

**THE IMPLEMENTATION OF OCCUPATIONAL SAFETY AND HEALTH
LAW ENFORCEMENT IN ACCORDING TO LAW NUMBER 1 OF 1970
CONCERNING WORK SAFETY AND ACT NUMBER 36 OF 2009
CONCERNING HEALTH
(Study at PT. Yamaha Indonesia)**

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ABSTRACT

Occupational safety and health as regulated in Law no. 1 of 1970 concerning Work Safety and Law Number 36 of 2009 concerning Health are very important in providing safety and health assurance to employees in a company. PT. Yamaha Indonesia is a company engaged in the piano musical instrument. The piano musical instrument itself has received attention from practitioners in the field of Occupational Safety and Health,, none other than because of a source of danger that can cause work accidents or diseases due to work relations.. The purpose of this study was to determine how the enforcement of the safety and health of employees at P.T. Yamaha Indonesia. This research method uses a juridical and empirical approach with a qualitative research model. The result of the research is that P.T. Yamaha Indonesia has enforced occupational safety and health laws in accordance with standard operating procedures set by the government, in the form of carrying out the following efforts, namely installing engine covers, providing personal protective equipment in the form of masks, earplugs, gloves, safety shoes, glass eyes, and a helmet / hat or slayer head protector as well as supervision of labor and maintenance of the equipment to be used.

Keywords: Implementation, Safety, Health, Work.

ABSTRAK

Keselamatan dan kesehatan kerja sebagai mana yang diatur dalam UU No. 1 Tahun 1970 Tentang Keselamatan Kerja dan UU Nomor 36 Tahun 2009 Tentang Kesehatan merupakan hal yang sangat penting di dalam memberikan jaminan keselamatan dan kesehatan kepada para karyawan dalam suatu perusahaan. PT. Yamaha Indonesia merupakan perusahaan yang bergerak di bidang alat musik piano. Alat musik piano sendiri telah mendapat perhatian dari kalangan praktisi di bidang Keselamatan dan Kesehatan Kerja, tidak lain karena sumber bahaya yang dapat menyebabkan kecelakaan kerja ataupun penyakit akibat hubungan kerja. Tujuan penelitian ini adalah untuk mengetahui bagaimana pelaksanaan penegakan hukum keselamatan dan kesehatan karyawan pada P.T. Yamaha Indonesia. Metode penelitian ini menggunakan pendekatan yuridis dan empiris dengan model penelitian kualitatif. Hasil penelitian adalah bahwa P.T. Yamaha Indonesia telah melakukan penegakan hukum keselamatan dan kesehatan kerja sesuai dengan standar operasiona prosedur yang telah ditetapkan oleh pemerintah, berupa melakukan paya-upaya sebagai berikut, yaitu pemasangan cover mesin, penyediaan alat pelindung diri berupa masker, earplug, sarung tangan, safety shoes, kaca mata, dan helm/topi atau slayer pelindung kepala serta pengawasan terhadap tenaga kerja dan perawatan alat yang akan dipergunakan.

Kata Kunci : Pelaksanaan, Keselamatan, Kesehatan, Kerja.

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A. Introduction

Indonesia as a developing country, which is one of the countries that are members of the Southeast Asian (ASEAN) group of countries, is a country whose economic development level is not yet well-established. There are even economic experts who say that Indonesia as a member of ASEAN in the level of economic competition is still behind compared to other ASEAN member countries.³⁰ In the current era of globalization, competition in the industrial world is growing rapidly at the regional, national and international levels. The strength that exists in a company lies in the people who are in the company, one of which is labor or employees. In Law Number 13 Year 2003, it defines that labor is anyone who is able to carry out work in order to produce goods and or services both to meet the needs of themselves and the community.³¹

Occupational safety and health are inseparable things in the manpower and human resource systems. Occupational safety and health are important matters for the company, because in the event of a work accident or disease from the work relationship, it is not only detrimental to the workforce itself but also has a negative impact on the company. Occupational safety and health are not only very important in improving the social security and welfare of workers but occupational safety and health have a positive impact on the sustainability of work productivity. Therefore, current occupational safety and health is not just an obligation that must be considered by workers, but must be fulfilled by a labor system. In other words, an employee needs a guarantee for the safety and health of his work from the company. This is a necessity with guarantees of occupational safety and health to make employees feel safe, and automatically the results of the work or their performance will be better so that both company goals and employee goals can be fulfilled.³²

