



ANALYSIS OF LEGAL PROTECTION AGAINST HEALTH AND SAFETY (K₃), NURSES IN THE ICU (INTENSIVE CARE UNIT) ROOM OF ROYAL PRIMA HOSPITAL MEDAN

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ABSTRACT

Legal protection is all efforts made consciously by every person or government institution, private. Nurses in hospitals are an essential concern, including receiving legal protection of work safety when working there because they are at high risk of occupational accidents and illnesses. This study analyzes the Legal Protection of Health and Safety (K₃) for nurses in the ICU Room (Intensive Care Unit). This type of research is qualitative research and descriptive. The research location is Royal Prima Medan Hospital from April to May 2023, with a sample size of 9 people. The data analysis used is qualitative descriptive analysis research. The results of occupational safety management (SMK₃) have been made based on the rules of the occupational safety management system (SMK₃) government regulation No. 50 of 2012. Royal Prima Hospital has complied with Government Regulation No. 14 of 1993 concerning implementing the Social Security System for Workers, contained in Article 2 concerning social security. Royal Prima Hospital fulfills the provisions of Work Safety Law No. 1 of 1970, regulating work safety in all workplaces, both land, sea, and air, within the territory of the Republic of Indonesia. In conclusion, Royal Prima Hospital is very concerned about the health and safety of its workforce, especially nurses as one of the medical personnel in the field of frontline services.

KEYWORDS: Nurses, Legal Protection, Health, Safety

BACKGROUND

Legal protection against labor, according to Imam Soepomo, is a safeguard so that delivery can do work worthy of humanity. One form of legal protection is work norms, which include protection of labor related to working time, wage system, rest, leave, and decency of worship according to their respective religions and beliefs. (Safaruddin Harahap, 2016); (Nurhalimah, 2018). Occupational safety is "related to equipment, workplace, work environment and ways of doing work." (Boström et al., 2020); (Wahyuni et al., 2018). Meanwhile, occupational health protects workers from events or conditions of work relations that are detrimental to their health and decency regarding workers doing their jobs (Nurchahyo, 2021). In Law Number 13 of 2003 concerning Manpower, article 86 3 paragraph (1) letter a explains that: "every worker or laborer has the right to obtain protection for occupational safety and health (Tumundo, 2017). Organizing occupational safety and health aims to protect workers in building quality and optimal work productivity and providing guarantees in the prevention of work accidents and occupational diseases."

Hospitals are health service industries/workplaces with high risks to human resources' safety and health. Nurses in hospitals are an essential concern, one of which is receiving legal protection of work safety when carrying out their work at the hospital because the work they do is at high risk of occupational accidents and occupational diseases (Dennerlein et al., 2020); (Zulaeha, 2021). This study aims to analyze the Legal Protection of Health and Safety (K₃) of nurses in the ICU

Room (Intensive Care Unit) at Royal Prima Medan Hospital in 2023.

LITERATURE REVIEW

Occupational health is when workers do not experience physical or mental impairment due to the interaction between work and the environment. The law governing occupational safety and health is law n. 13 of 2003 relating to employment, specifically the paragraph on safety and health at work, Articles 86 and 87. (Supriyatman, 2017). The main objective of occupational health and safety is to create a safe and healthy environment or atmosphere to avoid work accidents in connection with the maintenance of employees and thus increase employee loyalty to the company (Manurung, 2020). Law No. 1 of 1970 states that work safety related to machinery, equipment, and work bases can prevent accidents and occupational diseases, protect production resources, and increase efficiency and productivity (Simatupang, 2016). Several studies revealed problems experienced by nurses, such as emotional distress, depression, anxiety, and fatigue during the SARS, COVID-19, and other outbreaks (Shah et al., 2020). Even some medical personnel working mainly in isolation rooms, fever clinics, Intensive Care Units (ICU), and other related departments were infected with COVID-19 when they treated infected patients (Xiao et al., 2020).

