

Aspects of Legal Protection of Health Workers Regarding Occupational Safety and Health (K3) in Hospitals

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Article Info

Article history:

Received Sep 9, 2025

Revised Sep 20, 2025

Accepted Sep 30, 2025

Keywords:

Health Law,
Health Workers,
Hospitals,
Legal Protection,
Occupational Safety and
Health

ABSTRACT

Background: Hospitals are intricate environments characterized by significant occupational hazards for healthcare professionals. Despite the crucial role of healthcare experts, occupational accidents and work-related diseases continue to occur, underscoring inadequacies in legislative protections and the implementation of occupational safety and health (OHS) regulations. **Objectives:** To evaluate the legal protections for healthcare professionals regarding occupational safety and health in hospitals, to analyze the legal framework governing hospital occupational health and safety, and to specify the legal remedies available to healthcare workers facing occupational injuries. **Methods:** This research employed a normative juridical methodology utilizing statutory, conceptual, and case law approaches. The data were examined using legal interpretation and systematic legal reasoning. **Results:** The findings reveal that Indonesia has developed a robust legal framework for hospital occupational health and safety; however, discrepancies in law enforcement and institutional deficiencies remain, while access to effective legal remedies is constrained by administrative obstacles and insufficient legal awareness. **Conclusions:** Legal safeguards for occupational safety and health for healthcare workers in hospitals are thoroughly established; nonetheless, their efficacy is contingent upon the quality of implementation, management commitment, and the robustness of regulatory oversight and enforcement procedures.

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1. INTRODUCTION

Occupational safety and health (OHS) concerns in hospitals are a worldwide priority due to the high-risk nature of these workplaces, where exposure to biological, chemical, ergonomic hazards, and psychological risks occurs concurrently within a single service system. From a health administration and policy standpoint, occupational health and safety concerns at hospitals affect not just healthcare personnel but also the quality of services, patient safety, and the operational viability of the organization.

Health administrations assert that safety occurrences affecting patients and healthcare staff must be monitored using a standardized reporting system to establish a foundation for evidence-based responses. An assessment of the patient safety incident reporting system in hospitals reveals that incident reporting and subsequent learning are essential elements for enhancing the service system (Tristantia, 2018).

The capacity of a hospital to manage risk at the organizational level is profoundly affected by the reporting behaviors and beliefs of healthcare professionals concerning safety, leadership endorsement, and administrative repercussions. Research on factors influencing the reporting of patient safety incidents in hospitals indicates that both human and organizational characteristics are significant, particularly regarding knowledge, training, and management support (Pratiwi et al., 2024). A study on obstacles to reporting patient safety accidents revealed that factors hindering reporting must be addressed to enable businesses to learn and prevent recurrence. (Habibah & Dhamanti, 2025).

Enhancing occupational safety and health risk management is essential for averting workplace accidents, especially in high-intensity service sectors. An examination of occupational safety and health risk control and management validates the necessity of a risk management strategy to mitigate unfavorable incidents for healthcare professionals and hospital institutions (Irgi Biantara & Dyah Kusumastuti, 2023). The incidence of occupational accidents among healthcare professionals, especially nurses, is affected by safe work practices, adherence to procedures, and the prevailing safety culture. In the nursing environment, safe injection procedures are associated with the prevention of needlestick injuries; therefore, elements of safe

work behavior must be reinforced by policies and continuous training (La Ode Alifariki, 2019).

From a legal standpoint, safeguarding healthcare workers in occupational health and safety within hospitals necessitates a definitive normative framework for rights, obligations, standards, and rehabilitation processes in the event of a work-related incident. This study aims to analyze the legal protection afforded to healthcare workers concerning occupational safety and health in hospitals, examine the legal framework regulating OHS in these institutions, and identify the legal remedies accessible to healthcare workers who encounter work-related accidents.

2. RESEARCH METHOD

This study employs a normative juridical approach, concentrating on the examination of legislative norms that regulate occupational safety and health (OHS) protections for healthcare professionals in hospitals. This methodology was used to evaluate the consistency, sufficiency, and coherence of legal laws pertaining to hospital occupational health and safety, as well as their consequences for the rights and obligations of the involved parties. Normative legal research is a methodology that investigates legislation as a norm and the relevant normative framework, employing literature reviews as the principal data source to assess the consistency, coherence, and pertinence of norms for OHS legal protection in hospitals (Negara, 2023). The methodologies employed consist of a statutory approach to analyze the hierarchy and substance of regulations, a conceptual approach to investigate the notions of legal protection and (K3), and a case approach to enhance the normative analysis. This research seeks to provide a systematic and argumentative legal framework through these methodologies.

This study utilizes main legal documents, including laws and regulations related to work, health, hospitals, and hospital K3, with secondary legal materials comprising scientific journal articles in the Indonesian language. The analytical methods employed consist of grammatical, systematic, and teleological interpretation to assess the congruence of standards and their ramifications for the safeguarding of healthcare professionals.