Employers are still obliged to carry out work maintenance which includes efforts to increase (promotive), prevent (preventive), cure (curative), and restore (rehabilitative), in order to achieve an optimal degree of worker health as a productive potential for development. Health care insurance which is not only for the worker concerned but also for his family. Health care

³⁰ Abdul Manan, *Peranan Hukum Dalam Pembangunan Ekonomi*, (Jakarta: Prenadamedia Group, 2018), hlm. 1

³¹ Republik Indonesia, *Undang-undang Tentang Ketenagakerjaan*, Undang-Undang Nmor 13 tahun 2003, Pasal 1 angka 2

³² Sukrispiyanto, *Manajemen Sumber Daya Manusia*, (Sidoarjo: Indomedia Pustaka, 2019), hlm. 197

insurance provided to workers is to increase productivity, so that they can do their best and constitute a health effort in the field of development. The reason the researchers chose PT. Yamaha Indonesia (Yamaha Piano) as the research site for the Author's Thesis is because according to the author's observations the workers who work there were work accidents such as: hit by a press machine, cutting machine, etc., causing injuries and several employees who got sick due to the lack of discipline of employees regarding occupational safety and health, as well as the location where the author had worked for 19 years in the Chief General Affair in collecting and processing data is not that difficult.

B. Problem Formulation

In this research, the problems as mentioned above are formulated as follows:

1. How is the implementation of occupational safety and health law enforcement based on Law Number 1 of 1970 concerning Work Safety and Law Number 36 of 2009 concerning Health at PT. Yamaha Indonesia?
2. What are the obstacles in the implementation of enforcement of occupational safety and health laws based on Law Number 1 of 1970 concerning Work Safety and Law Number 36 of 2009 concerning Health at PT Yamaha Indonesia?

C. Research Methods

In conducting research to ensure maximum performance, the researchers used the following methods:

1. Research Model.

The research model used is qualitative research, namely the data used is weighted data not based on numbers in order to provide research in-depth and research validation.

2. Type of Research

The type of research used in this research is juridical normative and empirical, namely research that describes the various applicable laws and regulations associated with legal theories and practice implementation of occupational safety and health law enforcement related to the problems studied, namely regarding law enforcement. for workers at PT Yamaha Indonesia which is located at Jln. Swamp Gelam I No. 5 Pulogadung Industrial Estate, East Jakarta 13930 based on Law Number 1 of 1970 concerning Work Safety and Law Number 36 of 2009 concerning Health. In addition, research was conducted to obtain

data in the field by conducting interviews with employees and stakeholders in the company P.T. Yamaha Indonesia.

3. Data Collection Techniques

The data collection technique in this research is done by formulating any laws and regulations as well as reference books related to the research material. In addition, in order to obtain in-depth and research validation by conducting interviews and field observations, namely to PT. Yamaha Indonesia which includes :

a. Interview.

An interview is a conversation between two or more people whose questions the researcher asks the subject or group of research subjects to be answered. In conducting this direct research the writer does it systematically and is based on the research objectives to obtain data, namely accurate and precise data.³³ The interview used is guided (Guided Interview / controlled) which means that it is carried out using question frames so that there is not much time wasted and wasted in conducting interviews, but it does not rule out the possibility of new questions arising so that data collection is not monotonous and impressed. formal but relaxed and focused.

b. Observation.

Observation is a method of collecting data using observations that are recorded systematically against the phenomena being investigated which includes the activity of loading attention to an object by using all the sense organs³⁴. So, observing is done through seeing, smelling, hearing, touching and tasting. The author in the preparation of this thesis will make observations through a vision of the work process or production process as a first step in this research, while the observations will be made at the PT. Yamaha Indonesia, which is located at Jln. Rawagelam I No. 5 Pulogadung Industrial Estate, East Jakarta 13930.