Health improvement efforts are to achieve the highest degree of health in a healthy, healthy, and productive state (Hidayat, 2017). Disease management interventions are to treat disease, prevent disease severity, prevent and reduce disability, and



prevent death (Stavsky et al., 2017). An effective way to avoid accidents is to take appropriate measures on workers and their equipment so that workers have occupational health and safety to prevent accidents (Chinniah, 2015); (Golovina et al., 2016). In principle, legal protections do not distinguish us regarding race, religion, or the state government's gender system (Hahn et al., 2018); (Yani, 2018).

RESEARCH METHODS

This type of research is qualitative and descriptive in nature, namely research that describes a symptom, event, or event that is happening now. The study was conducted at Royal Prima Medan Hospital from April to May 2023. The research approach used in the discussion of this research is the statute approach and the sociological approach. Sources of data through observation and interviews with several informants. The primary data sources are nine informants: the Director of Services, the Head of Nursing Services, one person, and the Nurse, seven people. The data analysis used is qualitative descriptive analysis research, namely collecting, sorting, clarifying, and recording the resulting field notes and providing codes so that the data source can be traced and then described (Notoatmodjo, 2013); (Notoatmodjo, 2018).

RESEARCH RESULTS AND DISCUSSION

a. Occupational safety management system (SMK3) government regulation No. 50 Year 2012.

As is known, the purpose of implementing the Occupational Safety and Health Management System (SMK3) is to:

1. To increase the effectiveness of OHS protection utilizing planned, measurable, structured, and integrated methods.
2. To prevent work accidents and reduce occupational diseases, involve management, labor/workers, and labor unions.

The occupational safety management system (SMK3) is mandatory for companies with more than 100 people and high potential hazards. For this reason, companies are required to develop an OHS plan. In developing the OHS plan, employers involve OHS experts, the occupational safety and health committee (P2K3), workers' representatives, and other related parties. SMK3 is part of the company's overall management system to control risks associated with work activities to create a safe, efficient, and productive workplace. (Fitriana, 2017).

Based on the results of interviews with the director of services and the head of care in the ICU (Intensive Care Unit) of Royal Prima Hospital Medan, it is stated that occupational safety management (SMK3) has been made based on the rules of the occupational safety management system (SMK3) government regulation No. 50 of 2012. The occupational safety management system (SMK3) planning process at Royal Prima Hospital involves K3 experts, the occupational safety and health committee (P2K3), workers' representatives, and other related parties.

b. Implementation of legal protection against Health Insurance for nurses at Royal Prima Hospital.

Government Regulation No. 14 of 1993 concerning the Implementation of the Social Security System for Workers is contained in Article 2 concerning social security for workers as intended in this Government Regulation, which includes work accident insurance, death insurance, and antiquity insurance—guarantees in the form of services, namely medical assistance guarantees (Indonesia, 2001). Workers' social security can address occupational risks while protecting people, which helps improve work efficiency. (Tjakra Jemias & Arsjad, 2016).

Based on the results of interviews with the service director, head of nursing, and nurses who were sampled. All respondents said that nurses, other medical personnel, and all employees at Royal Prima Hospital received health insurance from the management. All employees receive BPJS health insurance facilities, as stipulated in Indonesian Presidential Regulation No. 82 of 2018 concerning health insurance. The payment of contributions also follows Presidential Regulation No. 82/2018, Article 30 point 2, with the provisions that the employer pays 3% and 2% is borne by the worker. The class of health facilities received varies depending on the position, wage, and length of service of each nurse working in the ICU (Intensive Care Unit) of Prima Medan Hospital.

Based on the above provisions, it can be said that Royal Prima Hospital has complied with Government Regulation No. 14 of 1993 concerning implementing the Tena1ga Ke1rja Social Security System, contained in Article 2 concerning social security for workers. Presidential Regulation of the Republic of Indonesia No. 82 of 2018 Article 13 point 1 concerning Employers are obliged to register themselves and their workers as health insurance participants to BPJS Health by paying contributions, article Article 28 point 3 concerning Contributions for PPU participants are paid by employers and workers and Article 30 point 2: Contributions are produced with the provisions of 3% (three percent) paid by the employer and 2% (two percent) made by the participants.

c. Implementation of legal protection against safety for nurses at Royal Prima Hospital

Work Safety Law No. 1 of 1970 regulates work safety in all workplaces, both land, sea, and air, within the territory of the Republic of Indonesia (Darmayanti, 2018). The work safety law aims to reduce accidents, reduce the danger of blasting, force an increase in the ability of workers to provide first aid in accidents and provide protective equipment to workers, especially for jobs that have high risks, and help create a conducive work environment such as workplace lighting, cleanliness, air circulation, and harmonious relationships between workers, work environment, equipment and work processes (Arkisman, 2018).

