

CHAPTER I

INTRODUCTION

A. Background

A workplace accident in the coal mine area over the concession of PT Surya Teknik Anugerah (STA) occurred on Sunday (21/6/2015) at about 11:30 in Indonesia Central Time (WITA). The victim was Juliansyah (41), a bulldozer operator of the mine site and the accident caused him to die on the spot after a dump truck befell his body.¹

It did not occur accidentally, rather than due to the weakness in the side of either the laborer or the employer or both. The impact can bring a trauma for both parties. For laborers, injuries can affect their selves, families, and quality of life while the employer will suffer from production losses, wasted time for investigation, and, at worst, charges for legal proceedings.²

There is always a risk of failure in each process/work activity. In addition, when a work accident happens, no matter how small it is, it will cause losses. Therefore, as much as possible and as early as possible, accidents/potential workplace accidents must be prevented/removed, or at least mitigated. With reference to the work safety issue in a company, it should be taken seriously by all components of the business actors, and it

¹ Berita Borneo, 22 Juni 2015 “Insiden Terjadi di Tambang STA, 1 Tewas”, <http://beritaborneo.co.id/insiden-terjadi-di-tambang-sta-1-tewas/> Accessed 5 October 2015 at 7.13 p.m in Indonesia Central Time (WITA)

² John Ridley, 2008, *Ikhtisar Kesehatan dan Keselamatan Kerja*, Edisi Ketiga, Jakarta, Penerbit Erlangga, p. 113

cannot be done partially and treated as marginal discussions within the company.³

Work safety is an important aspect that must be considered in every activity of a company. One attempt to reach a safe condition is to avoid or reduce the occurrence of accidents. For that reason, a professional, efficient, effective, and fast investigation is necessary in the future. The root causes of any accident that happens should be sought.⁴

Laborers are a company's important asset. Therefore, they must be given protection in the case of K3 (which stands for *Kesehatan dan Keselamatan Kerja* or "Health and Safety of Work") because there are a threat and potential hazards associated with the work. Considering the issue, the government has made a policy for the protection of laborers against the K3 aspects through the K3 legislation. The legislation governing K3 is needed to provide elucidation to all laborers and employers in order that they can understand the rules, especially regarding their rights and obligations.

The Law No. 1 of 1970 on Work Safety provides protection for the safety of workers, protection for other people who are entering the work area, and protection for production resources in order to be used safely, effectively, and efficiently. The scope of the Law on Work Safety covers workplaces on

³ I Gede Widayana and I Gede Wiratmaja, 2014, *Kesehatan dan Keselamatan Kerja*, Yogyakarta, Graha Ilmu, p. 123

⁴ Sajidi Hadiopoetro, 2014, *Manajemen Komprehensif Keselamatan Kerja*, Jakarta, Yayasan Patra Tarbiyyah Nusantara, p. 38

land, soil and water surfaces. Moreover, in water and in the air there are elements of the business performed, labor, and hazards.⁵

Work safety can apply properly when the government and the company work together. The government, in this case, is represented by the Department of Manpower and Transmigration at the regional level, which conduct supervision to all companies in terms of the implementation of the provisions in mining areas of Kutai Kartanegara. The supervision undertaken by the Department of Manpower and Transmigration is handled by the Division of the Supervision Section. Their job is to collect data, make an evaluation every year, and give warning to any company which violates the provisions.

The case of work safety always becomes a problem in mining activity, because the accident increases every year without any supervision by the local government. By looking the problem, the writer takes the title “The Role of the Local Government in Supervising the Implementation of the Provisions on Works Safety for Laborers in the Mine Areas of Kutai Kartanegara”. The title is derived from the result of observation of the writer regarding the continuous accidents that happen in coalmine areas of Kutai Kartanegara.

⁵ *Ibid*, p. 32

B. Statement of the Problems

Accidents in the workplace have often been discussed, therefore the writer thinks that safety is very important to be discussed and in this research, the writer takes some subject matters, namely:

1. How is the role of the local government in supervising the implementation of the provisions on work safety for laborers in the mine areas of Kutai Kartanegara?
2. Are there any obstacles faced by the local government in supervising the implementation of the provisions on the work safety in the mine areas of Kutai Kartanegara?

C. Objectives of the Research

The objectives of the research are:

1. To examine the supervision of the implementation of the provisions on work safety for laborers in the mine areas in Kutai Kartanegara;
2. To collect information on the obstacles faced by the local government in supervising companies regarding the implementation of the provisions on work safety for laborers in the mine areas in Kutai Kartanegara;
3. To propose suggestions on the better implementation of the provisions on work safety for laborers in the mine areas in Kutai Kartanegara.

D. Benefits of the Research

The benefits of this research are presented as follows:

1. The implementation of safety management in accordance with the procedures and rules that have been established in order to minimize the number of mining work accidents.
2. Workers' better insight regarding the importance of the implementation of the safety management in order to minimize the moral and material losses caused by an accident.