



Legal Protection for Gojek Drivers Who Experience Work Accidents Based on Law Number 24 of 2011 Concerning the Social Security Administration Agency

Teresa Akgriana Putri Manihuruk¹, Besty Habekaan^{2*}, Roida Nababan³
Fakultas Hukum, Universitas HKBP Nommensen, Medan

Corresponding Author: Besty Habekaan besty.habeahan@uhn.ac.id

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ABSTRACT

Gojek drivers who experience work accidents, based on Law Number 24 of 2011 concerning the Social Security Administering Body (BPJS). As workers who work in the online transportation sector, Gojek drivers often face the risk of work accidents that are not covered by the conventional social security system. This context, examine how workers are protected in relation to the BPJS program when workers experience work accidents and find out the legal consequences for workers who experience accidents while working. This research examines the protection mechanisms regulated by BPJS employment. So the results of this research show that regulations regarding workers who experience accidents while carrying out work have been regulated in the Employment Law.

INTRODUCTION

The development of the order of life in Indonesia is currently experiencing rapid dynamics. This change occurs as a form of public awareness to achieve a dignified country in organizing and managing a democratic and just state life. Along with the development of the era and the increasing development of modern technology supported by social media, information can spread widely quickly and encourage business activities in various fields. Basically, people are very dependent on public transportation to fulfill every daily activity, both in the regions or in big cities. Apart from the fact that some people do not have private vehicles or because the level of congestion in the city is very high. This opportunity makes business actors provide easy and fast transportation services for people who do not have private vehicles or people who do not have time efficiency by taking public transportation. Technological advances in the field of transportation have become a socio-cultural reality that occurs in society, that currently the internet has a great influence on citizens in living their lives. The rise in smartphone users, both Android and IOS systems, makes people dependent on smartphones and the internet. The existence of applications for drivers and passengers allows private vehicles to be used in public transportation, including two-wheeled vehicles

Online-Based Transportation (TBO) is becoming popular and highly sought after by the public because it does provide various conveniences that are not found in existing transportation services. The existence of two-wheeled TBOs such as Online Motorcycle Taxis has caused controversy in society. Because on the one hand, Article 47 paragraph (3) of Law Number 22 of 2009 concerning Road Traffic and Transportation does not accommodate two-wheeled vehicles as public transportation. This is reaffirmed in Article 23 paragraph (3) of Government Regulation Number 74 of 2014 concerning Road Transportation (PP Road Transportation). But on the other hand, with transportation services that are still minimal, the public feels very helped by the existence of Online Motorcycle Taxis.

The importance of the role of transportation, then traffic and road transportation must be arranged in an integrated national transportation system and be able to realize the availability of transportation services that are in accordance with the level of traffic needs and orderly, comfortable, smooth and low-cost transportation services. Online motorcycle taxi services have succeeded in offering various advantages compared to other public transportation available today. Until now, many have offered public transportation services using motorbikes (ojek) based online or applications such as G0-JEK, and Grab Bike Uber. The rapid growth of online ojek services has succeeded in recruiting thousands of workers as drivers. Online ojek services have now succeeded in opening up jobs for the Indonesian people and providing practical transportation options for the community.

Motorcycles are the main tool in online or conventional motorcycle taxi services. According to Article 47 paragraph (3) of Law Number 22 of 2009 concerning Traffic and Road Transportation, motorcycles are not included in the group of public motor vehicles because only passenger cars, buses and goods

vehicles are included in the category of public motor vehicles, which means that motorcycles are not included in public transportation vehicles. This is reaffirmed in Article 23 paragraph (3) of Government Regulation Number 74 of 2014 concerning Road Transportation.

The increasing participation of workers in national development and the use of technology in various business activities can increase the risk of worker safety, health, and welfare. Basically, every job has risks and challenges, but because online motorcycle taxis spend more time on the road, motorcycle taxi workers are considered one of the highest-risk jobs. This can threaten the safety of online motorcycle taxi drivers. In this case, guarantees of work safety protection are important for online motorcycle taxi companies to provide, considering that this online transportation business is quite widespread. The responsibility of the service provider company also considers safety while sanctions will also be given to the driver if an accident occurs and harms customers/passengers.

