

THE LEGAL POLITICS OF CIVIL SERVANT INVESTIGATORS' (PPNS) AUTHORITY IN HANDLING CRIMINAL OFFENSES IN EMPLOYMENT SOCIAL SECURITY IN INDONESIA

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Abstract

This research examines the legal politics underlying the enforcement of criminal sanctions in the field of employment social security in Indonesia, particularly in the wake of the enactment of the National Social Security System (SJSN) Law and the Social Security Administering Body (BPJS) Law. The study employs a normative legal research method using philosophical, statutory, and conceptual approaches. The findings indicate a fundamental shift in policy direction, particularly the removal of the investigative authority of Civil Servant Investigators (PPNS) which was previously recognized under Law No. 3 of 1992 concerning Jamsostek. This change signifies a move away from criminal enforcement mechanisms toward administrative and civil law approaches, thereby reducing the legal protection available to workers. The research reveals that the legislative process in this domain has been strongly influenced by political and economic considerations that favor business interests, resulting in laws that are less responsive to the rights and welfare of workers. The absence of effective criminal law enforcement mechanisms—particularly in cases of employer noncompliance—raises concerns about legal certainty, justice, and the deterrent effect of existing legal provisions. This study concludes that a reorientation of legal policy is necessary to ensure that employment social security not only supports national development and investment climate but also upholds the fundamental rights of workers. A more balanced and comprehensive criminal justice approach, including the restoration or reformation of investigative authority, is essential to realize an employment social security system that is just, effective, and aligned with the ideals of a democratic rule-of-law state.

Keywords: Legal Politics, Employment Social Security, Criminal Sanctions, PPNS Authority, Labor Protection.

INTRODUCTION

The criminal justice process, which comprises a series of stages including investigation, inquiry, arrest, detention, prosecution, trial, and sentencing, is an inherently complex activity. To achieve the objectives of the criminal justice system, it requires interconnection and integration in constructing a functioning system among law enforcement agencies. The implementation of law enforcement, involving several institutional organizations according to their respective functions and authorities, clearly necessitates a modification of patterns and clarification of roles. However, in improving these patterns and clarifying functions and authorities, it is crucial to avoid the emergence of institution-centric tendencies. Each law enforcement agency must function as a subsystem that supports the overall legal enforcement process within a unified and holistic framework.

There is, in fact, an urgent need to begin developing institutional measures that lead toward the establishment of a centralized law enforcement institution—a Law Enforcement Centre—which consolidates these agencies into an integrated legal enforcement system, or a “law

enforcement hub.” Within this hub, the law enforcement process—including investigation, prosecution, and adjudication—takes place in a coordinated manner.¹ Civil Servant Investigators (PPNS) are part of this integrated system, expected to cooperate and contribute to the formation of an integrated criminal justice system.

The enactment of the National Social Security System Law (SJSN), followed by the establishment of the Social Security Administering Body (BPJS), has significantly altered various aspects of Law No. 3 of 1992 concerning the Manpower Social Security Program (Jamsostek), including the removal of provisions governing Civil Servant Investigators (PPNS), which were previously stipulated in Article 31 of the Jamsostek Law. PPNS, in this context, function as law enforcement officers in the field of employment social security, tasked with protecting and promoting workers' welfare.² The fact that neither the SJSN Law nor the BPJS Law regulates the role of PPNS implies the abolition of their authority in this domain.

The elimination of PPNS in the employment social security system is not a trivial matter; it represents a philosophical shift regarding criminal acts in the field of employment social security. This raises a fundamental question about the future direction of law enforcement in this sector. The issue falls within the domain of legal politics (*politik hukum*), as legal politics concerns several critical aspects, including:³

- 1) The objectives intended to be achieved by the existing legal system;
- 2) The most effective means of achieving those objectives;
- 3) The timing and methods for legal reform;
- 4) The formulation of a framework for selecting legal objectives and the methods for achieving them.

To address the legal politics of PPNS authority in the investigation of employment social security crimes in Indonesia, this paper will examine the broader context of labor/employment legal politics in Indonesia, which is closely linked to the legal politics of criminal investigation in employment social security matters.

