¹ The statement “Every worker/laborer has the right to earn an income that can meet the needs of a decent life as a human being” is contained in Article 88, paragraph (1) of Law Number 6 of 2023 concerning Manpower. This means that a decent livelihood is an income received by workers/laborers for their work that is sufficient to meet the reasonable needs of themselves and their families.

Article 88, paragraph (2) of Law No. 6 of 2023 explains that the government creates wage regulations to protect workers' rights to wages for the work they do, and that the government creates wage policies to realize workers' rights to a decent life as human beings. Workers' rights apply from the beginning of the employment relationship with the employer until the end of the employment relationship. Wages are determined based on an agreement between the employee and the employer and must not be less than the legally mandated minimum wage. However, Article 90B of Law No. 6 of 2023 states that “The minimum wage provisions established by the government make an exception for micro and small businesses.” Wages for workers in micro and small businesses may be determined based on an agreement between the workers/laborers and the employer; however, the agreement must be assessed based on the average consumption level of the community.¹²

The legal basis for minimum wage regulations is Government Regulation No. 36 of 2021 concerning Wages. Article 6, paragraph 1 of Government Regulation No. 36 of 2021 concerning Wages states that the minimum wage is a wage policy aimed at providing decent wages to meet the needs of workers/laborers. Under Article 23(3) of Government Regulation No. 36 of 2021 on Wages, “Employers are prohibited from paying wages lower than the minimum wage.” If an employer/company and workers/laborers have entered into a work agreement and the wage payment stipulated in the agreement is lower than the minimum wage set by the governor of the province/city, then such agreement is null and void under the law, and wages must be paid by the applicable regulations, namely Article 88A(5) of Law No. 6 of 2023.¹³

¹⁰ Veronika Nugraheni Sri Lestari & Dwi Cahyono, “Sistem Pengupahan di Indonesia” (2017) 8:2 *Econ J Econ Islam Law*, pp. 144-153.

¹¹ Hafizha Hasna Afifah & Imam Haryanto, “Akibat Hukum Bagi Perusahaan Bila Tidak Mengikuti Pengaturan Upah Minimum Bagi Pekerja di Indonesia” (2022) 9:2 *J Justitia J Ilmu Huk Dan Hum*, pp. 716-727.

¹² Nizar Sukma Purnama & Hanny Amelia, “Efektivitas Pengaturan Upah Tenaga Kerja Berdasarkan Undang Undang Nomor 11 Tahun 2020 Tentang Cipta Kerja” (2021) 4:1 *PEMULIAAN Huk*, pp. 63-82.

¹³ Salha Raafi Anggara, “PENGUPAHAN DIBAWAH UPAH MINIMUM BAGI USAHA MIKRO KECIL DAN MENENGAH (UMKM) MENURUT PERATURAN PEMERINTAH NOMOR 36 TAHUN 2021 TENTANG PENGUPAHAN” (2024) 8:2 *J Law (Jurnal Ilmu Hukum)*, pp. 97-112.



Article 36(1) of Government Regulation No. 36 of 2021 on Wages also includes an exception to the minimum wage provisions. The article states that micro and small businesses are exempt from the minimum wage provisions as referred to in Articles 23 and 35. These wage provisions are known as UMP (Provincial Minimum Wage) and UMK (District/Municipal Minimum Wage). Individuals or business entities that are subsidiaries or branches of companies owned, controlled, or directly or indirectly part of medium or large enterprises are considered small enterprises.¹⁴ According to Article 1, paragraph 1 of Law No. 20 of 2008 concerning Micro, Small, and Medium Enterprises, a micro enterprise is defined as an enterprise owned by an individual and/or an individual business entity that meets the criteria for a micro enterprise. According to Article 1, Paragraph 3, a medium enterprise is an independent business that generates profits, operated by an individual or a business entity, not a subsidiary or branch of a large company, and not directly or indirectly owned, controlled, or involved with small or large businesses, whose net worth or annual sales figures are subject to legal regulations.

