

# **Legal Counseling on the Implementation of Labor Laws as a Legal Protection Measure Against the Exploitation of Child Labor in the Village of Kelambir Lima Hamparan Perak**

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## **Abstract**

The exploitation of child labor in Indonesia, particularly in villages with challenging socioeconomic conditions, remains a significant problem despite the existence of various regulations governing child protection. This study aims to analyze the implementation of the Manpower Act in the legal protection of child laborers in Kelambir Lima Village, Hamparan Perak, Deli Serdang Regency, and to identify the obstacles faced in the application of these regulations. The research approach used is qualitative with a descriptive method. Data were collected through in-depth interviews, participatory observation, and documentation studies involving the village community, child workers, village government officials, and non-governmental organizations (NGOs). The results of the study show that although the Manpower Act regulates the protection of child workers, its implementation in the field is still hampered by a lack of legal understanding among the community, limited supervision at the village level, and families' economic dependence on children's income. This study also identified several obstacles, such as a lack of effective legal education and minimal resources to carry out adequate supervision. Based on these findings, this study recommends strategic measures, including increasing legal education for the community, strengthening labor supervision, and providing alternative livelihoods for families that depend on children's income. This study is expected to make a significant contribution to efforts to reduce child labor exploitation through more effective implementation of the Labor Law at the village level.

**Keywords : Exploitation, Child Labor, Labor Law, Legal Protection**

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## Introduction

The exploitation of child labor in Indonesia, particularly in rural areas such as Kelambir Lima Village, Hamparan Perak, is a deep-rooted social problem despite existing regulations governing child protection. Kelambir Lima Village, located in Hamparan Perak Subdistrict, Deli Serdang Regency, North Sumatra, faces challenging socioeconomic conditions. In an environment with high poverty rates, many families rely on their children to work in the informal sector, such as agriculture, home industries, and trade. This causes children in these villages to often become victims of labor exploitation, which is very risky for their physical and mental health and education.

Law No. 13 of 2003 concerning Labor in Indonesia has established strict rules regarding the protection of child workers. One of the main regulations stipulated in Articles 68 and 72 of the law is the prohibition of child labor below a certain age and regulations regarding a safe working environment for children. However, despite these strict regulations, there are still many violations of children's rights in the workplace, especially in rural areas where supervision is still minimal. Studies show that even though there are clear regulations, supervision and implementation in the field are often ineffective. Several factors that hinder implementation include a lack of knowledge about children's rights, limited access to child protection agencies, and limited resources for labor supervision at the local level.

Previous literature reviews reveal that although legal protection for child laborers is regulated in various policies, the effectiveness of its implementation is often questioned. Research [1] shows that weak supervision and low legal awareness among employers are the main factors behind the continued exploitation of child laborers. In addition, it emphasizes the importance of synergy between the government, community, and private sector to create a safe working environment for children, as well as the important role of child protection policies in the world of employment. [2] This shows that there is an urgent need to strengthen the implementation of the Labor Law to ensure that children's rights are well protected.

The scientific novelty of this research lies in its in-depth analysis of the implementation of the Labor Law in Kelambir Lima Village, with a focus on the protection of child workers, which has not been widely researched. This study aims to identify factors that hinder the effectiveness of legal protection and provide recommendations to improve the implementation of these regulations at the village level. With a normative and empirical legal approach, this study is expected to make a significant contribution to strengthening law enforcement against the exploitation of child labor and serve as a reference for labor policies in similar areas.

## Literature Review

### Labor Law and Child Worker Protection

Law No. 13 of 2003 concerning Labor is the legal basis governing labor in Indonesia, including provisions on the protection for child workers. Article 68 of the Labor Law stipulates that child workers under the age of 13 are prohibited from working in hazardous places, while Article 72 requires the separation of child workers and adult workers. Although these regulations exist, their implementation in the field still faces many challenges.