METHOD

This research is classified as normative legal research. Normative legal research regards law as a system of norms, focusing on legal principles, rules, and doctrines derived from statutory regulations, court decisions, international treaties, and legal scholarship.⁴ Peter Mahmud Marzuki defines normative legal research as: A process to identify legal norms, legal principles, and legal doctrines in order to address legal issues. Normative legal research is conducted to produce arguments, theories, or new concepts as prescriptions for resolving the legal problems at hand.⁵

This study employs three methodological approaches: the philosophical approach, the statutory approach, and the conceptual approach. Within the framework of normative legal research, legal materials are categorized into two main types based on their sources: primary legal materials and secondary legal materials. Primary legal materials refer to authoritative sources

such as statutory regulations, obtained primarily through library research. Secondary legal materials, on the other hand, include supplementary resources such as academic literature, reports, and documents that serve to support and elaborate on the primary legal materials.

RESULTS AND DISCUSSION

1. The Concept and Regulation of Criminal Offenses in Employment Social Security

Every citizen has the right to protection as stipulated by the Constitution of the Republic of Indonesia. Protection is a state obligation granted to every citizen. This includes the right to employment and a decent living, the right to recognition, guarantees, protection, and legal certainty that is just and equal before the law; the right to physical and spiritual well-being; the right to work and receive fair compensation for that work; the right to housing and a safe and healthy environment; and the right to a proper education. The state develops a social security system, empowers the weak and underprivileged, and is responsible for providing adequate healthcare facilities and public services. The ultimate aim is to ensure that all Indonesian people attain a high standard of health.⁶

Social security is referred to as “social security.” This term was first officially used by the United States in a law known as the Social Security Act of 1935, and was later officially adopted by New Zealand in 1983 before being officially used by the International Labour Organization (ILO). The social security program for workers is a basic protection program for the workforce (employees/laborers). Its purpose is to ensure security and certainty against socio-economic risks. This program functions as a safeguard for the flow of income for workers and their families in the face of such risks, with funding that is affordable for both employers and workers.⁷

In addition to providing job security, the labor social security program also has a positive impact on workers, encouraging greater discipline and productivity. Labor protection aims to safeguard the fundamental rights of workers and laborers and to ensure that everyone has equal opportunities and is treated fairly without discrimination, while maintaining the welfare of workers, laborers, and their families alongside industrial progress. In other words, to achieve the goals of employment development within the broader framework of national development, better protection for workers and their families is necessary in accordance with human dignity and worth.⁸ Due to the significant role workers play in companies, they are often referred to as the backbone of the company in the employment sector. Therefore, given the many risks faced while working, workers are entitled to occupational health and safety. Protection is thus needed to avoid work-related hazards. One form of protection is the labor social security program, which applies to all individuals working in public or private institutions or enterprises, whether permanent or non-permanent employees. This is because all workers have equal rights granted by such institutions or enterprises.⁹

The employment social security programs regulated under Law Number 24 of 2011 concerning the Social Security Administration Body (BPJS) include: Work Accident Insurance (JKK), Death Insurance (JK), Old-Age Insurance (JHT), and an additional program, Pension Insurance

(JP). Accordingly, Employment BPJS is responsible for executing the duties and functions related to the organization of social security for workers and employers or corporations. This is reflected in the relationship concerning the contributions that must be paid by corporations to ensure that their workers receive the benefits of the social security programs administered by Employment BPJS.¹⁰ Thus, it can be concluded that, as a basic protection effort to meet the minimal needs of workers or laborers and their families, the employment social security program (Jamsostek) was established. In this regard, one of the obligations of employers is to register their workers or laborers as participants in the social security program. Employers who fail to fulfill this obligation are subject to applicable sanctions as regulated under the prevailing laws and regulations, including criminal sanctions.¹¹

Criminal provisions as a form of legal sanction are intended to ensure public compliance with laws and regulations in the field of social security, in addition to administrative sanctions. These provisions also aim to guarantee the fulfillment of the principles, objectives, and values of the national social security system. Based on its authority, the government can prudently adjust the determination of criminal acts in accordance with the living legal values in society, where such determination is considered a primary method to prevent prohibited acts.¹²

In principle, criminal provisions in employment social security are divided into two categories: those imposed on BPJS officials and those imposed on employers who are obliged to register their workers with BPJS to ensure the public feels that their social security rights are fulfilled. In employment relations, the right to social security is often neglected, hence protection of workers is intended to safeguard their fundamental rights and to guarantee equal opportunities and treatment without discrimination in order to achieve worker/laborer welfare. The protection provided by employers is solely to enhance harmonious labor relations without social disparity.¹³

Criminal provisions within the BPJS Law are specifically and separately regulated, namely in Article 54, which reads:¹⁴

“Members of the Supervisory Board or members of the Board of Directors who violate the prohibitions as referred to in Article 52 letters g, h, i, j, k, l, or m shall be punished with imprisonment for a maximum of 8 (eight) years and a fine of up to IDR 1,000,000,000 (one billion rupiah).”