Based on Law Number 20 of 2008 concerning Micro, Small, and Medium Enterprises, there is a classification of businesses determined based on net assets and annual sales. A micro business, as defined in the aforementioned provisions, is a type of business with a maximum net worth of IDR 50,000,000.00 (fifty million rupiah), excluding land and buildings used for business operations. Additionally, this business has annual sales revenue not exceeding IDR 300,000,000.00 (three hundred million rupiah).

Meanwhile, small businesses are defined as businesses with net assets of more than Rp50,000,000.00 up to a maximum of Rp500,000,000.00, excluding land and buildings used for business purposes, and with annual sales revenue exceeding Rp300,000,000.00 up to Rp2,500,000,000.00. Medium-sized businesses are one level above, with net assets exceeding Rp500,000,000.00 up to a maximum of Rp10,000,000,000.00, and annual sales revenue between Rp2,500,000,000.00 and Rp50,000,000,000.00.

Through this classification, Rumah Makan Keluarga, located in Padangsidempuan Batunadua District, can be categorized as a micro business. This determination refers to Article 1 paragraph (1) and Article 6 paragraph (1) of Law Number 20 of 2008, considering that the scale of the business is still within the limits of net assets and annual turnover as determined for the micro category.

As a micro business, Rumah Makan Keluarga is included in the sector that receives special treatment as stipulated in Government Regulation No. 36 of 2021 concerning Wages. In this regulation, there are provisions regarding exemptions related to the payment of wages for micro and small businesses in certain sectors or types of industries. These provisions are intended to provide room for adaptation for small and micro businesses in fulfilling their labor obligations, without compromising the principle of worker protection.

¹⁴ Fahrurrozi Muhammad, "Mendukung Kemudahan Berusaha Bagi Usaha Mikro, Kecil, Dan Menengah Berbadan Hukum Dengan Gagasan Pendirian Perseroan Terbatas Oleh Pemegang Saham Tunggal" (2018) 7:3 J Rechts Vinding Media Pembina Huk Nas, pp. 445-464.



No.	Name	Daily Salary	Monthly Salary	Length of Service
1	Kifli	Rp. 50.000	Rp. 1.700.000	10 Years
2	Kevin	Rp. 25.000	Rp. 1.250.000	8 Months
3	Nadya	Rp. 25.000	Rp. 1.400.000	3 Years
4	Nur Sari	Rp. 25.000	Rp. 1.300.000	1 Year
5	Zani	Rp. 35.000	Rp. 1.600.000	15 Years
6	Upi	Rp. 35.000	Rp. 1.200.000	4 Years
7	Yusra	Rp. 25.000	Rp. 1.400.000	3 Years

Based on the table above, it can be seen that there are differences in the wages received by each employee at Rumah Makan Keluarga Batunadua. This is due to the different lengths of service of each employee and the fact that some employees have chosen to live in the vicinity of their workplace, which is the responsibility of the owner of Rumah Makan Keluarga Batunadua. However, there is an inconsistency in the data collected on February 23, 2025, by the researcher, where Kifli, who has the highest salary with 10 years of service, receives a lower salary than Zani, who has the longest tenure of 15 years.¹⁵

Employees with a daily wage of Rp. 25,000.00 receive lower wages than other employees. This is because employees with low wages live in the work environment, so their accommodation, electricity, water, and daily necessities such as soap, toothpaste, and laundry detergent are covered by the owner of Rumah Makan Keluarga Batunadua.

According to Law No. 13 of 2003 concerning labor, Article 1, point 3 explains that every person who can work to earn enough money to meet their daily needs is considered a worker. Furthermore, according to Article 1(4) of this law, an employer is any individual, contractor, business entity, or other entity that hires employees and subsequently pays them for their services. Meanwhile, work can enhance human well-being and is a constitutional right for every citizen. Thus, the right to work and a decent standard of living can be considered guaranteed by the state.

b. The right to equal opportunities and treatment

In employment relationships, workers' rights are not limited to the right to receive wages, but also include other fundamental rights, such as the right to equal opportunities and treatment in the workplace.¹⁶ Law No. 13 of 2003 concerning Manpower explicitly regulates this principle of equality. Articles 5 and 6 state that every worker has the right to equal treatment without discrimination based on background, race, ethnicity, religion, gender, or other

¹⁵ *Wawancara dengan Owner Rumah Makan Keluarga Batunadua*, by Rezky Septiani Harahap (Kota Padangsidempuan).