Although there are provisions governing child labor in the Manpower Act, their implementation is often hampered by various factors, one of which is the lack of effective supervision.[3] In rural areas such as Kelambir Lima Village, many child workers are involved in the informal sector, particularly agriculture and trade, which are difficult to monitor because they are not registered in the formal employment system.

Supervision of child laborers in the informal sector is often limited because there is no separation between child laborers and adults, so there are no specific regulations regarding their working environment.[1] In fact, in some cases, children work in conditions that are extremely hazardous to their physical and mental health, such as exposure to pesticides or working in places that do not meet safety standards.

### **Exploitation of Child Labor in the Informal Sector**

The exploitation of child labor often occurs in the informal sector, which is not strictly monitored by the authorities. Research shows that child workers in this sector often do not have access to adequate legal protection because they work in hidden and unregistered conditions.[4] The informal sector includes agricultural activities, home industries, small trades, and other jobs that are not recorded in the formal employment system.

Siahaan revealed that many parents see their children as a source of additional income, especially in rural areas with high poverty rates.[5] This leads to children working from an early age, often without considering the impact on their education and health. In many cases, children working in this sector not only lose the opportunity to obtain a proper education, but also face great risks to their physical and mental health.

Exposure to hazardous working conditions, such as exposure to chemicals, working in unsafe positions, and not having clear working hours, can cause serious health problems for children, including respiratory disorders, bone problems, and psychological disorders.[2] Therefore, even though there are regulations governing the protection of child workers, the main challenges are weak implementation and limited supervision.

### **Legal Education as an Effort to Protect Child Workers**

Legal education plays a key role in raising public awareness of child labor rights and the importance of education for children. Hasani explained that through legal education, the public will obtain better information about existing labor regulations, including children's rights and employers' obligations to separate children's workplaces from those of adults.[6] With this increased knowledge, the community is expected to participate in reducing the exploitation of child laborers.

Legal education can also help strengthen oversight of the implementation of labor laws at the village level. [7] Legal education that provided regularly, it can change public perception of child labor and promote understanding that involving children in hazardous work is contrary to human rights. Effective outreach will encourage the public to be more concerned and proactive in preventing child labor exploitation.

However, according to Tjahjanto, legal education in rural areas is often limited due to difficult access and a lack of resources to conduct comprehensive education campaigns. Therefore, a more innovative approach is needed, such as utilizing local media or using community-based education methods that are closer to the community.

### **Barriers to the Implementation of Child Labor Protection Regulations**

Although existing regulations are quite clear, the implementation of labor laws related to child labor is often hampered by several factors. One of the main obstacles is the lack of legal awareness among the community, especially in rural areas.[8] Many parents consider child labor to be part of education or a family obligation, without considering the long-term impact on the child's welfare.

Poor family economic conditions are often the reason why children are forced to work.[6] Family dependence on children's income can exacerbate exploitation, as parents prefer to have their children work to help the family economy rather than send them to school. This indicates the need for policies that not only regulate the prohibition of child labor, but also provide alternatives for families who depend on children's income.

In addition, weak supervision is also a major obstacle to the implementation of this regulation. Siahaan [5] explains that in rural areas, where government supervision is very limited, many children work without being detected by the authorities. Therefore, strengthening the supervision and law enforcement systems at the local level is very important to ensure the effectiveness of child labor protection.

## **The Role of Non-Governmental Organizations (NGOs) in the Protection of Child Laborers**

Non-governmental organizations (NGOs) play an important role in the protection of child laborers, particularly in raising public awareness and providing assistance to children who are victims of exploitation. Hasani [6] revealed that NGOs can serve as a bridge between the community and the government, as well as play an important role in advocating for the rights of child workers at the community level.