In addition to Article 54, Article 55 also regulates criminal provisions:

“Employers who violate the provisions as referred to in Article 19 paragraph (1) or paragraph (2) shall be subject to imprisonment for a maximum of 8 (eight) years or a fine of up to IDR 1,000,000,000 (one billion rupiah).”

Laws containing criminal provisions can essentially be classified as special criminal laws. As stated by Sudarto, special criminal laws refer to criminal laws outside of the Criminal Code (KUHP), which is the core of criminal law regulation. The use of criminal sanctions to tackle criminal acts is one of the oldest methods, as old as human civilization itself. Nevertheless, criminal sanctions are still relied upon as a means of crime prevention. This can be observed

from the fact that most modern legislation includes a chapter on criminal provisions. In this context, a law is often deemed incomplete or “lacking force” if it does not contain criminal provisions. This inclusion is sometimes driven by the belief that a law is “less secure” or “less guaranteed” without criminal sanctions.¹⁵

Special criminal law refers to criminal legal provisions that are specially regulated and focus on certain groups or specific actions, such as economic crimes or corruption. The specificity includes the type of crimes and the procedure for resolving criminal cases.¹⁶ The aim of regulating special criminal acts is to address gaps or deficiencies not covered under the general provisions of the KUHP, while still adhering to the boundaries permitted by substantive and procedural criminal law.

The application of special criminal provisions is permitted based on the principle of *lex specialis derogat legi generali*, which implies that specific provisions take precedence over general ones. As special legislation, both the legal basis and enforcement may deviate from the general provisions in Book I of the KUHP and even from the procedural rules under the Criminal Procedure Code (KUHP). Regulations on special criminal acts are laws governing matters outside the scope of the KUHP in a more detailed and specific manner.¹⁷

Basically, violations of BPJS regulations committed by BPJS implementers and employers are categorized into two types: administrative violations subject to administrative sanctions, and criminal (offense) violations under BPJS law. The administrative violations referred to here are not criminal offenses but rather violations of administrative law, the sanctions for which are administrative in nature. The threats of sanctions applicable to program implementers who violate obligations in executing BPJS programs, according to the provisions stipulated in Article 52 letters a, b, c, d, e, and f of the BPJS Law, include prohibitions such as: members of the supervisory board and board of directors are prohibited from having familial relations up to the third degree among supervisory board members, among directors, or between supervisory board members and directors; prohibition on engaging in business related to social security administration; engaging in disgraceful acts; concurrently holding positions as members of political parties, leaders of community organizations, social organizations, or non-governmental organizations related to social security programs; structural and functional officials in government agencies; officials in business entities and other legal entities; making or taking decisions that involve conflicts of interest; and establishing or owning wholly or partially any business entity related to social security programs. For all these violations, only administrative sanctions are imposed as regulated in Article 53 of the BPJS Law.¹⁸

At the level of sanction enforcement for violations of workers’ social security rights, there is an interesting and controversial debate. One perspective holds that sanctions should be limited to administrative penalties, with no criminal sanctions. Conversely, another viewpoint argues that criminal sanctions may be imposed. The sanctions discussed here can be understood as punishments for companies that fail to register their workers or laborers as participants in the BPJS Employment social security program.¹⁹

To better understand this debate, it is necessary first to review and examine the criminal policy in the context of employment social security. Here, criminal policy refers to the stance of the executive and legislative branches in determining the direction and purpose of criminal sanctions in employment social security, which is related to changes in the regulation of criminal sanctions and the removal of the Civil Servant Investigators (PPNS). In Law No. 3 of 1992 concerning employment social security, the role of PPNS was accommodated; however, in the subsequent Social Security System Law (SJSN Law) followed by the BPJS Law, the PPNS role was eliminated.

Regarding law enforcement, BPJS Employment has signed a memorandum of understanding (MoU) with the High Prosecutor's Office and District Prosecutor's Office concerning the handling of civil and administrative legal issues related to employers' non-compliance in paying BPJS Employment participant contributions. This is in line with the implementation of Presidential Instruction No. 2 of 2021 on the Optimization of the Implementation of the Employment Social Security Program. Several cases of arrears in the payment of BPJS Employment contributions have been resolved through court proceedings. In 2023 alone, the Prosecutor's Office successfully recovered state finances amounting to IDR 191.31 billion from the payment of arrears of BPJS Employment contributions.²⁰

Although this enforcement effort has been successful and positively impacted the settlement of payment arrears, it has also resulted in overlapping authority. The Prosecutor's Office, under the specific MoU, handles civil and administrative legal matters in resolving legal issues faced. These civil and administrative legal issues do not involve criminal matters, whether general or special criminal offenses; however, in practice, the examination activities conducted by the Prosecutor's Office follow patterns similar to those of investigations.