In this case, the company's institution is regulated formally, namely in the form of a written contract in the form of a partnership cooperation agreement. The agreement states that the company has not described any guarantee of protection for work accidents. However, partners are included in the BPJS work safety program. One of the contents of the agreement states that damage or loss, even personal injury is not the responsibility of the Temporary Replacement Officer (PGS) but is the responsibility of the partner. The contents of the agreement state that the partner agrees that PGS or any of its affiliates are not responsible for any losses, including indirect losses including loss of profit, loss of data, personal injury or property damage in connection with, or caused by the use of the Application, or the provision of services by the Partner to Consumers. The Partner agrees that PGS is not responsible for damage, liability, or loss arising from the use or dependence of the Partner on the Application or the Partner's inability to access or use the Application. In Law Number 13 of 2003 concerning employment, it is explained that workers have the right to receive protection from the company. In this case, the reason why legal protection and health insurance are needed for online motorcycle taxi drivers who experience accidents/muggings while working, because in working, drivers are often at vulnerable locations and their time to work is also not limited, because we often find online motorcycle taxi drivers in the early hours of the morning still bidding or waiting for orders on the side of the road. then what is the responsibility of the application service provider, do they provide a contribution to their partner workers who experience these obstacles on the highway. Law Number 13 of 2003 concerning Employment actually provides information that there is no employment relationship but only a partnership relationship, because the absence of elements of the employment relationship makes each party have their own interpretation. The elements of the intended employment relationship are as follows:

- a. Work: This element is fulfilled if the worker only carries out the work that has been given by the company

- b. Wages: This element is fulfilled if the worker receives compensation in the form of a certain amount of money in a certain period. Not based on commission/percentage
- c. Order: This element is fulfilled if the giver of the work order is the company. Not on the initiative of the worker.

The role of law in social life is as something that protects, provides a sense of security, peace and order to achieve peace and justice for everyone. The law should provide justice, because justice is the purpose of the law. Because these partners can be categorized as business actors. Formal contractual agreements that are binding in employment relationships also contain rights and obligations. The contents of the agreed partnership agreement indicate that the partners obtain an agreement that contains rights and obligations as well as rewards and sanctions obtained. Here is the answer to the information related to this: "This cooperation agreement is effective from the date of approval of this contract by the Partner. The Partner hereby gives his/her consent to the terms and conditions stated in this cooperation agreement by clicking electronically on this Agreement, accessing and using the Application, the Partner will be deemed to have agreed to be bound by the Terms, which is a contractual relationship of cooperation between the Partner and PGS. The Partner is obliged to comply with every policy in the Terms in the implementation of this Agreement.". The contents of the agreement show that workers have obligations that include things such as being able to drive a two-wheeled motorized vehicle and having a valid and valid Driving License (SIM). Having a smartphone or mobile phone that can be connected to the application and also having a motorized vehicle that meets the requirements determined by applicable law and is safe and comfortable to drive on the road. The number of accidents that occur on the highway makes the company aware of the importance of social security to be provided to drivers. Although the partnership agreement states that damage and loss, as well as personal injury are the responsibility of the partner himself. However, the company still takes steps to protect its partners by working with several parties who can provide their partners with work guarantees. The online Gojek company collaborates with BPJS Ketenagakerjaan with the aim of providing social security protection for the risk of work accidents to death.

BPJS Ketenagakerjaan also provides basic protection for PT. Gojek which collaborates with BPJS Ketenagakerjaan to provide basic protection, including compensation in the form of replacement money for lost or reduced income and self-protection services from uncertainties such as social and economic risks. Social security has been required by the government for employers to register their workers with BPJS Ketenagakerjaan so that the rights and obligations of workers are properly fulfilled. This is in accordance with Article 5 paragraph 1 of Law No. 24 of 2011 concerning the Social Security Administering Agency, which clearly stipulates that employers and workers are required to register themselves with BPJS Ketenagakerjaan. If employers and workers do not immediately register with BPJS Ketenagakerjaan, they will be subject to administrative sanctions referring to Government Regulation (PP) Number 86 of

2013, sanctions that can be imposed include written warnings, fines and not receiving public services.

