

LEGAL CERTAINTY AND EMPLOYER LIABILITY FOR OCCUPATIONAL HEALTH AND SAFETY (OHS) THROUGH PPE IN THE RICE MILLING INDUSTRY

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ABSTRACT

Occupational Safety and Health (OSH) protection constitutes a fundamental right of workers and a legal obligation of employers as guaranteed under Indonesian labor law. One of the primary forms of such protection is the provision of Personal Protective Equipment (PPE), which functions to minimize the risk of occupational accidents and work-related diseases. This study aims to analyze the normative regulation of employers' obligations to provide PPE for workers in the rice milling industry and to examine the legal liability of employers who fail to fulfill such obligations. This research employs a normative legal research method, drawing on statutory, conceptual, and descriptive-analytical approaches. The legal materials consist of primary legal sources, such as legislation, and secondary legal sources, including books, scientific journals, and expert opinions. The findings indicate that the obligation to provide PPE has been regulated hierarchically and comprehensively through the 1945 Constitution of the Republic of Indonesia, Law Number 1 of 1970 concerning Occupational Safety, Law Number 13 of 2003 concerning Manpower, Government Regulation Number 50 of 2012 concerning Occupational Safety and Health Management Systems, and Minister of Manpower Regulation Number PER.08/MEN/VII/2010 concerning PPE. From the perspective of legal certainty theory, these regulations provide clear guidance regarding workers' rights and employers' obligations. Nevertheless, normative weaknesses remain in the sanctioning mechanism, particularly because sanctions are no longer proportional to contemporary labor conditions. Employers who fail to provide PPE may be held administratively, civilly, and criminally liable under applicable laws and regulations.

Keywords: legal certainty; legal liability; occupational safety and health; personal protective equipment; Rice Milling Industry.

I. INTRODUCTION

Occupational Safety and Health Protection (OHS) is a legal obligation that is stated in writing in the labor law. These obligations have been regulated hierarchically, starting with Law

Number 1 of 1970 on Occupational Safety and extending to derivative regulations governing technical implementation. From a labor law perspective, OHS protection is rooted in the fundamental rights of workers guaranteed by Law Number 13 of 2003 concerning Manpower, particularly Article 86 paragraph (1). One of the main protective instruments of the Ministry of Health is the obligation to provide personal protective equipment (PPE), which serves as the last layer of protection for workers when workplace risks cannot be completely eliminated.¹

The existence of PPE is not a voluntary policy of entrepreneurs, but an imperative legal order as affirmed in Article 14, letter c of Law Number 1 of 1970 jo. Article 2 of the Regulation of the Minister of Manpower Number 8 of 2010 concerning Personal Protective Equipment.² At the operational level, Government Regulation Number 50 of 2012 concerning the Implementation of the OHS Management System (SMOHS) requires every company to implement a structured, sustainable OHS management system to achieve a safe, healthy, and productive work environment. Furthermore, the obligation to provide personal protective equipment (PPE) is specifically regulated in the Regulation of the Minister of Manpower Number 8 of 2010 concerning Personal Protective Equipment, which requires employers to provide PPE in accordance with potential hazards in the work environment.³

One of the relevant business sectors examined under the OHS regulation is the rice milling industry. Juridically, the rice milling industry is a workplace as referred to in Article 1, number 1 of Law Number 1 of 1970, namely each room or field where workers work and where there is a source of danger. The production process of rice milling inherently contains a number of potential hazards: first, exposure to organic husk dust and bran in high concentrations that have the potential to cause respiratory distress; second, engine noise that has the potential to result in permanent hearing loss; and third, the risk of mechanical accidents from grinding machines, transmission

¹ Rafi'ah, Ana Lestari, Iga Maliga, Asri Reni Handayani, and Putri Adekayanti, "Socialization of Occupational Health and Safety (OHS) and the Use of Personal Protective Equipment (PPE) in the Informal Sector in Sumbawa," *BERDAYA: Journal of Education and Community Service*, Vol. 6, No. 3 (2024), p. 309, <https://ejournal.imperiuminstitute.org/index.php/BERDAYA/article/view/1377>