2. Legal Politics of The Authority of Civil Servant Investigators (PPNS) in Handling Criminal Offenses of Employment Social Security in Indonesia

One of the laws heavily influenced by political considerations is labor law, including the regulation of employment social security. Upon closer examination, this legislation can be characterized as conservative,²¹ tending to favor employers while often disadvantaging workers. This may stem from a governmental tendency to prioritize the interests of employers over those of workers. As a result, laborers become the victims, subjected to exploitation by both the government and employers. The government and business actors appear indifferent to the welfare of workers, neglecting aspects such as social security, fair wages, and workplace safety. In cases of conflict between workers and employers, outcomes typically favor employers, with instances even reported of certain government officials extorting workers.²²

To ensure fair and balanced labor laws, it is imperative that labor representatives are involved in the legislative process. Their participation is essential to achieving laws that are equitable and free from bias, so that no party is unjustly disadvantaged.

In principle, criminal sanctions in the realm of employment social security are divided into two categories: those directed at BPJS (Social Security Administration Body) officials and those directed at employers who are legally obligated to register their workers with BPJS. Such

registration is intended to assure the public that their social security rights are being upheld. In employment relationships, the right to social security is often neglected, leaving workers unprotected. Thus, social protection aims to secure workers' fundamental rights and ensure equal opportunities and treatment, without discrimination, for the realization of worker welfare. Employer-provided protection is ultimately intended to foster harmonious labor relations and prevent social inequality.²³

Criminal provisions are specifically set out in the BPJS Law, including Article 54, which states:²⁴

“Members of the Supervisory Board or the Board of Directors who violate the prohibitions set forth in Article 52 letters g to m shall be subject to imprisonment for a maximum of eight (8) years and a fine of up to IDR 1,000,000,000 (one billion rupiah).”

In addition to Article 54, Article 55 prescribes that:

“Employers who violate the provisions of Article 19 paragraph (1) or (2) shall be subject to imprisonment for a maximum of eight (8) years or a fine of up to IDR 1,000,000,000 (one billion rupiah).”

Laws that incorporate criminal provisions can be classified as special criminal laws. As noted by Sudarto, special criminal laws refer to statutes outside the Indonesian Criminal Code (KUHP), which is the principal codification of criminal law.²⁵ Using criminal sanctions as a response to crime is among the oldest legal mechanisms, dating back to the earliest stages of civilization. Nonetheless, criminal sanctions continue to be relied upon as an essential tool in combating crime, as evidenced by the common inclusion of "criminal provisions" chapters in contemporary legislation. These provisions often stem from the perception that laws without penal measures are ineffective or incomplete.²⁶

Special criminal laws regulate specific offenses and their procedural handling. Their objective is to fill legal voids not covered by the KUHP, while still remaining within the permissible limits of formal and substantive criminal law. The principle of *lex specialis derogat legi generali* supports the application of specific provisions over general ones. As such, the legal basis and enforcement of these special laws may deviate from the general provisions found in Book I of the KUHP, as well as from standard criminal procedural law (KUHAP).²⁷

Violations of BPJS regulations by either BPJS officials or employers fall into two categories: administrative violations subject to administrative sanctions, and criminal violations (BPJS-related offenses). Administrative violations refer to breaches of administrative law rather than criminal law, and are punishable solely through administrative measures. For example, Article 52 of the BPJS Law prohibits members of the supervisory and executive boards from engaging in conflicts of interest, including having familial ties up to the third degree, engaging in related businesses, holding concurrent political or organizational positions, or making decisions involving conflicts of interest. These breaches are subject to administrative sanctions under Article 53.²⁸

There is ongoing legal debate about the proper classification of violations against workers' social security rights—whether they warrant only administrative sanctions or also criminal prosecution. Sanctions in this context refer to penalties imposed on employers who fail to register their workers with Employment BPJS.²⁹ To understand this debate, it is essential to examine the legal politics surrounding criminal law in the context of employment social security, particularly in relation to the shift in investigative authority resulting from the repeal of Civil Servant Investigator (PPNS) powers—formerly provided for under Law No. 3 of 1992 on Jamsostek, but removed in the SJSN and BPJS Laws.