Law No. 24 of 2011 concerning the Social Security Administering Agency (BPJS) Employment as amended by Law Number 11 of 2020 concerning Job Creation, BPJS Employment functions by organizing 5 types of programs, namely work accident insurance, death insurance, old age insurance, pension insurance and job loss insurance. Based on the background above, the increasing rate of work accidents experienced by workers. Therefore, it is very important for workers to know about the rights guaranteed by BPJS Employment if an accident occurs at work. Thus, the researcher is interested in conducting an analysis entitled "Legal Protection for Gojek Drivers Who Experience Work Accidents Based on Law No. 24 of 2011 concerning the Social Security Administering Agency (BPJS)

LITERATURE REVIEW

Social protection is one of the most important things in providing a sense of security for the community, especially for those who work in the informal sector. The Social Security System in Indonesia began to be systematically regulated in Law Number 24 of 2011 concerning the Social Security Administering Body (BPJS). This law regulates the establishment of BPJS which is tasked with organizing social security programs, both health insurance and employment insurance. BPJS Employment, in particular, provides protection for workers for social risks such as work accidents, disability, and death.

According to the BPJS Law, social security consists of several programs, one of which is work accident insurance which is given to workers who have accidents while carrying out their duties. However, in its implementation, there are still a number of challenges related to the implementation of social protection for informal sector workers, such as online motorcycle taxi drivers (Gojek) whose work status is flexible and is often not covered by a more formal social security system. Gojek drivers, as informal sector workers, often face obstacles in obtaining legal protection related to work accidents. They are considered as freelancers who work on a temporary contract, which means they are not always registered in the formal social security system. Although many Gojek drivers choose to participate in the BPJS Ketenagakerjaan program independently, problems often arise related to awareness of their rights and the complicated procedures for obtaining social security benefits after a work accident. Law Number 24 of 2011 concerning BPJS provides a clear legal basis for social protection for workers who experience work accidents. The articles in this Law regulate the rights of workers to receive work accident insurance, which includes free medical treatment, disability benefits, and death benefits for workers who die due to work accidents. However, this protection does not necessarily apply to Gojek drivers if they are not registered with BPJS Ketenagakerjaan, even though de facto they work full time and are at high risk. According to existing regulations, Gojek drivers who experience work accidents can file a claim with BPJS Ketenagakerjaan if they are registered and pay contributions regularly. However, the main problem is the ignorance of most drivers regarding the claim

procedure and their rights in the BPJS system. Therefore, it is important to provide a better understanding of the legal protection available to Gojek drivers who experience work-related accidents. Several studies have shown that there are a number of challenges faced by Gojek drivers in accessing legal protection, including a lack of understanding of their rights in the social security system, administrative difficulties, and a mismatch between the status of freelance workers and the provisions in BPJS Ketenagakerjaan. In addition, although BPJS has provided various social security programs, Gojek drivers are still often not registered as participants due to limitations in the registration system and understanding of the administrative process. When compared to workers in the formal sector, Gojek drivers face a more difficult situation in obtaining their rights related to social security. Formal workers, who work under a permanent contract with a company, are usually already registered in the BPJS Ketenagakerjaan program and receive benefits related to work-related accidents more easily. Therefore, there needs to be more inclusive policy steps to ensure that Gojek drivers and other informal sector workers receive equal protection as formal workers. The Indonesian government has tried various initiatives to increase awareness and access for informal workers to the BPJS program, but more effective steps are still needed to socialize and facilitate registration for Gojek drivers, as well as provide more optimal protection in cases of work accidents.