² Sukma Ayu Raganingtyas, Tanto Prima, and Mardiyah, "Conceptual Understanding of Occupational Safety and Health (OHS): A Systematic Review of the Causes and Prevention of Work Accidents," *Journal of Management and Accounting Students (JUMMA'45)*, Vol. 4, No. 2 (2025), p. 151, <https://doi.org/10.30640/jumma45.v4i2.5034>.

³ Riska Ayu Andira, Muhammad Alief Akkas, M. Nur Andika Akbar, and Nisma Aliyah Muin, "The Role of Human Resource Management in Implementing OHS in the Workplace: A Review of the Literature," *Annusfy: Journal of Multidisciplinary Research*, Vol. 1, No. 3 (2025), p. 188, <https://doi.org/10.65065/7w8ap992>.

belts, and rotating mechanical components.⁴ The three characteristics of the hazard normatively meet the definition of "high level of potential danger", namely companies that have the potential for danger that can result in accidents that are detrimental to human lives, disruption of the production process and pollution of the work environment as formulated in the Explanation of Article 5 paragraph (2) letter b of Government Regulation No. 50 of 2012, so that the rice milling industry is subject to the obligation to implement SMOHS based on Article 5 paragraph (2) letter b.

Thus, there are layered and mutually reinforcing obligations for entrepreneurs in the rice milling industry. The obligation includes three things: first, providing PPE free of charge as stipulated in Article 14, letter c of Law No. 1 of 1970 jo. Article 2 of Permenaker No. 8 of 2010; second, guaranteeing workers' rights to OHS based on Article 86 of Law No. 13 of 2003; and third, implementing SMOHS in accordance with Article 87 of Law No. 13 of 2003 jo. Article 5 paragraph (2) letter b of Government Regulation No. 50 of 2012. Violation of these three obligations not only constitutes administrative non-compliance but also violates the fundamental rights of workers guaranteed by Indonesia's positive law.

The above normative conditions are inversely proportional to the reality still found in the field. As an initial illustration of the relevance of this normative problem, a limited interview conducted by the researcher with the owner of one of the rice milling businesses in Cirebon Regency revealed that workers were not required to use adequate PPE or provided with it while carrying out their work. This condition indicates a gap between the norms that should apply (*das sollen*) and the reality in the field (*das sein*), underscoring the urgency of this juridical study of the regulation of PPE obligations in Indonesian labor law.

However, amid the comprehensive regulation of PPE obligations, there are still normative problems regarding sanctions. In fact, occupational safety and health (OHS) is essentially a preventive approach that aims to prevent work accidents and occupational diseases by implementing various protective standards, including the use of PPE.⁵ The effectiveness of the

⁴ Ayi Miranda, "Implementation of Occupational Safety and Health (OHS) as an Effort to Protect Rice Mill Workers in Facing Work Risks," *Digital Footprint: Multidisciplinary Scientific Journal*, Vol. 2, No. 1 (2026), pp. 691, <https://doi.org/10.63822/gg6efh60>.

⁵ Endang Sutrisno and Deni Yusup Permana, "Implementation of Legal Protection for Workers in Indonesia in Fixed-Time Work Agreements and Indefinite Time Work Agreements According to Law No. 11 of 2020 concerning Job Creation," *Responsive Law*, Vol. 13, No. 2 (2022), p. 87, <http://jurnal.ugj.ac.id/index.php/Responsif>

preventive function is highly dependent on the employer's compliance with the obligations set by laws and regulations. However, Article 15 paragraph (1) of Law Number 1 of 1970 concerning Occupational Safety still provides for criminal penalties, including imprisonment for a maximum of 3 (three) months or a maximum fine of Rp100,000.00. The provision, which has been in effect for more than five decades, raises questions about the relevance and coercion of sanctions in ensuring employers' compliance with the obligation to provide PPE in the modern labor era. This condition indicates potential normative weaknesses in the work safety law enforcement system that warrant further evaluation.