On a practical level, Employment BPJS has signed Memorandums of Understanding (MoUs) with the Attorney General's Office (AGO) regarding the handling of civil and administrative cases involving employer noncompliance with social security contributions. This initiative supports Presidential Instruction No. 2 of 2021 on the optimization of the employment social security program. Several cases of unpaid contributions have been resolved through civil litigation, resulting in the recovery of IDR 191.31 billion in 2023. While these efforts are commendable, they also create jurisdictional overlap. The MoUs between BPJS and the AGO cover civil and administrative matters, not criminal ones; however, in practice, the AGO's involvement has resembled criminal investigations. Such overreach could have serious legal implications, potentially undermining legal certainty and harming the investment climate if preventive mechanisms are not properly implemented.

The political decision to remove PPNS authority in the investigation of employment social security crimes, as enacted through the SJSN and BPJS Laws, represents a conceptual shift in legal policy. Law inherently embodies the ideals of justice, legal certainty, and social utility.³⁰ According to Satjipto Rahardjo, law enforcement is the process of transforming these ideals into reality.³¹ Similarly, Mochtar Kusumaatmadja defined law as a system of principles and norms regulating social life, which includes institutions and processes that realize these principles in practice.³²

However, under a political system dominated by state-centered policy-making, legislation often reflects the perspectives of political elites and the government, functioning as an instrument to implement state ideology and programs. In this context, legal politics refers to the kind of law a nation chooses to apply and the direction it intends to pursue in regulating societal life. The legal policies adopted must align with the nation's values and worldview (ideology). National legal politics thus refer to the state's direction and strategy in shaping legal systems that reflect ethical and cultural values, including unwritten norms.³³

In the enforcement of employment social security law, there is a need for an ideal and effective legal enforcement model as part of a modern criminal justice system. This includes developing sound legal policies on criminal justice in employment social security—particularly concerning investigative authority—and prioritizing *ultimum remedium* approaches to avoid harming Indonesia's investment climate. Such measures aim to ensure a harmonious, dynamic, and equitable legal environment for labor and business alike.

CONCLUSION

This study reveals that the legal politics governing criminal law enforcement for violations of employment social security in Indonesia has undergone a significant shift, particularly following the enactment of the SJSN Law and the BPJS Law. This shift is marked by the elimination of the investigative authority of Civil Servant Investigators (PPNS), which was previously granted under Law No. 3 of 1992 on Jamsostek. As a result, the space for criminal law enforcement in the context of employment social security has narrowed, while enforcement practices have tended to shift toward administrative and civil measures, particularly through cooperation between Employment BPJS and the Prosecutor's Office.

This situation reflects the dominance of state and business interests in the legislative process, rendering labor laws—especially those concerning social security—conservative and less favorable to workers. Consequently, protection of workers' normative rights, including the right to social security, is weakened, and the role of criminal law as an instrument of last resort (*ultimum remedium*) becomes ineffective.

Moreover, the weak enforcement of criminal sanctions risks creating legal uncertainty and inequality. While government efforts to increase compliance through administrative and civil channels have successfully recovered unpaid contributions, such efforts do not necessarily serve as a deterrent against serious violations. Therefore, there is an urgent need for an ideal criminal law policy formulation in the employment social security system—one that ensures not only legal certainty but also substantive justice for workers.

Accordingly, the direction of national legal policy in the field of employment social security must be reconsidered so that it does not merely prioritize investment interests and economic stability, but also ensures the protection of workers' fundamental rights in accordance with the principles of a democratic state governed by the rule of law and social justice.