¹⁶ Zaimah Husin, "Outsourcing sebagai pelanggaran terhadap hak para pekerja di Indonesia" (2021) 1:1 J Kaji Pembaruan Huk, pp. 1-24.



social status. This principle of non-discrimination forms the basis for creating a fair, harmonious, and productive work environment.¹⁷

The practice of protecting the right to equal opportunity and treatment is very important, especially in micro businesses such as Rumah Makan Keluarga Batunadua. Although this business is formally small in scale, the principles of employment as stipulated in the laws and regulations must still be upheld.¹⁸ One form of implementation of this protection is to ensure that all employees, regardless of their length of service or personal relationship with the owner, continue to receive equal treatment and rights by their respective contributions and workloads.¹⁹

However, preliminary findings in this study indicate a discrepancy between legal principles and actual practice. Based on an interview conducted on February 23, 2025, with an employee named Yusra, it was revealed that some employees receive preferential treatment because they are related to the restaurant owner.²⁰ This special treatment includes, among other things, higher salaries and more attention than other employees. In addition, differences in length of service also appear to affect the treatment received by each employee, with employees who have been with the company longer receiving higher salaries, without any objective performance appraisal system to justify these differences.²¹

This situation creates inequality in workplace relationships within the restaurant and has the potential to create an unhealthy work environment, such as feelings of jealousy, decreased work motivation, and discomfort in performing duties. This injustice contradicts the spirit of the Labor Law, which upholds the principles of equality and social justice in the workplace. Ideally, the owner of Rumah Makan Keluarga Batunadua, as the business operator, is obligated to create an inclusive and non-discriminatory work environment. Treating all employees equally without regard to personal relationships is a form of respect for workers' rights and part of the effort to achieve ethical labor management. Fair treatment not only enhances workplace comfort but also promotes employee productivity and loyalty in the long term.

c. The Right to Appropriate Working Hours

Companies that employ workers must ensure adequate working hours to prevent overwork. The right to adequate working hours is often violated, especially by small businesses that lack legal protection.²² This causes workers to

¹⁷ Hariyono Hariyono et al, *Manajemen Sumber Daya Manusia: Mendapatkan Keunggulan Kompetitif* (PT. Sonpedia Publishing Indonesia, 2025).

¹⁸ Yetniwati Yetniwati, "Pengaturan Upah Berdasarkan Atas Prinsip Keadilan" (2017) 18:2 LITIGASI, pp. 340-381.

¹⁹ Ahmad Danial Irsyad, *Implementasi undang-undang nomor 13 tahun 2003 tentang Ketenagakerjaan pada aspek kesejahteraan terhadap tenaga kerja perempuan: Studi di PT. Kaliurang Bumi Lestari Kabupaten Sidoarjo* Universitas Islam Negeri Maulana Malik Ibrahim, 2025) [unpublished].

²⁰ *Wawancara dengan Yusra, Salah Satu Karyawan Rumah Makan Keluarga Batunadua*, by Rezky Septiani Harahap (Kota Padangsidempuan, 23 Feburari 2025).

²¹ *Ibid.*

²² Faizal Amir Parlindungan Nasution, Yeni Nuraeni & Firdausi Nuzula, "Penerapan Peraturan Pemerintah Mengenai Waktu Kerja dan Waktu Istirahat: Perspektif Jurnalis" (2022) 17:2 J Ketenagakerjaan, pp. 105-120.



often complain about declining health due to inadequate rest time. This is not only detrimental to employees but also to the companies they work for, resulting in employees resigning and leaving their jobs, forcing companies to find new employees and train them from scratch.²³

Since Batunadua Family Restaurant is still considered a small business, its employees' work schedules do not yet comply with the law. Articles 77 and 84 of Law No. 6 of 2023 regulate overtime and rest periods. Therefore, for a 6-day workweek, the regulated working hours are 7 hours per day, or 40 hours per week, and for a 5-day workweek, the working hours are 8 hours per day, or 40 hours per week.