Based on this description, this study is directed toward conducting a legal analysis of two problem formulations, namely: first, how is the normative regulation of the obligation to provide personal protective equipment (PPE) for workers in the rice milling industry based on the prevailing labor laws and regulations in Indonesia? And what are the legal responsibilities of employers who fail to provide personal protective equipment (PPE) to workers in the rice milling industry under Indonesian labor law?

Departing from these two problem formulations, this study aims to: first, analyze and map the normative regulation of the obligation to provide PPE for workers in the rice milling industry based on the hierarchy of labor laws and regulations in Indonesia and analyze the form of legal responsibility of employers who do not fulfill the obligation to provide PPE as well as normative evaluation of the sanction system available in Indonesian labor law.

This study contributes to the literature by providing a comprehensive normative legal analysis of employers' obligations to provide Personal Protective Equipment (PPE) in the rice milling industry, integrating Legal Certainty Theory and Legal Responsibility Theory. Unlike previous studies that primarily focus on OHS implementation and accident prevention, this research critically evaluates the coherence of Indonesia's PPE regulatory framework, examines the multidimensional liability of employers (administrative, civil, and criminal), and identifies normative weaknesses in the sanctioning system under Law No. 1 of 1970. The study, therefore, offers a sector-specific legal framework and policy recommendations for strengthening occupational safety governance in agro-industrial workplaces.

II. RESEARCH METHODS

This research is a normative legal study that examines laws, regulations, principles, and legal doctrines related to the research problems using a qualitative-analytical approach. The results of interviews with the owner or leader of a rice milling factory in Cirebon Regency are used as supporting data or case illustrations to strengthen the normative analysis. The legal materials used are primary legal materials, such as laws and regulations, and secondary legal materials, such as books, journals, and expert opinions. The collection of legal materials is carried out through literature studies and qualitatively analyzed to obtain comprehensive conclusions.

II. DISCUSSION

Synthesis of the State of the Art

Existing literature predominantly discusses:

1. OHS implementation and accident prevention.
2. Worker protection and PPE utilization.
3. Human resource management aspects of occupational safety.
4. General labor law protection.

However, previous studies have not comprehensively analyzed:

1. The hierarchy and consistency of PPE regulations in Indonesian labor law.
2. Legal certainty regarding employer obligations.
3. The adequacy of sanctions in Law No. 1 of 1970.
4. Multidimensional employer liability (administrative, civil, and criminal) in the rice milling industry.

Table 1. Previous Studies

Previous Studies	Main Findings	Limitations
Rafi'ah et al. (2024)	Examined OHS socialization and PPE use in the informal sector.	Focused on community service and awareness, not legal responsibility.
Raganingtyas et al. (2025)	Discussed OHS concepts and occupational accident prevention.	Did not analyze legal certainty or employer liability.

Previous Studies	Main Findings	Limitations
Andira et al. (2025)	Reviewed HRM roles in implementing OHS.	Focused on management perspectives rather than legal enforcement.
Miranda (2026)	Analyzed OHS implementation among rice mill workers.	Concentrated on practical implementation and worker protection, not normative legal analysis.
Sutrisno & Permana (2022)	Studied legal protection of workers in employment relationships.	Did not specifically address PPE obligations and sanctions under OHS regulations.
General OHS Studies	Emphasized worker safety, PPE importance, and accident prevention.	Rarely examined the coherence of legal regulations and multidimensional employer liability.