Footnote

- 1) Reposisi Penyidik Pegawai Negeri Sipil Dan Jaksa Penuntut Umum Dalam Tahap Penyidikan [https://kejaripulangpisau.kejaksaan.go.id/2022/03/14/reposisi-penyidik-pegawai-negeri-sipil-dan-jaksa-penuntut-umum-dalam-tahap-penyidikan/diakses 28 Januari 2025](https://kejaripulangpisau.kejaksaan.go.id/2022/03/14/reposisi-penyidik-pegawai-negeri-sipil-dan-jaksa-penuntut-umum-dalam-tahap-penyidikan/diakses%2028%20Januari%202025)
- 2) Achmad Fitrian, "Analisis Yuridis Fungsi Dan Peran Jamsostek Dalam Perlindungan Hukum Tenaga Kerja," *Jurnal Penelitian Hukum Legalitas*, Vol 9, No. 2, 2016, hlm. 105–16.
- 3) Rizky Dian Bareta dan Budi Ispriyarso, "Politik Hukum Perlindungan Tenaga Kerja Indonesia Fase Purna Bekerja," *Kanun Jurnal Ilmu Hukum*, Vol 20, No. 1, 2018, hlm. 163–82, <https://doi.org/10.24815/kanun.v20i1.9828>.
- 4) Amiruddin dan Zainal Asikin, *Pengantar Metode Penelitian Hukum*, Raja Grafindo Persada, Jakarta, 2004, hlm. 118.
- 5) Peter Mahmud Marzuki dalam Mukti Fajar ND dan Yulianto Achmad, *Dualisme Penelitian Hukum Normatif dan Empiris*, Pustaka Pelajar, Yogyakarta, cetakan ke 3, 2015, Hlm. 34.
- 6) Trisna Wulaningsih dan M Khoirul Huda, "Tanggungjawab Hukum Perusahaan Akibat Tidak Didaftarkanya Tenaga Kerja Sebagai Peserta Jaminan Sosial," *Jatiswara*, Vol 39, No. 2, 2024.

- 7) Alfrenso E. R. Helweldery, "Sanksi Atas Pelanggaran Terhadap Pelaksanaan Jaminan Sosial Ketenagakerjaan Menurut Undang-Undang No. 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial (BPJS)," *Lex Et Societatis*, Vol 7, No. 5, 2019, hlm. 17.
- 8) Kharisma Putri dan Ismail Koto, "Akibat Hukum Terhadap Perusahaan Terhadap Tunggakan Jaminan Sosial BPJS Ketenagakerjaan," *Edu Yustisia: Jurnal Edukasi Hukum*, Vol 3, No. 2, 2024, hlm. 17.
- 9) Ni Wayan Putri Cahyaninghati, "Jaminan Perlindungan Jamsostek Tenaga Kerja Tidak Tetap (Honoror) Ditinjau Dari Hukum Positif Indonesia," *Jurnal Private Law*, Vol 4, No. 3, 2024, hlm. 85.
- 10) Anggita Listhyaningrum, Yudhia Ismail, dan Wiwin Ariesta, "Tinjauan Yuridis Kewajiban Pemberi Kerja Dalam Menyediakan Jaminan Sosial Ketenagakerjaan Bagi Pekerja," *Yurijaya : Jurnal Ilmiah Hukum*, Vol 6, No. 3, 2025, hlm. 316–33.
- 11) Ayu Puspasari, "Sanksi Bagi Perusahaan Yang Tidak Mendaftarkan Pekerja Atau Buruhnya Sebagai Peserta Jaminan Sosial," *Doctrinal*, Vol 1, No. 2, 2016, hlm. 387.
- 12) Indrawati Indrawati dan Tumiar Rohana Simanjuntak, "Pertanggungjawaban Pidana Terhadap Perusahaan yang Lalai Mendaftarkan Pekerjanya Sebagai Peserta BPJS Ketenagakerjaan," *Jurnal Cakrawala Hukum*, Vol 10, No. 1, 2019, hlm. 3180.
- 13) Ali Rizky, dkk, "Perlindungan Hukum terhadap Pekerja dalam Perspektif Undang-Undang Badan Penyelenggara Jaminan Sosial," *Halu Oleo Legal Research*, Vol 6, No. 1, 2024, hlm. 98.
- 14) Almira Novia Zulaika, "Penegakan Sanksi Pidana Dalam UU No. 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial," *Lex LATA*, Vol 3, No. 2, 2021, hlm. 312.
- 15) Winsy Handry Dumanauw, "Ketentuan Pidana Terhadap Perusahaan Yang Tidak Membayar Iuran BPJS," *LEX PRIVATUM*, Vol 11, No. 2, 2023, hlm. 199.
- 16) Andi Sofyan dan Nur Aziza, *Buku Ajar Hukum Pidana*, (Makasar: Pustaka Pena Press, 2016), hlm. 35.
- 17) Almira Zulaika Loc.Cit"
- 18) Aditya Nugraha, "Penegakan Sanksi Pidana Dalam Undang-Undang Nomor 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial (Bpjs) Di Wilayah Hukum Pengadilan Negeri Surakarta", *Fakultas Hukum Universitas Muhammadiyah Surakarta*, Surakarta, 2016.
- 19) Abdul Khakim, "Problematisa Pengaturan Dan Penerapan Sanksi Pidana Atas Pelanggaran Pasal 15 Undang-Undang Nomor 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial," *Audito Comparative Law Journal (ACLJ)*, Vol 2, No. 1, 2021, hlm. 43–56.
- 20) Laporan Tahunan Terintegrasi <https://www.bpjsketenagakerjaan.go.id/laporan-terintegrasi.html>
- 21) <https://kbbi.web.id/konservatif> : bersikap mempertahankan keadaan, kebiasaan, dan tradisi yang berlaku.
- 22) Abdul Khair, *Politik Hukum Perburuhan di Indonesia HIMMAH* Vol. VII No. 18, 2006
- 23) Ali Rizky dkk., "Perlindungan Hukum terhadap Pekerja dalam Perspektif Undang-Undang Badan Penyelenggara Jaminan Sosial," *Halu Oleo Legal Research*, Vol 6, No. 1, 2024.
- 24) Almira Novia Zulaika, "Penegakan Sanksi Pidana Dalam Uu No. 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial," *Lex LATA*, Vol 3, No. 2, 2021, <https://doi.org/10.28946/lexl.v3i2.1195>.
- 25) Winsy Handry Dumanauw, "Ketentuan Pidana Terhadap Perusahaan Yang Tidak Membayar Iuran BPJS," *LEX PRIVATUM*, Vol 11, No. 2, 2023.
- 26) Andi Sofyan dan Nur Aziza, *Buku Ajar Hukum Pidana*, 1 ed, Pustaka Pena Press, Makassar, 2016.
- 27) Almira Zulaika Loc.Cit"