Working hours are regulated by labor laws based on specific requirements or business sectors. Article 77 paragraph (3) of Law Number 13 of 2003 stipulates that even though some industries may not be included in the provisions on permitted working hours, working more than eight hours is considered overtime. The working hours at Rumah Makan Keluarga Batunadua exceed eight hours, starting from 9:00 AM to 10:00 PM, with two breaks: a prayer break and a lunch break, which are taken alternately, with each employee given approximately half an hour starting at 1:00 PM. The afternoon break is divided into two groups of employees. For the first group, the break schedule begins at 3:30 PM and ends at 5:00 PM, while for the second group, it begins at 5:30 PM and ends at 7:00 PM.²⁴

The working hours at this restaurant, when calculated, exceed 8 hours and do not comply with the applicable laws and regulations. However, the working hours at this restaurant are more flexible than one might imagine, as the arrival times of customers who wish to dine or make purchases are unpredictable, thereby providing employees with ample leisure time to work during less busy periods. However, there are certain times when customers and shoppers are very busy, so employees cannot relax while working. For example, on weekends, holidays, and New Year's, the number of customers and shoppers is often unexpectedly high, so the restaurant owner usually provides a fair bonus for their performance during busy periods.

Article 79 of Law No. 6 of 2023 states that workers are entitled to one day of rest in a six-day work week. However, workers at the Batunadua Family Restaurant do not receive this rest period, but instead only receive one day off per month. This has already been agreed upon between the workers and the restaurant owner, as the rules regarding working hours and days off were already established before the workers officially became employees at the Batunadua Family Restaurant.

Then there is another problem, which is that sometimes there are employees who work past 10 p.m. but do not receive overtime pay.²⁵ This work is considered to take up employees' break time, but the owner of Rumah Makan Keluarga Batunadua will try not to give additional work outside of normal working hours.

²³ *Ibid.*

²⁴ Harahap, *supra* note 15.

²⁵ Harahap, *supra* note 20.



d. Right to Health and Safety at Work

Occupational health and safety are fundamental aspects of industrial relations that cannot be ignored, especially in informal sector work environments such as microenterprises.²⁶ For the owners of Rumah Makan Keluarga Batunadua, awareness of the importance of worker protection has become a concern, although its implementation still faces a number of obstacles. Law No. 13 of 2003 concerning Manpower, specifically Articles 86 and 87, clearly states that every worker has the right to protection for their safety and health at work. This protection includes preventing workplace accidents, health risks, and providing adequate social security benefits.

As a form of state commitment, the Social Security Agency (BPJS) serves as a national social security system that must be followed by every employer, both in the formal and informal sectors.²⁷ However, in practice, the participation of workers in the informal sector, including small restaurant workers, still faces serious obstacles. Low income, poor legal and administrative literacy, and the financial limitations of small business owners are factors that hinder consistent registration and payment of BPJS contributions.²⁸

This is also reflected in the condition of Rumah Makan Keluarga Batunadua, where the business owner admits that not all of his employees are registered in the BPJS Employment and BPJS Health programs. Limited business income is the main reason, with the restaurant owner stating his willingness to register all workers in the BPJS program once his income allows him to fully cover the contribution costs.²⁹

Although not yet fully integrated into the national social protection scheme, the owners of Rumah Makan Keluarga Batunadua still strive to provide a form of responsibility towards their employees. One such form of care is responsibility for medical expenses if workers living in the restaurant fall ill and are unable to work. Meanwhile, for workers who live outside the restaurant, medical expenses are only covered if the illness is caused by work-related activities. Additionally, if a work-related accident occurs during working hours, resulting in physical injury, the restaurant owner is responsible for covering the costs of treatment.³⁰

The principle of empathy is also applied in cases of worker absence. If a worker is unable to attend work due to illness and provides clear information and permission to the owner, their salary will not be deducted. This policy reflects a value of care and respect for workers' rights, even though it is not yet supported by formal systems such as insurance or BPJS.³¹ This phenomenon highlights the real challenges faced by informal sector workers in accessing social security.