1. Normative Regulation of the Obligation to Provide Personal Protective Equipment for Workers in the Rice Milling Industry Based on Indonesian Manpower Laws and Regulations

a. Legal Certainty Theory as a Framework for Analysis of PPE Liability Regulation

Legal certainty is one of the fundamental goals of law that Gustav Radbruch placed together with justice and utility as legal values. Radbruch asserts that all three must be met proportionately, but in the context of positive law governing technical relationships such as OHS, legal certainty plays a very dominant role because legal subjects need unambiguous clarity about their rights and obligations.⁶

In the Indonesian legal tradition, Peter Mahmud Marzuki emphasized that legal certainty contains two main meanings: first, the existence of general rules that make individuals know what acts are allowed or not to be done; and second, legal security for individuals from government arbitrariness, because with these general rules, individuals can know what the state can impose or do on them.⁷ In the context of industrial relations, legal certainty means that the employer knows

⁶ Dino Rizka Afdhali and Taufiqurrohman Syahuri, "The Ideality of Law Enforcement Reviewed from the Perspective of Legal Purpose Theory," *Collegium Studiosum Journal*, Vol. 6, No. 2 (2023), p. 559, <https://doi.org/10.56301/csj.v6i2.107>

⁷ Marzuki, Peter Mahmud. *Introduction to Law*. Revised Edition. Jakarta: Kencana Prenada Media Group, 2008

exactly what he is obliged to fulfill, and the worker knows exactly what rights he can claim. The absence of legal certainty in PPE regulations, whether due to vague norms, inconsistencies between regulations, or disproportionate sanctions, will, in turn, weaken the entire OHS protection system normatively.

b. Hierarchy of PPE Obligation Regulation in Manpower Laws and Regulations

The normative arrangement of the obligation to provide PPE in Indonesian labor law is hierarchically arranged and complementary. At the highest level, the 1945 Constitution of the Republic of Indonesia became the constitutional basis through Article 28D paragraph (2), which affirms that everyone has the right to work and receive fair and decent remuneration and treatment in employment relationships. The right to fair and decent treatment includes not only wages and welfare but also the protection of workers' safety and health during their work. In this context, the provision and use of Personal Protective Equipment (PPE) are tangible forms of protection that employers must provide to ensure the fulfillment of workers' constitutional rights to safe and healthy working conditions.

Law Number 1 of 1970 concerning Occupational Safety is a *lex specialis* in the field of OHS, which is still valid and has become the backbone of occupational safety regulations in Indonesia. Article 14, letter c of this law expressly obliges the manager (who in practice is identical to the employer) to provide free of charge all required personal protective equipment to the workers under his direction and to provide for every other person who enters the workplace, accompanied by the necessary instructions according to the instructions of the supervisory employee. This norm is imperative and cannot be overridden by the parties' agreement. Second, Law Number 13 of 2003 concerning Manpower strengthens this obligation through Article 86 paragraph (1), which emphasizes that every worker/laborer has the right to obtain protection for occupational safety and health, and Article 87 paragraph (1), which requires every company to implement an occupational safety and health management system that is integrated with the company's management system.

At the government regulatory level, Government Regulation Number 50 of 2012 concerning the Implementation of Occupational Safety and Health Management System (SMOHS) provides a more detailed operational framework. Article 5, paragraph (2), letter b of Government Regulation No. 50 of 2012 emphasizes that companies that have a high level of potential hazard

are required to implement SMOHS in full, including elements of hazard identification, risk assessment, and risk control, one of which is the provision of PPE. In the context of the rice milling industry, the presence of milling machines, exposure to production dust, noise levels, and the risk of accidents from contact with work equipment indicate potential hazards that, normatively, require companies to implement risk control in accordance with the principles of SMOHS. Thus, the use of PPE cannot be seen as an option or an internal policy of the company alone, but as part of a legal obligation arising from the requirement to implement SMOHS. This means that as long as there are still work risks that cannot be completely eliminated through technical and administrative controls, the company is still obliged to provide and ensure the use of PPE by workers.