- 28) Aditya Nugraha, “Penegakan Sanksi Pidana Dalam Undang-Undang Nomor 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial (Bpjs) Di Wilayah Hukum Pengadilan Negeri Surakarta”, Fakultas Hukum Universitas Muhammadiyah Surakarta, Surakarta, 2016.
- 29) Abdul Khakim, “Problematisa Pengaturan Dan Penerapan Sanksi Pidana Atas Pelanggaran Pasal 15 Undang-Undang Nomor 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial,” *Audito Comparative Law Journal (ACLJ)*, Vol 2, No. 1, 2021, hlm. 43–56, <https://doi.org/10.22219/aclj.v2i1.15>
- 30) Gustav Radbuch dalam Satcipto Raharjo, *Masalah Penegakan Hukum Suatu Tinjauan Sosiologis*, Sinar baru, Bandung, hlm. 15.
- 31) Satcipto Raharjo, *ibid*, hlm. 15.
- 32) Mochtar Kusoemaatnadj dalam Daud Silalahi *Hukum Lingkungan Dalam Sustim Penegakan Hukum Lingkungan Indonesia*, Alumni Bandung, hlm. 116.
- 33) Aulia Milano, “Politik Hukum Pengupahan: Suatu Kajian Terhadap Penetapan Upah Minimum Kabupaten (UMK),” *Rechtidee*, Vol 10, No. 1, 2015, hlm. 60–77, <https://doi.org/10.21107/ri.v10i1.1139>.