D. Discussion

1. References:

³³ Suharsimi Arikunto, *Manajemen Penelitian*, (Jakarta: PT. Rineka Cipta, 2007), hlm. 101

³⁴ Suharsimi Arikunto, *Prosedur Penelitian Suatu Pendekatan Praktik*, (Jakarta: Rineka Cipta, 2006), hlm.

In providing in-depth and strengthening of research material, theoretical references are used as follows:

a. State law.

A country that declares itself as a rule of law can be considered a country that has a legal concept. The concept of rule of law is inseparable from its own pillar, namely the understanding / theory of the rule of law. This understanding is a teaching that says that the highest power lies in the law or there is no other power, except the law alone. The concept of rule of law (*rechtstaat*) and the rule of law are the most ideal rule of law concepts at present, although these concepts are carried out with different perceptions. The concept in Indonesian is often interpreted as "the rule of law" or governance based on law while *rechtstaat* is translated as "rule of law"³⁵

The concept of rule of law began to develop rapidly since the late 19th and early 20th centuries. In Continental Western Europe, Immanuel Kant and Friedrich Julius Stahl called it *Rechtsstaat*, while in the Anglo Saxon countries, A.V. Dicey uses the term Rule of Law.³⁶ The elements of the *Rechtsstaat* according to Friedrich J. Stahl are as follows:

- a. Protection of human rights;
- b. Separation or division of state power to guarantee human rights;
- c. Regulatory governance;
- d. The existence of an administrative court.³⁷

While the elements of the Rule of Law or the concept of the rule of law according to A.V. Dicey; are as follows :

- a. Equality before the law, meaning that every human being has the same legal position and gets the same treatment.
- b. Supremacy of law, meaning that the highest power lies in the law.
- c. Human rights do not originate from the constitution.³⁸

The elements contained in the two types of rule of law mentioned above, both *Rechtsstaat* and Rule of Law have similarities and differences. The main similarity

³⁵ Munir Fuadi, *Teori Negara Hukum Modern*, (Bandung: Refika Aditama, 2009), hlm. 1

³⁶ Jimly Asshiddiqie, *Konstitusi dan Konstitusionalisme Indonesia*, (Jakarta: Sinar Grafika, 2010), hlm. 125

³⁷ Majda El Muhtaj, *Hak Asasi Manusia Dalam Konstitusi Indonesia*, (Jakarta: Prenadamedia Group, 2017), hlm. 21

³⁸ Moh. Kusnardi, Bintan R. Saragih, *Ilmu Negara*, (Jakarta: Gaya Media Pratama, 2000), hlm. 93

between Rechtsstaat and Rule of Law is the desire to provide protection and respect for human rights which has been dreamed of for centuries with great struggle and sacrifice. The main factor that causes oppression and violations of human rights is the centralization of absolute state power in one hand, namely the king or the state (absolute). Gustav Radburch argues that basically "law aims to bring about legal certainty, justice and benefit."³⁹ When all these goals collide, benefit is put forward. The goal to be achieved in legal protection is not only legal certainty, but justice, especially benefit.

The desire to separate or distribute state power to several other state agencies or institutions is one way to avoid violations of human rights and at the same time provide guarantees and protection of human rights. Likewise, the hope that government is run based on the law on the basis of equality before the law, contains the intention to realize government not by humans but by law. According to Kant, in freedom and autonomy, each individual tends to fight for the freedom he has. This is indeed a natural. But it is very possible, the exercise of one's independence could harm others. To avoid this loss, law is needed. Law is a necessity of every free and autonomous being who inevitably has to live together and live by law if they want to live together peacefully and fairly. This appeal has the power of an ethical imperative, and because of this, there is an obligation to obey the law.⁴⁰

Mahfud MD said that the rule of law in Indonesia is clearly conceptualized as a prismatic rule of law, combining the positive aspects of rechtstaat with legal certainty, and the rule of law with an integrated sense of justice.⁴¹ From the history of its birth, development, and implementation in various countries, the concept of a rule of law is strongly influenced and cannot even be separated from the principle of people's sovereignty, the principle of democracy and the principle of constitutionality, because the law that is to be enforced in a rule of law is so that the human rights of its citizens are true. -Truly protected, it must be law that is correct and just, that is, law that originates from the