3. RESULTS AND DISCUSSIONS

The research indicates that Indonesia has implemented multiple regulatory frameworks regulating occupational health and safety (K3) in hospitals, encompassing labor, health, and social security legislation. These regulations officially ensure healthcare workers' rights to secure working environments and remuneration for occupational injuries. Nonetheless, their execution differs significantly among organizations. Administrative enforcement methods are applied inconsistently, and the workplace accident reporting system is fragmented.

a. How is Legal Protection for Health Workers Regarding Occupational Health and Safety in Hospitals?

Legal protection for health workers regarding occupational safety rests on the recognition of the right to occupational safety, which must be reflected in internal hospital policies. In practice, legal protection is most effective when implemented through a functional K3RS management system, rather than merely existing as a compliance document. This pattern is consistent with findings on the implementation of occupational safety and health in hospitals, which emphasize the importance of governance and management support (Suprpto, 2021).

In the context of healthcare workers, legal protection is inseparable from the institution's obligation to ensure the availability of PPE, training, and a safety culture. Weak protection is often rooted in weak knowledge and procedural compliance, necessitating organizational intervention. Empirical evidence in emergency services indicates that healthcare workers' OSH knowledge is a critical determinant of compliance and occupational safety. Therefore, fulfilling OSH rights cannot be achieved through norms alone but must be realized through increased human resource capacity. This model aligns with the findings of the analysis of OSH knowledge in hospital emergency rooms (Haryanto et al., 2024).

Studies on the implementation of occupational safety and health (K3) in relation to nursing workplace accidents demonstrate a relationship between K3 implementation and a reduction in incidents. Studies of needlestick injury factors in nurses emphasize that training, standard operating procedures (SOPs), and

supervision are associated with injury occurrences, so protection needs to be directed at systemic controls (Oga et al., 2025).

Legal protection for healthcare workers is also related to social security and compensation arrangements, but prevention remains the core of OSH. Many cases of "near misses" and minor injuries go unrecorded, weakening the protection function because risk data is not generated. Healthcare workers receive legal protection in the form of supervision and guidance, but this legal protection remains weak because some healthcare workers' rights are not met (Syafitri & Hum, 2021).

Adequate legal protection requires a documented, audited, and continuously improved occupational safety and health management system. Within the administrative law framework, substantive non-compliance can be viewed as a violation of the healthcare facility's obligations. Therefore, hospital management must implement an Occupational Safety and Health Management System (SMK3) to reduce the number of workplace accidents and occupational diseases and to serve as a benchmark for the success of SMK3 implementation (Purnawati Rahayu et al., 2025).

b. What is the legal framework for regulating K3 in hospitals?

Hospitals in Indonesia exhibit diverse levels of occupational safety and health legislative frameworks, integrating health sector requirements with general employment regulations. In practice, sectoral regulations serve as operational technical guidelines that bind hospital management in implementing K3RS. The Minister of Health Regulation on K3RS provides a framework for risk management, K3 organization, and monitoring and evaluation. This construction demonstrates that K3RS is part of hospital governance and not an additional program.

The K3RS legal framework also interacts with quality management and patient safety standards, necessitating an integrative approach. Studies of K3RS standard implementation emphasize that integration with the hospital quality system strengthens consistency in implementation. Therefore, a policy approach that integrates K3RS, quality, and PPI is more appropriate to the risk characteristics of hospitals. Findings from the SMK3RS implementation review confirm that the main

obstacles are limited resources and management support (Florianus Hans Matheus Mawo, 2025).

The legal framework also needs to be understood through the concept of an "organizational duty of care" in protecting workers. Hospitals, as employers, have a legal obligation to identify hazards and prevent workplace accidents. Implementation instruments such as the Occupational Health and Safety Management System (SMK3) provide a way to demonstrate systematic fulfillment of this obligation. According to Indonesian Minister of Health Regulation No. 66 of 2016, safety and security in hospitals include risk identification and assessment, mapping of locations at risk of safety and security disruptions in hospitals, in order to control and prevent unsafe incidents. Establishing safety and security standards in hospitals is carried out to prevent accidents and injuries and to maintain a safe working environment for hospital staff, clients and their families, and visitors (Yudi Susanto, 2021).

Training and recurring training are operational elements for the K3RS legal framework. Occupational Health and Safety Management System (SMK3RS) educational activities demonstrate that educational interventions can improve workers' understanding of potential hazards and safety procedures. Under the policy law, training is a form of fulfillment of the provider's obligation to ensure workers are competent to work safely. Therefore, the indicator "coverage of occupational health and safety training" can be included as a measure of compliance. Evidence from SMK3RS educational activities demonstrates the relevance of capacity-building strategies as part of policy implementation (Yulianti et al., 2024).