In addition, NGOs can also play a role in organizing more effective outreach programs at the village level. NGOs have the capacity to reach areas that are difficult for the government to reach, as well as experience in involving local communities in efforts to protect children's rights. [9]

## **Government Programs to Combat Child Labor Exploitation**

The Indonesian government has launched various programs to reduce the number of child laborers, one of which is the Family Hope Program (PKH). This program provides social assistance to poor families, which can reduce their dependence on their children's income. This program is quite effective in reducing child labor, but there are still many challenges in ensuring that poor families actually use the assistance for its intended purpose, namely to improve the welfare of their children. [10]

## **Research Methodology**

This study aims to analyze the implementation of the Manpower Act in the protection of child labor in Kelambir Lima Village, Hamparan Perak, and to identify the obstacles faced in its implementation. This study uses a qualitative approach with a descriptive research method,[11] which focuses on a deep understanding of the phenomenon of child labor exploitation and efforts to protect children at the village level. The methods used are as follows:

### **Research Approach**

The approach used in this study is qualitative with a descriptive research type. This approach was chosen because the main objective of the study is to describe and gain an in-depth understanding of the implementation of labor laws related to the protection of child workers, as well as to identify the obstacles faced by the community and local officials in implementing these regulations.

## **Research Location and Subjects**

This research was conducted in Kelambir Lima Village, Hamparan Perak, Deli Serdang Regency, North Sumatra. This village was chosen as the research location because of significant problems related to the exploitation of child labor in the informal sector, as well as the lack of legal education received by the local community.

The research subjects consisted of several groups relevant to the research issue, namely:

- a. The village community, especially parents who employ their children.
- b. Child laborers in Kelambir Lima Village who are involved in informal work.
- c. Village government officials, such as the village head, village officials, and labor inspectors who play a role in enforcing labor laws at the local level.
- d. Non-governmental organizations (NGOs) or organizations that focus on child protection and children's rights in the village.

## **Data Collection Techniques**

Several data collection techniques used in this study are as follows:

- a. In-Depth Interviews

Interviews were conducted with relevant research subjects, namely parents of child workers, the child workers themselves, village government officials, and representatives from NGOs. These interviews aimed to obtain firsthand information about their understanding of the

Labor Law, its implementation in the field, and the obstacles they face. The interviews also explored their experiences and views regarding the exploitation of child labor and the protection efforts undertaken.

b. Participatory Observation

The researchers conducted direct observations in the field to see the real conditions of child laborers in Kelambir Lima Village, as well as to monitor the situation in places where children work, such as in the agricultural and trade sectors. These observations were conducted to obtain empirical data that could describe practices of child labor exploitation that are not detected by the law.

c. Documentation Study

Researchers will collect documents relevant to this study, such as local regulations, reports on child labor, and data related to the implementation of the Labor Law in Kelambir Lima Village. The documentation study will also include reports from NGOs related to the exploitation of child labor.

### **Data Analysis**

Data collected from interviews, observations, and documentation studies will be analyzed qualitatively using thematic analysis techniques. The analysis process will be carried out in the following steps:

a. Data Reduction

After the data is collected, the researcher will reduce the data by sorting and selecting data that is relevant to the research focus. Data that is irrelevant or does not support the analysis will be discarded.

b. Thematic Coding

The reduced data will be coded to identify the main themes related to the implementation of labor laws, existing obstacles, and efforts to protect child workers. These themes will be grouped based on the research questions that have been formulated.

c. Data Presentation

The coded data will be compiled in the form of a narrative that describes the phenomenon as a whole. The results of this analysis will show how the Labor Law is implemented in the village, the existing obstacles, and the steps that can be taken to improve legal protection for child workers.

### **Results**

#### **Implementation of the Labor Law in the Protection of Child Workers in Kelambir Lima Village, Hamparan Perak.**

Law No. 13 of 2003 concerning Labor clearly regulates the protection of child workers. Articles 68 and 72 of this law explicitly prohibit children from working in sectors that endanger their safety and health. However, the implementation of this law in Kelambir Lima Village, Hamparan Perak, is still hampered by several factors.

First, many people do not fully understand the rights of child workers. In villages with low levels of education, especially in rural areas such as Kelambir Lima, information about labor laws is often limited. The lack of legal education causes many parents to view their children as a source of additional income, especially in the agricultural and small trade sectors. Children often work without a clear separation between adult and child labor,[12] which violates Article 72 of the Labor Law, which requires a separation of workspaces between children and adult workers.