At the ministerial regulatory level, the Regulation of the Minister of Manpower Number 8 of 2010 concerning Personal Protective Equipment. At the ministerial regulatory level, the Regulation of the Minister of Manpower and Transmigration Number PER.08/MEN/VII/2010 concerning Personal Protective Equipment is a technical regulation that specifically regulates the obligation to provide and use PPE in the workplace. Article 2, paragraph (1) of the regulation expressly requires employers or administrators to provide PPE for workers/laborers in the workplace. Furthermore, Article 3 stipulates that the type of PPE provided must be adjusted to the potential hazards in the work environment, including head, eye, and face, ear, respiratory, hand, foot, and protective clothing. The regulation shows that the law not only requires the existence of PPE in general, but also requires the conformity between the type of PPE provided and the risk characteristics faced by workers.

From a normative legal perspective, the provisions in Permenaker Number 8 of 2010 make clear that worker protection through PPE is an imperative obligation, not a choice subject to company policy. The use of the phrase "obliged to provide" in Article 2, paragraph (1), indicates that there is a legal obligation that must be obeyed by every employer or workplace administrator. Therefore, the unavailability of PPE or the provision of PPE that does not align with the existing hazard type can be seen as a form of non-compliance with applicable labor and safety law norms. If it is associated with research problems regarding the obligation to implement PPE in the rice milling industry, the company's legal obligation does not stop at the provision of PPE alone. The meaning of "application" of PPE normatively must be understood to include the provision,

distribution, supervision, and ensuring that PPE is used correctly by workers during work. This interpretation is in line with the legal objectives of occupational safety and health, which are oriented towards real protection of workers, not just administrative fulfillment of the existence of PPE in the workplace. In other words, the goals set by Permenaker Number 8 of 2010 will not be achieved if PPE is available but not used in daily work activities.

c. Normative Evaluation: Does the PPE Obligation Arrangement Meet the Requirements of Legal Certainty?

Based on the theory of legal certainty by Gustav Radbruch and Peter Mahmud Marzuki, as discussed in the previous point, the regulation on the obligation to provide Personal Protective Equipment (PPE) in Indonesian labor law has generally met the requirements of legal certainty. From Radbruch's perspective, a legal norm can be said to provide legal certainty if it is formulated clearly, its application is predictable, and it provides firm guidelines regarding the rights and obligations of legal subjects. In the context of PPE obligations, laws and regulations have explicitly designated the party responsible, namely employers or workplace administrators, and defined the object of their obligations: providing PPE in accordance with potential hazards in the work environment. This clarity can be seen starting from Article 14, letter c of Law Number 1 of 1970, Article 86 and Article 87 of Law Number 13 of 2003, to the technical arrangements in the Regulation of the Minister of Manpower and Transmigration Number PER.08/MEN/VII/2010 concerning Personal Protective Equipment.

When analyzed through the lens of Peter Mahmud Marzuki's thinking, the regulation of PPE obligations also meets the two main elements of legal certainty. First, there are general rules so that every legal subject knows what is mandatory and what is prohibited. In this case, employers know that providing PPE is a legal obligation, while workers know that obtaining PPE is a right they can claim. Second, there is protection against arbitrary actions through clear, measurable norms. The regulation of PPE is not left to the company's subjective policy but is determined normatively by laws and regulations, thereby minimizing interpretive leeway.

In addition, from the perspective of regulatory synchronization, the regulation of PPE obligations exhibits a relatively harmonious relationship across levels of law and regulation. Law Number 1 of 1970 provides the basis for the obligation to provide PPE, Law Number 13 of 2003

places PPE as part of workers' rights to occupational safety and health, Government Regulation Number 50 of 2012 integrates it into the Occupational Safety and Health Management System (SMOHS), while Permenaker Number 8 of 2010 provides technical details regarding the types and standards of PPE that must be provided. This linkage demonstrates vertical and horizontal consistency in the regulatory system, thereby strengthening the value of legal certainty for the parties involved in the employment relationship.