References

- 1) Abdul Khair, *Politik Hukum Perburuhan di Indonesia HIMMAH Vol. VII No. 18*, 2006
- 2) Abdul Khakim, “Problematisa Pengaturan Dan Penerapan Sanksi Pidana Atas Pelanggaran Pasal 15 Undang-Undang Nomor 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial,” *Audito Comparative Law Journal (ACLJ)*, Vol 2, No. 1, 2021.
- 3) Achmad Fitriani, “Analisis Yuridis Fungsi Dan Peran Jamsostek Dalam Perlindungan Hukum Tenaga Kerja,” *Jurnal Penelitian Hukum Legalitas*, Vol 9, No. 2, 2016.
- 4) Aditya Nugraha, “Penegakan Sanksi Pidana Dalam Undang-Undang Nomor 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial (Bpjs) Di Wilayah Hukum Pengadilan Negeri Surakarta”, Fakultas Hukum Universitas Muhammadiyah Surakarta, Surakarta, 2016.
- 5) Alfrenso E. R. Helweldery, “Sanksi Atas Pelanggaran Terhadap Pelaksanaan Jaminan Sosial Ketenagakerjaan Menurut Undang-Undang No. 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial (BPJS),” *Lex Et Societatis*, Vol 7, No. 5, 2019.
- 6) Ali Rizky dkk., “Perlindungan Hukum terhadap Pekerja dalam Perspektif Undang-Undang Badan Penyelenggara Jaminan Sosial,” *Halu Oleo Legal Research*, Vol 6, No. 1, 2024.
- 7) Almira Novia Zulaika, “Penegakan Sanksi Pidana Dalam UU No. 24 Tahun 2011 Tentang Badan Penyelenggara Jaminan Sosial,” *Lex LATA*, Vol 3, No. 2, 2021.
- 8) Amiruddin dan Zainal Asikin, *Pengantar Metode Penelitian Hukum*, Raja Grafindo Persada, Jakarta, 2004.
- 9) Andi Sofyan dan Nur Aziza, *Buku Ajar Hukum Pidana*, 1 ed, Pustaka Pena Press, Makassar, 2016.
- 10) Anggita Listhyaningrum, Yudhia Ismail, dan Wiwin Ariesta, “Tinjauan Yuridis Kewajiban Pemberi Kerja Dalam Menyediakan Jaminan Sosial Ketenagakerjaan Bagi Pekerja,” *Yurijaya : Jurnal Ilmiah Hukum*, Vol 6, No. 3, 2025.
- 11) Aulia Milano, “Politik Hukum Pengupahan: Suatu Kajian Terhadap Penetapan Upah Minimum Kabupaten (UMK),” *Rechtidee*, Vol 10, No. 1, 2015. <https://doi.org/10.21107/ri.v10i1.1139>.
- 12) Ayu Puspasari, “Sanksi Bagi Perusahaan Yang Tidak Mendaftarkan Pekerja Atau Buruhnya Sebagai Peserta Jaminan Sosial,” *Doctrinal*, Vol 1, No. 2, 2016.
- 13) Gustav Radbuch dalam Satcipto Raharjo, *Masalah Penegakan Hukum Suatu Tinjauan Sosiologis*, Sinar baru, Bandung.

- 14) Indrawati Indrawati dan Tumiar Rohana Simanjuntak, "Pertanggungjawaban Pidana Terhadap Perusahaan yang Lalai Mendaftarkan Pkerjanya Sebagai Peserta BPJS Ketenagakerjaan," Jurnal Cakrawala Hukum, Vol 10, No. 1, 2019.
- 15) Kharisma Putri dan Ismail Koto, "Akibat Hukum Terhadap Perusahaan Terhadap Tunggakan Jaminan Sosial BPJS Ketenagakerjaan," Edu Yustisia: Jurnal Edukasi Hukum, Vol 3, No. 2, 2024.
- 16) Laporan Tahunan Terintegras https://www.bpjsketenagakerjaan.go.id/laporan-terintegrasi.html
- 17) Mochtar Kusoemaatnadj dalam Daud Silalahi Hukum Lingkungan Dalam Sustim Penegakan Hukum Lingkungan Indonesia, Alumni Bandung.
- 18) Ni Wayan Putri Cahyaninghati, "Jaminan Perlindungan Jamsostek Tenaga Kerja Tidak Tetap (Honoror) Ditinjau Dari Hukum Positif Indonesia," Jurnal Private Law, Vol 4, No. 3, 2024.
- 19) Peter Mahmud Marzuki dalam Mukti Fajar ND dan Yulianto Achmad, Dualisme Penelitian Hukum Normatif dan Empiris, Pustaka Pelajar, Yogyakarta, cetakan ke 3, 2015.
- 20) Reposisi Penyidik Pegawai Negeri Sipil Dan Jaksa Penuntut Umum Dalam Tahap Penyidikan https://kejaripulangpisau.kejaksaan.go.id/2022/03/14/reposisi-penyidik-pegawai-negeri-sipil-dan-jaksa-penuntut-umum-dalam-tahap-penyidikan/
- 21) Rizky Dian Bareta dan Budi Ispriyarso, "Politik Hukum Perlindungan Tenaga Kerja Indonesia Fase Purna Bekerja," Kanun Jurnal Ilmu Hukum, Vol 20, No. 1, 2018. https://doi.org/10.24815/kanun.v20i1.9828.
- 22) Trisna Wulaningsih dan M Khoirul Huda, "Tanggungjawab Hukum Perusahaan Akibat Tidak Didaftarkanya Tenaga Kerja Sebagai Peserta Jaminan Sosial," Jatiswara, Vol 39, No. 2, 2024.
- 23) Winsy Handry Dumanauw, "Ketentuan Pidana Terhadap Perusahaan Yang Tidak Membayar Iuran BPJS," LEX PRIVATUM, Vol 11, No. 2, 2023.