³⁹ *Politik Legislasi Hukum Tidak Tertulis dalam Pembangunan Hukum*, Jurnal Morality, Volume 8, Nomor 1, April 2019

⁴⁰ Satjipto Rahardjo, *Teori Hukum Strategi Tertib Manusia Lintas Ruang dan Generasi*, (Yogyakarta: Genta Publishing 2013), hlm. 71

⁴¹ Tjandra Sridjaja Pradjonggo, *Sifat Melawan Hukum dari Tindak Pidana Korupsi*, (Jakarta: Indonesia Lawyer Club, 2010), hlm. ix

aspirations of the people, for the people and is made by the people through their elected constitutionally certain representatives.

b. Justice.

Justice has never stopped since ancient times until now, because the problem of justice is a very essential thing in human life. Justice continues to be discussed and fought for by every individual and society to obtain it so that their life can run well, safely and safely. Justice is the highest policy and always exists in all its various manifestations. Justice is also one of the goals of every religion which places justice in a very important place in the life of the nation and state and society.⁴² In essence, the discussion about the industrial relations of the parties cannot be separated in relation to issues of justice. Industrial relations will occur if there is between a worker (laborer) and an entrepreneur (company), both of which will be related to one another, with the occurrence of this relationship marked by the making of a work contract in which the rights and obligations of the worker will be written as well. otherwise the rights and obligations as a company will be written.

Entrepreneur or company as a forum that brings together the interests of one, namely the employee / worker with another party, namely the entrepreneur, demands a fair exchange of interests. By because it is very appropriate and fundamental if in analyzing the principle of proportionality in the industrial world, it starts from a philosophical aspect of justice. The question about what is "justice" is a question that we often hear, but the correct understanding is even complicated and even abstract, especially when it is related to various complex interests. Justice according to Aristotle in his work "*Ethika Nikomacheia*", justice must be in the middle, because situations that are very fair and very unfair are always extreme.⁴³ So that he distinguishes justice in general and justice in particular. According to Aristotle, "justice consists in treating equals equally and unequals un equally, in proportion to their inequality". This principle departs from the assumption "for the same things to be treated equally, and those who are not the same are also treated unequally, proportionally. Domitius Ulpianus described justice as "a firm and continuing will to give whosoever is due". According to Ulpianus, the legal imperative is to live

⁴² Abdul Manan, *Peranan Hukum Dalam Pembangunan Ekonomi*, (Jakarta: Prenadamedia Group, 2018), hlm. 61

⁴³ Budiono Kusumohamidjojo, *Teori Hukum Dilema antara Hukum dan Kekuasaan*, (Bandung: Yama Widya, 2019), hlm. 269

respectfully, not to hurt others, and to give to anyone who is due.⁴⁴ This formulation firmly recognizes the rights of each person to another and what should be part of it, and vice versa.

Meanwhile, Thomas Aquinas put the idea of justice in a contextual framework. He described the idea that justice is a justice that is generally accepted and serves to achieve good for all people. Goodness will be created or achieved if:

- a. Justice according to law;
- b. General justice, justice that is still vague in nature;
- c. Justice concerning special interests among fellow citizens;
- d. Justice with respect to division of office, payment of taxes, etc.
- e. Exchange justice in connection with buying and selling, etc.
- f. The justice of revenge which at that time applies in war and criminal law.⁴⁵

Meanwhile, the division of justice according to modern authors, among others, is as done by John Boatright and Manuel Velasquez, namely:

- a. Distributive justice has the same meaning as the traditional pattern, where benefits and burdens must be shared fairly.
- b. Retributive justice, relating to the occurrence of mistakes, where the law or fines imposed on the guilty person must be fair.
- c. Compensatory justice, also involves mistakes committed, but according to other aspects, where people have a moral obligation to provide compensation or pay for damages to the injured party.⁴⁶

Regarding the complexity of industrial relations in the world of business, especially with regard to justice in commercial industry, based on the aforementioned thoughts we should not be fixated on differentiating classical justice. This means that the analysis of justice in commercial industries must integrate the concept of equal rights in exchange (achievement-counter-achievement) as understood in the context of commutative justice and the concept of distributive justice as the basis for contractual relationships.

c. Law enforcement.