²⁶ Mutiah Cahyaning Tiyas Tiyas et al, "Implementasi Pendidikan Keselamatan Dan Kesehatan Kerja (K3) Pada Umkm Bawang Goreng Di Desa Banyuanyar Lor" (2025) 1:3 As-Sulthan J Educ, pp. 603-617.

²⁷ Nurhadi Nurhadi, "Jaminan Sosial di Indonesia: Sejarah, Teori dan Tantangan Masa Depan" *Friedrich Ebert Stift* (2024).

²⁸ Irna Permata Sari, Fauzi Arif Lubis & Khairina Tambunan, "Analisis Efektivitas Program BPJS Kesehatan Dalam Meningkatkan Kesehatan dan Kesejahteraan Masyarakat" (2024) 6:1 Reslag Relig Educ Soc Laa Roiba J, pp. 512-521.

²⁹ Harahap, *supra* note 20.

³⁰ Harahap, *supra* note 15.

³¹ *Ibid.*



Most informal workers in Indonesia still depend on the goodwill of their employers or have to bear the costs of their health and safety. Independent registration for social security programs is also still limited due to administrative factors, lack of understanding, and financial constraints.

Therefore, progressive measures are needed from the government, whether through incentive policies, simplification of administrative systems, or intensive education for micro-business operators. On the other hand, business owners such as Rumah Makan Keluarga Batunadua also need to continue to raise their awareness of making health and safety protection an integral part of their business management, as this is not only for the benefit of workers but also contributes to the long-term sustainability and stability of the business itself.³²

e. The Right to Welfare

According to Article 99 of Labor Law No. 13 of 2003, "Every worker and their family is entitled to social security for workers." The welfare of workers, with their physical and spiritual needs met, as well as those of their families, can create or indirectly increase productivity in a safe and healthy work environment.

Rumah Makan Keluarga Batunadua is a business that is still categorized as micro in terms of its economy, in line with the economic conditions of the community. Employees greatly anticipate receiving additional compensation beyond their basic salary after dedicating themselves to their work to achieve well-being. Typically, during certain times such as Eid al-Fitr, employees receive an Eid allowance (THR) from the restaurant owner, and during unexpected peak periods like weekends, New Year's Day, and Eid al-Fitr holidays, employees usually receive bonuses in the form of daily wages with an equal amount of Rp. 100,000. Thus, employee welfare can be considered nearly fulfilled, as it is calculated based on their daily wages, which typically range from Rp. 25,000.00 to Rp. 50,000.00, with the amount increasing by more than 2 working days (HK) usually.³³

Every employee has responsibilities at work that they must fulfill. Employees have three responsibilities: complying with company policies, protecting company information, and demonstrating a strong sense of commitment to the organization they work for.³⁴ The duties of employees at Rumah Makan Keluarga Batunadua P. Sidempuan are tailored to the assigned work positions. Front-of-house staff are responsible for fulfilling orders from customers who wish to dine in and assisting customers with packaging their orders. Back-of-house staff are responsible for serving beverage orders to customers and assisting customers with packaging their orders, as well as cleaning tables after customers have finished eating. Kitchen staff are responsible for preparing any menu items that are running low or have run out for sale.

³² *Ibid.*

³³ Harahap, *supra* note 20.

³⁴ Ria Mardiana Yusuf & Darman Syarif, *Komitmen organisasi* (Nas Media Pustaka, 2018).



II. Legal Protection Analysis for Informal Sector Workers in *Rumah Makan Keluarga* in Padangsidempuan City, Padangsidempuan Batunadua District

Protection of workers is an important part of national employment development.³⁵ Although various regulations have been designed to guarantee workers' rights, implementation in the informal sector, particularly micro businesses such as *Rumah Makan Keluarga* Batunadua, still faces many obstacles. This situation highlights the gap between the applicable legal norms and the reality of practices in the field. In the context of health and safety guarantees, most employees at *Rumah Makan Keluarga* Batunadua have not received adequate protection as stipulated in Law No. 13 of 2003 on Manpower and Law No. 24 of 2011 on the Social Security Administration Agency (BPJS). The business owner has not been able to register all employees as BPJS participants due to insufficient monthly income to cover the premiums. However, in practice, the owner demonstrates concern for employee health by covering medical expenses if illness occurs while working or during work hours. Outside of these circumstances, medical expenses are entirely the employee's responsibility.³⁶