The work safety law contains technical instructions regarding what must be done by and to workers to ensure the safety of the workers themselves, public safety, and the products produced because so many processes are carried out by taking into account the development of science and technology, which causes changes in the occupational risks faced by workers in



their workplace (Simatupang, 2016). The legal basis for Personal Protective Equipment in the workplace is contained in Law No. 1 of 1970.

1. Article 3 paragraph (1) point f:
"Using laws and regulations, occupational safety requirements shall be established for providing workers with personal protective equipment..."
2. Article 9 paragraph (1) item c:
"The management must show and explain to each new worker the..... personal protective equipment for the worker concerned."
3. Article 12 point b:
"The obligation and right of workers to wear the required personal protective equipment shall be regulated by laws and regulations..."
4. Article 14 item b:
Article 14 point c:
"The management is required to provide, free of charge, all personal protective equipment required for the workers under its control and to make it available to every other person who enters the workplace, accompanied by the necessary instructions according to the instructions of supervisory employees or occupational safety experts..."

As mentioned, OHS protective equipment is a device that wholly or partially isolates parts of the body from potential hazards. If described in more detail, the objectives of using PPE include the following:

1. Protect the workforce from the potential risk of OHS hazards.
2. Increase work effectiveness and productivity.
3. Creating a safe work environment (Novianto, 2015).

The results of interviews with the director of services and the head of nursing nurses in the ICU (Intensive Care Unit) of Royal Prima Medan Hospital said that for nurses and patient-related personnel, the hospital has provided and is required to use complete PPE when carrying out work. The regulations for the use of PPE have also been stated in the work agreement of each nurse, both sanctions and fines received by nurses if they do not comply with the rules for wearing PPE. In every corner of the room, a leaflet is also installed to warn the use of PPE for medical personnel. Especially in the changing room for medical personnel, there are also regulations on the obligation to use PPE and how to use PPE properly and correctly. This is done to improve preventive measures for disease transmission to nurses and other medical personnel.

Based on the interview results with seven sampled nurses, they said that PPE is indeed provided and required for all medical personnel working at Royal Prima Hospital. This is to minimize nurses and other medical personnel being exposed or infected from diseases from patients handled directly by nurses. From the researchers' observations, all health workers on duty wore complete PPE, such as gloves, headgear, masks, uniforms, and shoes.

So, based on the above provisions, Royal Prima Hospital fulfills the Work Safety Law No. 1 requirements of 1970, regulating

work safety in all workplaces, both land, sea, and air, within the territory of the Republic of Indonesia. The legal basis for Personal Protective Equipment in the workplace is contained in Law No. 1 of 1970: Article 3 paragraph (1) point f, namely providing personal protective equipment to workers, Article 9 paragraph (1) point c, namely the management is required to show and explain to each new worker, Article 12 point b the obligation and right of workers to wear the required personal protective equipment, Article 14 point c about installing in the workplace he leads, all required work safety drawings and all other guidance materials.

CONCLUSION

Based on the discussion and research that has been done, it can be concluded that Royal Prima Hospital has a health and safety management system (SMK3) following government regulation No. 50 of 2012. Royal Prima Hospital Medan complies with implementing the legal protection of health insurance following Presidential Regulation No. 82 of 2018 concerning health insurance. All employees, especially nurses in the ICU (Intensive Care Unit) of Royal Prima Hospital, receive BPJS health insurance. Where the payment contribution also follows Presidential Regulation No. 82/2018 Article 30 point 2, the donation is paid with the provisions of 3% (three percent) produced by the employer and 2% (two percent) paid by the participant. Royal Prima Hospital Medan complies with the Work Safety Law No. 1 of 1970, regulating work safety in all workplaces, both land, sea, and air, within the territory of the Republic of Indonesia. The legal basis for Personal Protective Equipment in the workplace is contained in Law No. 1 of 1970.

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