⁴⁴ *Ibid*, hlm, 272

⁴⁵ *Ibid*, hlm. 273

⁴⁶ Jurnal, *Ekonomi dan Keadilan*, khairanipritami.wordpress.com, 2017

We must protect the law enforcement related to the industrial world where the relationship between workers / labor and employers must be protected, where both must be treated as partners. For this reason, the implementation of industrial relations should refer to the Indonesian law enforcement system. Where the law regulates the rights of employers and obligations of workers / labor. Law enforcement is providing protection to human rights that have been harmed by others and this protection is given to the community so that they can enjoy all the rights provided by law or in other words law enforcement are various legal measures that must be provided by law enforcement officials to provide a sense of security, both physically and mentally from disturbances and various threats from any party.

Satjipto Raharjo argues that law enforcement is not a definite action, namely applying a definite action, namely applying the law to an event, which can be likened to drawing a straight line between two points.⁴⁷ Soerjono Soekanto argues that law enforcement is an activity to harmonize the relationship of values that are described in a solid and manifest value principle / viewpoint and attitude as a series of defining the final stage of values to create, maintain and maintain a peaceful social life. Concrete law enforcement is the enactment of positive law in practice which must be obeyed. So, giving justice in a case means deciding the law in concreto in guaranteeing and maintaining the obedience of material law by using the procedural method established by formal law.⁴⁸

Law enforcement for industrial relations aims to ensure the operation of the work relationship system without being accompanied by pressure from strong parties to weak parties, for this reason employers are obliged to implement law enforcement provisions in accordance with the prevailing laws and regulations. The scope of protection for workers according to Law Number 13 of 2003 concerning Manpower includes:

- a. Protection of occupational safety and health;
- b. Protection of morals and morals;
- c. Actions in accordance with human dignity and religious values.

2. Occupational Health and Safety Program

⁴⁷ Satjipto Raharjo, *Sosiologi Hukum : Perkembangan Metode Dan Pilihan Masalah*, (Yogyakarta: Sinar Grafika, 2002), hlm.190

⁴⁸ Dellyana Shant, *Konsep Penegakan Hukum*, (Yogyakarta: Sinar Grafika, 1998), hlm. 33

a. **Implementation**

Article 27 paragraph (2) of the 1945 Constitution states that every citizen has the right to work and to live that is decent for humanity. This article means that the state guarantees the right of everyone to get protection and comfort in carrying out their work. The protection that is meant is the guarantee of equal treatment without any discrimination based on any basis in realizing welfare for workers and their families, while still paying attention to the times and progress of the business world and the interests of entrepreneurs. In the implementation of national development, workers have an important role and position as actors in achieving development goals. Workers are a very important company asset and must be provided with occupational safety and health protection by the company, because considering the high threats to the safety and health of workers while carrying out their work in the company where they work, this has the potential to cause disruption of the work relationship between workers company.⁴⁹

In Law No.1 of 1970 concerning Work Safety, it has been explained that with the rapid progress of industrialization, mechanisms and modernization, there has also been an increase in the operational work intensity of workers, machines, tools, new planes and so on. company. So that it does not pay attention to details, for example technical materials and materials that contain toxins, as well as bad working methods, lack of skills and job training, lack of knowledge of new sources of danger. This has always been a source of danger and disease caused by work at the company. So it can be understood, that there is a need for knowledge of occupational safety and health in advanced companies and right. Because health problems are an element that must be taken into account. In accordance with Law Number 36 Year 2009 concerning Health, where work productivity must always be realized optimally so that every worker can work healthily without endangering and causing harm to himself and others and the company.⁵⁰

Occupational health and safety has become a standard assessment at the company. Because occupational safety and health are closely related to the continuity of company operations, so that if the company fails to implement it, the company will be deemed unfit and do not care about the safety and health of its workers. In general, work accidents are caused

⁴⁹ *Jurnal Cendekia Hukum*: Vol. 3, No 2, Maret 2018, hlm. 284

⁵⁰ <http://data.tp.ac.id/dokumen/kumpulan+3#down>

by two factors, namely humans and the environment. Human factors, namely unsafe actions from humans such as deliberately violating mandatory safety regulations or the workers' lack of skill. Meanwhile, environmental factors are the unsafe condition of the work environment which involves, among others, equipment or machinery. A good company is a company that truly maintains the safety and health of its employees by making rules about occupational safety and health which are implemented by all employees and company leaders. Workforce protection from occupational hazards and diseases or the consequences of the work environment is needed by employees so that employees feel safe and comfortable in completing their work.