When specifically associated with the rice milling industry, the norms regarding PPE obligations have also provided clear guidelines on the form of protection required. The characteristics of risks in the form of dust, noise, and mechanical hazards from milling machines can be directly correlated with the type of PPE required by Permenaker Number 8 of 2010. Thus, there is no void in norms that causes employers to experience uncertainty about the obligations they must fulfill or workers to experience uncertainty about the rights they can claim.

However, one weak point of legal certainty that can be identified purely normatively is in the dimension of sanctions. As formulated in Article 15 paragraph (1) of Law No. 1 of 1970, the criminal penalty for violators of PPE obligations is only imprisonment for a maximum of 3 months or a maximum fine of Rp 100,000.00. The provisions of these sanctions have been static since the law was enacted in 1970 and have never been updated, so normatively, there is a striking imbalance between the severity of the obligations imposed by the norm and the lightness of the legal consequences for those who violate them. According to the perspective of Radbruch's theory of legal certainty, this imbalance between the norm of obligation and the norm of sanction is a normative gap that has the potential to undermine the value of legal certainty as a whole, because legal subjects who are burdened with obligations do not have a normatively strong enough incentive to comply with those obligations. In other words, legal certainty at the level of regulatory norms has been achieved, but legal certainty at the level of sanction norms still exhibits structural weaknesses of a normative nature that require legislative reform.

- 2. Legal Responsibilities of Entrepreneurs Who Do Not Fulfill the Obligation to Provide PPE in the Rice Milling Industry Reviewed from the Indonesian Labor Law**
 - a. Legal Responsibility Theoretical Framework and Forms of Employer Responsibility**

The analysis of the legal responsibility of employers who fail to provide PPE is based on Hans Kelsen's theory of legal responsibility, which holds that a person is legally responsible when they commit an act contrary to the law.⁸ In this context, an entrepreneur who fails to provide PPE directly violates imperative positive legal norms and thus becomes a subject who must bear the legal consequences of his violation.

Departing from the theoretical framework above, the legal responsibility of employers who fail to provide PPE can be understood through three distinct yet interrelated dimensions: administrative liability, civil liability, and criminal liability. These three dimensions together form a comprehensive OHS law enforcement system as required by the lawmakers.

First, administrative responsibility is the most direct form of responsibility and is often used in enforcing OHS. Based on Article 190 of Law No. 13 of 2003, violations of the obligation to provide OHS, including PPE, can be subject to administrative sanctions in the form of reprimands, written warnings, restrictions on business activities, freezing of business activities, cancellation of approval, cancellation of registration, temporary suspension of part or all of production equipment, and revocation of permits.

Second, the civil liability of the entrepreneur can arise from two legal constructs. The first construction is an unlawful act as stipulated in Article 1365 of the Civil Code, which states that every act that violates the law and brings harm to another person obliges the person who caused the loss due to their fault to replace the loss. In this context, employers who do not provide PPE and, as a result, workers have work accidents or occupational diseases can be sued civilly to compensate workers for material and immaterial losses. The second construction is contractual default if the employment agreement or collective bargaining agreement (PKB) explicitly includes the obligation to provide PPE. According to Iman Soepomo, an employment relationship based on an employment agreement places the employer under a contractual obligation to fulfill all agreed-upon workers' rights, including the right to PPE, and failure to fulfill these obligations constitutes a default that can be prosecuted in court.