In the realm of healthcare law, the OSH framework is closely linked to patient safety, as incidents that injure healthcare workers can also impact service quality. This approach strengthens the legitimacy of OSH regulations within the healthcare system. Empirical evidence on the impact of OSH on nurse performance reinforces this relevance (Cahyani, Ni Putu Pande Asri, 2022).

Overall, the Indonesian OSH legal framework provides a relatively comprehensive normative structure, but success depends on integration, oversight, and organizational capacity. In policy, implementation gaps often occur due to differences in resources and safety culture among hospitals. Therefore, recommendations for improving the legal framework can be directed at strengthening

minimum standards, performance indicators, and external audit mechanisms. Proper implementation of OSH is absolutely essential (Permata, 2024).

c. What are the legal remedies for health workers who experience work accidents in hospitals?

Legal proceedings for healthcare personnel who suffer from workplace accidents typically initiate via the hospital's internal administrative processes, encompassing event reporting and inquiry. This method is essential for gathering evidence, identifying the root problem, and implementing corrective measures. Research on nursing workplace accidents reveals that numerous instances are affected by training, work attitudes, and the utilization of personal protective equipment (PPE), so rendering organizational investigations crucial to these matters (Zainuddin et al., 2024).

Upon internal reporting, healthcare personnel may utilize the social security system for treatment and compensation, provided they satisfy the criteria for a work-related accident. Workplace accident insurance offers benefits, including healthcare and/or compensation, managed by the BPJS Ketenagakerjaan (Employment Social Security Agency) for participants, specifically healthcare workers enrolled in BPJS Ketenagakerjaan who encounter work-related accidents or PAK (Yuardini & Rusdiana, 2024).

Legal remedies may manifest as civil lawsuits where losses may be demonstrated to stem from negligence or violations of occupational safety duties. In the context of hospital management, evidence is typically linked to non-compliance with K3RS and SMK3 standards. The legal protection for medical and health professionals is delineated in Article 273, paragraph (1), letter an of the Health Law, which asserts: "Medical and Health Workers are entitled to legal protection while performing their duties in accordance with professional standards, service standards, operational procedures, and ethical guidelines, as well as the health requirements of patients." (Vidi Galenso Syarief, 2023).

In certain circumstances, civil proceedings may progress to criminal charges if there is egregious negligence or a breach leading to severe repercussions. The likelihood of criminal prosecution escalates if a hospital intentionally neglects safety

responsibilities, although this may not pertain to all workplace incidents. The prospect of consequences in policy acts as a reminder for hospitals to adhere to K3RS requirements. A hospital that neglects to form a K3RS committee may incur legal culpability, encompassing both criminal and civil repercussions. The establishment of a K3RS committee is the responsibility of the hospital (Perkasa, 2021).

Legal remedies encompass administrative advocacy with regulators when hospitals do not adhere to their OHS duties. This method is essential as external oversight can compel systemic enhancements unattainable through internal mechanisms. Significant alternatives to legal remedies include non-litigation options such as internal mediation, occupational health and safety committee methods, and human resources policy-based resolutions. These models are crucial for facilitating rapid victim healing while concurrently enhancing the system. The influence of OHS leadership and governance in overseeing facilitation, assessment, and follow-up is a critical determinant of an organization's efficacy in addressing workplace accident situations (Dwi Ani Rahmawati, Nuraini, 2025).

Legal recourse for healthcare professionals who suffer workplace accidents necessitates a comprehensive framework encompassing reporting, investigation, rehabilitation, social security, and accountability mechanisms in cases of carelessness. An effective health policy strategy involves enhancing access to recovery and preventing recurrence through systemic improvements.

4. CONCLUSION

The normative legal analysis indicates that legal protection for occupational safety and health (OHS) for healthcare workers in hospitals is established by different laws and comprehensive sectoral regulations. Nonetheless, the presence of these legislative norms does not ensure comprehensive protection at the implementation level, as discrepancies persist between normative provisions and the practice of occupational health and safety in hospitals. The legal framework for occupational health and safety in hospitals mandates institutional responsibilities to avert workplace accidents, manage risks, and uphold the rights of healthcare workers; however, its efficacy is significantly affected by management commitment, organizational capability, and monitoring and evaluation systems. In the occurrence

of a workplace accident, legal recourse for healthcare professionals is typically accessible via administrative systems, social security, and legal accountability frameworks, but access and use encounter structural and administrative impediments. Therefore, the legal protection of occupational health and safety in hospitals necessitates the enhancement of both regulatory measures and the governance of implementation and law enforcement to ensure the substantive fulfillment of healthcare workers' occupational safety rights.

5. SUGGESTION

Hospitals and policymakers can enhance occupational safety and health by establishing a comprehensive hospital OHS management system, underpinned by management commitment, continuous training, and efficient reporting and assessment processes. Moreover, regulatory supervision and enforcement must be enhanced to guarantee the realization of healthcare workers' occupational safety entitlements. Additional research is advised employing an empirical or socio-legal methodology to thoroughly evaluate the efficacy of OHS legislative provisions in hospital settings.

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