The strength that is in a company lies in the people who are in the company. If the workforce is treated appropriately and in accordance with their dignity and dignity, the company will achieve results that are in accordance with the objectives desired by the company. From this description, it is clear that the human resource factor plays the most important and main role in the production process, because the means of production will not run without the support and presence of human resources. The Occupational Safety and Health Management System (SMK3) is part of the overall company management system which includes the structure, organization, planning, responsibilities, implementation of procedures, procedures and resources required for the development, implementation, achievement, review and maintenance of safety policies. and occupational health in the context of controlling risks related to work activities in order to create a safe, efficient and productive workplace.⁵¹

PT. Yamaha Indonesia, which is located in the Pulogadung Industrial Estate, East Jakarta, is a foreign private company in Indonesia which is engaged in the musical instrument industry sector. The main business activity of this company is processing wood raw materials into high-quality piano musical instruments, and pianos of various models or types. The production system being implemented is to make products based on order (make to order) with 95% of the product being sold abroad and the rest being sold domestically. Likewise with the main suppliers, most of the wood suppliers come from within the country, there must also be those from their home country, namely Japan.⁵² PT. Yamaha Indonesia was founded

⁵¹ Sukrispiyanto, *Manajemen Sumber Daya Manusia* (Sidoarjo, Indomedia Pustaka, 2019), hlm. 198

⁵² Wawancara H. Kalkausar Chalid (Senior Manager HRD) PT. Yamaha Indonesia, Senin, 9 November 2020;

in 1974, but the company's operational activities only started in 1977 when the establishment permit was issued by the President of the Republic of Indonesia, Mr. Soeharto, together with the Chief of the Indonesian National Police, Mr. Hoengeng Iman Santoso. The company is located at Jalan Rawa Gelam I No. 5 KIP Jatinegara Village, Cakung District, East Jakarta. PT. Yamaha Indonesia is a private foreign company, where most of the shares are owned by Yamaha Corporation Japan at 98.5% and the remaining 2.5% is owned by Mr. Aditya S. Hoengeng as son of Hoengeng Iman Santoso. The company employs a large workforce, where more than 1,500 people work there every day.⁵³

PT. Yamaha Indonesia, which is also a foreign investment company, has the obligation to implement SMK3 as regulated in Law No. 25 of 2007 concerning Investment. Article 15 provides that, every investor is obliged to carry out corporate social responsibility. In its SMK3 implementation, PT. Yamaha Indonesia includes the participation of all employees in implementing SMK3 by requiring workers to use and comply with the following rules:

1. Use of equipment that meets K3 requirements

The use of equipment that meets K3 requirements is one of the supporting factors for workers to work safely and safely, the equipment used by workers must meet the requirements and follow the standard K3 guidelines, as described in the OHS standard guidelines, both employers or company owners and workers. must pay attention to this. Every employer is obliged to choose work equipment that meets international standards, and has characteristics that are adequate to the nature and load of the work and allow it to be used without any additional risk.

2. Work Procedure.

The work procedure in this case is a safe and secure way of working which is socialized by the company to workers before starting work. Standard Operating Procedures (SOPs) are work procedures that become benchmarks for workers at work. All workers in an industry are required to know and carry out the SOP that has been regulated by the company. This is very beneficial for workers to work productively and safely.

3. Use of the facilities provided

⁵³ Wawancara M. Syahfatullah (Ketua Komite P2K3) PT. Yamaha Indonesia, Senin, 9 November 2020

The use of facilities used by workers must be provided by the company, as stated in the K3 guidelines which regulate the facilities and infrastructure that must be provided by every industrial company to support the comfort and safety of workers.