Third, criminal liability is the most serious enforcement dimension within the spectrum of entrepreneurs' legal responsibility. Article 15, paragraph (1) of Law No. 1 of 1970 emphasizes that

⁸ Edy Purwito, "The Concept of Consumer Legal Protection and the Legal Responsibility of Business Actors for Expired Granulated Sugar Products in the City of Surabaya," *DECREE: Journal of Master of Law*, Vol. 13, No. 1 (2023), p. 114, <https://doi.org/10.56943/dekrit.v13n1.15>.

anyone who does not comply with occupational safety regulations, including the obligation to provide PPE, is threatened with imprisonment for a maximum of 3 (three) months or a fine of up to Rp 100,000.00 (one hundred thousand rupiah). Although the criminal threat in Law No. 1 of 1970 is relatively mild because it was formed in 1970 when the value of money was far different from today, this provision still has important normative force symbolically as an affirmation that OHS violations can also be categorized as criminal acts, not just administrative violations. In addition, if the employer's negligence in providing PPE results in the death of the worker or the worker suffers serious injury, the employer has the potential to be subject to the provisions of the Criminal Code regarding negligence that results in death or serious injury (Article 359 and Article 360 of the Criminal Code), which are much more serious.

Based on the above descriptions, it can be concluded that the legal responsibility of entrepreneurs in the rice milling industry who fail to provide PPE is multidimensional. Administratively, the entrepreneur may face tiered sanctions, up to the revocation of business licenses. Civilly, he is obliged to compensate workers for any losses suffered as a result of the absence of PPE. Criminally, he can be convicted under Law No. 1 of 1970 and has the potential to be subject to the provisions of the Criminal Code if his negligence results in a fatal accident. The gap between these comprehensive norms and the reality of weak law enforcement is a major challenge that must be overcome by strengthening the capacity of labor supervision, reforming the sanctions system to be more proportionate and deterrent, and increasing legal awareness among informal-sector entrepreneurs, including in the rice milling industry.

Research Gap

Theoretical Gap

Previous studies discuss OHS implementation and worker protection but rarely employ:

1. Gustav Radbruch's Legal Certainty Theory to evaluate PPE regulations.
2. Hans Kelsen's Legal Responsibility Theory to assess employer liability.

Regulatory Gap

Although PPE obligations are regulated under:

1. Law No. 1 of 1970,
2. Law No. 13 of 2003,
3. Government Regulation No. 50 of 2012,

4. Ministerial Regulation PER.08/MEN/VII/2010, few studies critically examine whether these regulations provide effective legal certainty and enforceable sanctions.

Sectoral Gap

Most OHS studies focus on:

1. Manufacturing industries,
2. Construction,
3. Mining,
4. General workplaces.

Very limited legal research specifically addresses:

1. Rice milling industries,
2. PPE compliance in small and medium agro-industrial enterprises,
3. Occupational hazards related to rice dust, machinery, and noise exposure.

Enforcement Gap

1. Existing studies acknowledge PPE obligations but do not evaluate:
2. The effectiveness of sanctions,
3. Administrative, civil, and criminal liabilities,
4. The mismatch between legal obligations and enforcement mechanisms.

Novelty

Conceptual Novelty

This study integrates:

1. Legal Certainty Theory (Gustav Radbruch) to evaluate the clarity and coherence of PPE regulations.
2. Legal Responsibility Theory (Hans Kelsen) to assess legal consequences for employers violating PPE obligations.

The combination of these theories in PPE-related labor law research is rarely found in previous studies.

Regulatory Novelty

This research develops a comprehensive legal mapping of PPE obligations from:

1. Constitutional provisions,

2. Occupational Safety Law,
 3. Manpower Law,
 4. SMOHS Regulations,
- PPE Ministerial Regulations.

Thus, it provides a systematic normative framework that has not been comprehensively synthesized in prior rice-milling studies.

Empirical-Normative Novelty

Unlike prior studies focusing solely on OHS implementation, this study links:

- Normative legal obligations (das sollen),
- Actual workplace practices (das sein),

through evidence from the rice milling industry.

Policy Novelty

The study identifies a significant normative weakness:

Criminal sanctions under Law No. 1 of 1970 (maximum of 3 months' imprisonment or a Rp100,000 fine) are no longer proportional to contemporary labor conditions.