Working hours also show inconsistencies with normative provisions. The Labor Law stipulates normal working hours of eight hours per day and forty hours per week. At the Batunadua Family Restaurant, working hours are arranged flexibly and tend to be adjusted to operational needs. This does provide flexibility for some employees, but it has also been found that some employees work beyond the specified hours without receiving overtime compensation. The business owner is aware of this and has made efforts to avoid burdening employees with working hours that exceed reasonable limits.³⁷

In terms of wages, the most prominent obstacle is the failure to meet the minimum wage standard as mandated in Article 90, paragraph (1) of the Manpower Act. The wages received by employees at *Rumah Makan Keluarga* Batunadua are still below the regional minimum wage.³⁸ This situation is again closely related to the unstable financial condition of the business. Interestingly, the workers remain loyal and committed to their jobs, without protesting against the amount of salary they are paid. This shows that the working relationship is based on trust and a sense of family, even though it does not comply with the applicable laws and regulations.

In terms of fulfilling other rights, such as holiday allowances (THR) and bonuses, business owners have shown quite positive initiative. Although it is not yet a formal obligation guaranteed by law in the informal sector, restaurant owners provide THR to employees ahead of major religious holidays and additional incentives when sales increase significantly. Additionally, in the event of a workplace accident, business owners do not wash their hands of the matter but instead share the cost of the employee's medical treatment as a form of moral responsibility.³⁹

³⁵ S Charda, "Karakteristik undang-undang ketenagakerjaan dalam perlindungan hukum terhadap tenaga kerja" (2015) 32:1 J Wawasan Yuridika, pp. 1-21.

³⁶ Harahap, *supra* note 15.

³⁷ *Ibid.*

³⁸ Harahap, *supra* note 20.

³⁹ Harahap, *supra* note 15.



These practices show that even though formal legal protection has not been fully implemented, human values and social responsibility are beginning to grow in labor relations practices. The owner of the Batunadua Family Restaurant also expressed a commitment to improve the worker protection system if the financial condition of the business improves in the future. This statement indicates that micro-business operators have legal awareness, although its implementation is still limited by the unstable economic conditions.

This situation not only reflects the challenges faced by micro businesses, but also highlights the need for the state to play a more active role in providing guidance and support to small businesses. A more flexible social security scheme, government incentives, and legal education targeting the informal sector are crucial to ensuring that workers' rights are upheld, even if they work outside the formal sector. Thus, social justice and ideal labor protection are not merely normative rhetoric but are genuinely felt by all workers, regardless of the scale of the business where they work.

CONCLUSION

Based on the results of research conducted on the implementation of legal protection for workers at Rumah Makan Keluarga Kota Padangsidempuan, Padangsidempuan Batunadua District, it can be concluded that the implementation of labor rights protection is still not fully by applicable legal provisions. Law No. 6 of 2023 and related labor regulations have provided a clear legal framework regarding the rights and obligations between employers and workers, including the right to fair wages, health and safety guarantees, and fair treatment without discrimination. In practice, the fulfillment of these rights has not been optimally implemented. The wages paid to employees are still below the minimum wage set by the government. This is due to the limited income of the business, which is insufficient. Additionally, health insurance through BPJS participation has not yet been provided to all employees, although the business owner demonstrates a form of concern through personal responsibility in covering the medical expenses of employees who fall ill while working or suffer work-related accidents.

Although legal protection has not yet been fully realized in normative terms, the owners of Rumah Makan Keluarga have demonstrated good faith by providing holiday allowances (THR), incentives when turnover increases, and a commitment to continue improving labor protection in the future. This reflects an awareness and desire to improve, despite being constrained by the economic conditions of the business. Thus, legal protection for informal sector workers, such as those at the Family Restaurant in Batunadua, remains in a transitional phase between legal idealism and socio-economic reality. The fulfillment of workers' rights not only requires a strong legal foundation but also structural support and policies from the government to enable micro-enterprises to implement legal protection gradually and sustainably, thereby fostering fair, harmonious, and competitive labor relations.

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