4. Use of Personal Protective Equipment

Personal protective equipment (PPE) is a tool that must be used when working according to work hazards and risks, to maintain the safety of the workers themselves and those around them. PPE is used as a last resort in an effort to protect workers.

b. Resistance

Every company, both large and small companies, has facilities to produce and also tests the results produced by the company and the effect of this work is closely related to labor. But the efficiency and effectiveness of work does not depend on a large number of workers, but on the quality of the workforce. Work safety is protection of a person's physical well-being and prevents work-related accidents or injuries. Occupational health is a healthy individual, free from disease, injury and mental and emotional problems that can interfere with normal human activities in general. Occupational safety and health (K3) is an effort to protect the safety and health of workers while they work in the company where they work. K3 has 2 important aspects, namely regarding the work safety of its employees and the health of its employees. This work safety is closely related to the production process of a company. Especially in Indonesia where the country is increasingly developing, the rate of work accidents that occur is also growing, while health is closely related to the consequences of this work relationship.

Work safety and health must be maintained in every company. Because accidents and illnesses come unexpectedly and unexpectedly. Not a few of the companies still have not provided good and correct K3 services to their employees. Though this is very important for the future of the company as well. This can be due to the following factors:

1. The company's management gives low priority to the K3 program in the company's program. In almost all existing companies, the K3 program is never discussed at meetings held by the company. the company is only too focused on the company's production while the K3 program is very underdeveloped.

2. Lack of knowledge about K3 from both the company and its employees. Sometimes employees or company knowledge about K3 is still low. Good knowledge of how to apply K3 correctly, the impact if the company does not implement K3, and so on.
3. Limited capital in providing K3 services. To provide proper K3 services, of course, a variety of capital is needed to implement it for employees. Sometimes the company's financial condition is not supportive because of a lack of capital to improve the quality of K3 services so that the implementation of K3 is not optimal.
4. Weak government oversight on the implementation of K3. The K3 regulation already has laws that are valid in the eyes of the law. However, the government itself is still lacking in overseeing the implementation of these legal regulations. The government only considers everything will run smoothly if it has strong laws.

Barriers to the Implementation of Occupational Safety and Health in the Company.

The obstacles are as follows:

1. Barriers from the workers / community side:

- a. Workers' demands are still on basic needs.
- b. Many workers do not demand OSH guarantees because their human resources are still low.

2. Barriers from the company side:

Companies that usually put more emphasis on production or operational costs and increase worker efficiency in order to generate the maximum profit. Even though K3 is considered important in the aspect of company operational activities, in its implementation there are still obstacles and obstacles.

Some of these obstacles are macro (at the national level) and some are micro (within companies).

1. Macro barriers.

At the national (macro) level, there are many factors that constitute obstacles that cause the work safety program to be unsuccessful, including:

- a. Government.

There are still deficiencies in the problems of guidance (formal & non-formal), guidance (information services, standards, code of practice), supervision (regulations,

monitoring / monitoring and sanctions for violations), as well as in areas of hazard control.

b. Technology.

Technological developments need to be anticipated so that the hazards they cause can be minimized or completely eliminated by using skills in the field of hazard control.

c. Socio-cultural.

The existence of socio-cultural gaps in the form of low discipline and public awareness of occupational safety issues, insurance policies that are not oriented towards hazard control, behavior of people who do not fully understand the dangers that exist in industries with advanced technology and the existence of a culture of "relaxed" and "no matter" from the community or in other words there is no "culture of prioritizing safety in the community / workers

2. Micro resistance

Micro problems that occur in companies include :

- a. Awareness, support and involvement. There is a lack of awareness, support and involvement of operations management for hazard control efforts. This situation will culture starting from the bottom layer so that many employees have low safety awareness, besides that their knowledge of engineering and work safety management is also very limited. This is added to the assumption that K3 is a cost center which is actually the opposite.
- b. Limited capabilities of work safety officers The ability of work safety officers in the fields of operational engineering, occupational safety engineering, hazard control management is felt to be lacking so that it is an obstacle to obtaining good work safety performance. As a result of this deficiency, there is a gap between the advancement of applied technology with a higher negative impact and the ability of safety officers to anticipate increasingly dangerous situations. This is also due to the lack of human resource development in the OSH sector or the lack of development in the education sector in this field.
- c. Standard, code of practice. The lack of standards and code of practice in the field of work safety and the limited dissemination of information in the field of industrial hazard control will increase the risks faced.