This finding offers a new perspective on the need to reform Indonesian occupational safety legislation.

IV. CONCLUSION

Based on the results of the research, it can be concluded that the normative regulation regarding the obligation to provide Personal Protective Equipment (PPE) for workers in the rice milling industry has a clear, systematic, and tiered legal basis in the Indonesian labor law system. These obligations are not only rooted in the constitutional guarantee of workers' rights to obtain protection and proper treatment in employment relations as stipulated in the Constitution of the Republic of Indonesia in 1945, but are also regulated more specifically through Law Number 1 of 1970 concerning Occupational Safety, Law Number 13 of 2003 concerning Manpower, Government Regulation Number 50 of 2012 concerning the Implementation of Safety Management Systems and Occupational Health (SMOHS), as well as the Regulation of the Minister of Manpower and Transmigration Number PER.08/MEN/VII/2010 concerning Personal Protective Equipment. From the perspective of legal certainty theory, the regulation provides

clarity on the subject of obligations, the objects of obligation that must be fulfilled, and workers' rights to occupational safety and health protection. In the context of the rice milling industry, which poses risks of exposure to dust, noise, and mechanical hazards from the use of production machinery, the obligation to provide and use PPE is a legal requirement that cannot be overruled by the company's internal policy. However, this study also found normative weaknesses in sanctions, particularly the criminal provisions in Law Number 1 of 1970, which have not been updated and no longer reflect the principles of proportionality and the effectiveness of law enforcement in modern labor conditions.

Furthermore, the legal responsibility of entrepreneurs who fail to provide PPE in the rice milling industry is multifaceted and encompasses administrative, civil, and criminal aspects. Violations of the obligation to provide PPE are seen not only as a form of administrative non-compliance with labor regulations but also as a violation of workers' fundamental rights to occupational safety and health. In the administrative dimension, entrepreneurs may face various sanctions, ranging from reprimands to the revocation of business licenses. In the civil dimension, employers can be held liable for compensation if their negligence causes workers to suffer work accidents or work-related illnesses. Meanwhile, in the criminal dimension, employers may be subject to sanctions under Law Number 1 of 1970 and general criminal provisions if their negligence results in the serious injury or death of workers. Therefore, although, normatively, the legal protection system for workers, through the obligation to provide PPE, has been built comprehensively, the effectiveness of this protection still depends on the consistency of supervision, law enforcement, and legal awareness among business actors in implementing occupational safety and health standards in practice in the work environment.

Suggestions

Based on the above conclusions, efforts are needed to reform the law and strengthen the implementation of occupational safety and health policies to enhance worker protection in the rice milling industry. The government, as a regulator, needs to evaluate and update the sanctions provisions in Law Number 1 of 1970 concerning Occupational Safety, especially related to criminal threats and the amount of fines, which are currently no longer relevant to the development of social, economic, and employment conditions. It is important to carry out these reforms so that

legal norms not only provide certainty about the obligations that must be fulfilled, but also have an adequate coercive force and deterrent effect for business actors who ignore their work safety protection obligations. In addition, strengthening the labor supervision function needs to be carried out on a sustainable basis by increasing the frequency of inspections, coaching, and stricter law enforcement, especially in small- and medium-scale sectors that still have a relatively low level of OHS compliance.

On the other hand, entrepreneurs in the rice milling industry need to treat the implementation of OHS and the provision of PPE as an integral to legal and corporate social responsibility, not solely as an operational cost burden. The provision of PPE in accordance with work risks must be accompanied by regular socialization, training, supervision, and evaluation of PPE use to achieve optimal worker protection. At the same time, workers also need to increase awareness and compliance with the use of provided PPE as a form of active participation in realizing a culture of occupational safety. With synergy among the government, employers, and workers, it is hoped that the occupational safety and health protection system in the rice milling industry can be implemented more effectively to reduce the number of work accidents, increase productivity, and realize fair and sustainable industrial relations.

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