Second, government supervision at the village level is also limited. The large number of children working in the informal sector makes it difficult for labor officials to monitor them directly. The small number of supervisory officers [13] and the lack of facilities and infrastructure for conducting field monitoring have resulted in the suboptimal implementation

of this law in the village. This has led to many cases of child labor going undetected or not being handled appropriately.

### **Barriers to the Implementation of Labor Regulations Related to Child Labor in Kelambir Lima Village**

Some of the main obstacles in the implementation of labor regulations related to child labor in Kelambir Lima Village are as follows:

a. Lack of Community Knowledge and Understanding

The community in Kelambir Lima Village still has low legal awareness, especially regarding children's rights in employment. Many parents still view work as a child's obligation to help the family economy, without understanding the long-term consequences for the child's physical and psychological development. Adequate education on children's rights and employment is urgently needed in this area to change this perception.

b. Limitations in Supervision and Law Enforcement

One major obstacle is the limited resources available to monitor law enforcement at the village level. The lack of labor inspectors focused on child protection results in low enforcement effectiveness. Even when violations are found, law enforcement often does not proceed properly due to a lack of support from local authorities.

c. Family Economy and Dependence on Children's Income

In areas with high poverty rates, such as Kelambir Lima Village, many families depend on their children's income to meet their daily needs. This causes them to prefer to have their children work even though there are regulations prohibiting it. People in this area need to be educated about alternative ways to improve their families' welfare without involving children in work that could harm them.

### **Steps Needed to Improve Legal Protection for Child Laborers in Kelambir Lima Village**

To address the issue of child labor exploitation in Kelambir Lima Village, several strategic steps need to be taken, including:

a. Legal Counseling and Education for the Community

More intensive legal education needs to be carried out, either through the local government, non-governmental organizations (NGOs), or other social organizations. The community needs to be provided with information about the negative impacts [14] of child labor exploitation and the importance of education for children. This will help change the paradigm that still considers work to be the obligation of children.

b. Improved Monitoring and Law Enforcement

Supervision of the implementation of labor laws at the village level needs to be improved. This can be done by increasing the number of labor inspectors who focus on child protection, as well as providing adequate facilities to monitor and follow up on cases of legal violations. In addition, law enforcement officials must also be given training related to child protection in the workplace, so that they are more sensitive to this issue.

c. Alternative Facilities for Families that Rely on Child Income to

Reduce dependence of families on income from children, the government needs to provide programs that support family economic improvement. Skills training programs for parents or social assistance can reduce family economic pressure and prevent children from working. This approach is expected to reduce the practice of child labor exploitation, which often occurs for economic reasons.

d. Cooperation with Non-Governmental Organizations (NGOs)

Collaboration with NGOs focused on child protection is also very important. NGOs can help organize outreach and advocacy, as well as provide support for children who are victims of exploitation. In addition, NGOs can also play a role in facilitating legal proceedings for exploited children.

## Conclusion

This study reveals that although the Labor Law has established protections for child workers, its implementation in Kelambir Lima Village, Hamparan Perak, still faces a number of challenges. Some of the main obstacles include low legal awareness in the community, limited supervision at the village level, and families' economic dependence on children's income. This has resulted in many children being involved in informal work without adequate protection, making them vulnerable to exploitation.

More intensive and effective legal education is urgently needed to improve community understanding of children's rights and legal provisions related to child labor. In addition, strengthening supervision by relevant authorities and the active role of non-governmental organizations (NGOs) can help improve the implementation of the law, especially in remote areas. Government programs, such as the Family Hope Program (PKH), have also been proven to reduce families' dependence on children's income, but further efforts are needed to ensure the sustainability and equitable distribution of its benefits.

Overall, to reduce child labor exploitation, synergy between the government, community, and relevant institutions is needed to optimize law implementation, raise public awareness, and provide better economic alternatives for poor families.

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