Every company must implement occupational safety and health in the workplace (company). However, in fact, there are still many companies in Indonesia that still underestimate this. In fact, occupational safety and health is one of the human rights of workers and an effort to improve the quality of employee performance in the company itself. PT. Yamaha Indonesia has made efforts and implementation of occupational safety and health to reduce work accidents in accordance with the law. Number 1 of 1970 concerning Work Safety and Law Number 36 of 2009 concerning Health. However, employees of PT. Yamaha Indonesia often heeds or does not run optimally the rules governing occupational safety and health and this is the cause of work accidents. Because based on the results of interviews with the employee, he admitted that he and his friends who worked in the factory often neglected personal protective equipment and worked often not in accordance with the occupational safety and health SOP. In fact, they often work overtime to meet production targets. So based on this information PT. Yamaha Indonesia must adjust the working time, and must consider the factors of employee fatigue and the ability and expertise of the workforce to do their job. So that it is expected to reduce the risk of accidents that can occur in the work environment / location.

PT. Yamaha Indonesia has taken full responsibility by providing good compensation to victims who experience illness in accordance with the provisions of the prevailing laws and regulations. For example, if a work accident occurs, the victim is brought to the company clinic and treated immediately. If the treatment is followed up, the clinic makes a referral letter to the designated hospital. The hospital serves the victim until he is cured, the costs for treatment at the hospital are borne by the company. PT. Yamaha Indonesia will not deduct employee salaries / wages while undergoing treatment at the hospital.

E. Conclusions and Recommendations

1. Conclusion.

Taking into account the formulation of problems in the implementation of law enforcement on occupational safety and health, it can be concluded as follows:

- a. PT. Yamaha Indonesia has implemented what is mandated by Law Number 1 of 1970 concerning Work Safety and Law Number 36 of 2009 concerning Health, by: providing personal protective equipment (masks, eye glasses, earplugs, gloves, safety shoes ,

helmet head protection), the effective working time to operate is 7 (seven) hours / day, or 40 (forty) hours / week, placing workers or employees according to their expertise, as well as a supervisor (Group Head / Foreman) who monitoring employees while doing work, holding morning meetings for 5-10 minutes before doing or carrying out work, maintenance or maintenance of machines before and after use, company clinics and first aid kits and light fire extinguishers in each factory environment, canteen and the availability of Catering for employees at lunchtime and overtime employees and the provision of fresh milk for employees Employees in the Painting section every 1 (one) week 2 times, holding Medical Checkups for all employees once a year and 2 times for Painting employees, they are held measurement of good temperature and humidity by providing adequate lighting and ventilation and involving employees in the BPJS Employment and Health Insurance Program appointed by the Company;

- b. The obstacles faced by PT. Yamaha Indonesia, in the context of implementing Occupational Health and Safety Law Enforcement, there is no company management that specifically handles P2K3 issues, so that supervision in the use of Personal Protective Equipment (PPE) is not implemented properly by employees, due to lack of support and firm sanctions from the company . And weak supervision from the Government, especially from the East Jakarta Municipal Manpower Supervision Service, has contributed to the implementation of K3 legal protection has not been fully implemented.

2. Recommendations.

Researchers provide several suggestions in the context of implementing safety and health law enforcement, including:

- a. PT. Yamaha Indonesia in implementing occupational safety and health law enforcement, including:
 1. Companies should provide information dissemination or provide K3 training to all employees, especially employees who work in work locations that have high potential hazards;
 2. Giving strict sanctions for employees who do not use personal protective equipment in the production area;

3. Posting posters or slogans about the hazards or impacts of occupational safety and health, such as the dangers of not wearing safety shoes, helmets, etc .;
 4. Signing dangerous rooms, materials, or machines is intended to increase the alertness of employees;
- b. The obstacles faced by PT. Yamaha Indonesia in order to implement enforcement of occupational safety and health laws, including:
1. Management of occupational safety and health supervision is formed in the context of implementing K3 peksanaaan specifically;
 2. Improve the supervisory relationship of the East Jakarta Municipal Manpower Office on the implementation of occupational safety and health.

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