METHODOLOGY

with a normative legal approach regarding the role and mechanism of BPJS in the Implementation of the Work Accident Insurance (JKK) program. The data used in this study are secondary data obtained from theories, expert doctrines informatively (formally) and from official manuscripts. The secondary data includes a) primary legal materials, in the form of: 1) Law No. 24 of 2011 concerning the Social Security Administering Agency, relevant Government Regulations related to social security such as BPJS Employment regulations; 2) Law No. 13 of 2003 concerning Manpower as replaced by Law No. 11 of 2020 concerning Job Creation. b) Secondary legal materials, namely; 1) relevant journals related to the research. Data analysis is carried out normatively with interpretation and discussion of research results from legal norms, legal theories and legal doctrines related to the research. The source of legal materials uses materials from laws and regulations which are primary legal sources and legal books, articles, and other legal literature which are secondary legal materials. Data collection techniques are carried out by examining primary and secondary legal materials.

RESEARCH RESULT AND DISCUSSION

1. Legal Protection for Gojek Drivers Who Experience Work Accidents

As the highest hierarchy in the legal system in Indonesia, the 1945 Constitution is certainly a legal reference. Protection of workers' rights where the source is in Article 27 paragraph (2) of the 1945 Constitution which explains that every citizen has the right to get a job and also a decent living. In addition, the guarantee of job protection is contained in Article 28 D paragraph (1) of the 1945

Constitution which in essence states that each individual has the right to receive recognition, protection, guarantees, and legal certainty. According to Satjipito Raharjo, legal protection is providing protection for Human Rights that are harmed by others and that protection is given to the entire community so that they can feel all the rights granted by law. The principle of legal protection is divided into 2, namely:

a. Preventive Legal Protection

Preventive legal protection is legal protection carried out by providing an opportunity for legal subjects to file objections or opinions before a government decision is made. Preventive legal protection in the context of Law Number 24 of 2011 concerning the Social Security Administering Body (BPJS) refers to preventive measures taken to prevent losses or violations that can harm participants or related parties in the social security program. This legal protection includes various actions to ensure that participant rights are protected and not misused. In this law, the preventive legal protection aspect is more focused on efforts to prevent violations of participant rights, misuse of funds, or fraud in the implementation of social security. Several articles related to preventive legal protection in Law No. 24 of 2011 include: □ Article 4 - Mentions the purpose of implementing social security, namely to provide social protection to all Indonesian people so that their social rights are guaranteed. In this case, preventive protection is carried out by ensuring that all Indonesian citizens can be protected through the social security system. -Article 5 - States that the implementation of social security aims to ensure that every individual or family does not experience economic difficulties due to certain social risks. This is a preventive measure to avoid greater social losses.

- Article 7 - Contains the obligation of the Social Security Administering Body (BPJS) to carry out transparent and accountable management. This step is a form of preventive protection against misuse or embezzlement in the management of social security funds.
- Article 11 - Emphasizes the importance of supervision and evaluation of the implementation of social security.

b. Repressive Legal Protection

Repressive legal protection aims to resolve disputes that arise after a government policy is established. Occupational health and safety protection is a form of legal protection obligation by employers towards workers. Several articles that regulate repressive legal protection in Law No. 24 of 2011 include:

- Article 28 - States administrative sanctions imposed on participants or employers who do not fulfill their obligations, such as not paying social security contributions on time. This sanction is repressive, aimed at providing a deterrent effect and ensuring that obligations are fulfilled.
- Article 36 - Mentions administrative sanctions against business entities or employers who do not report their workers' data in the social

security system. This sanction is also a form of repressive legal protection because it aims to enforce compliance with existing provisions.

- Article 37 - Contains provisions regarding violations committed by BPJS organizers or other parties involved in the implementation of social security, with sanctions in the form of warnings or even dissolution of the organizing body if proven to have committed a violation.
- Article 42 - Regulates criminal sanctions for parties proven to have committed misappropriation or criminal acts in the management of social security funds. This is a form of repressive legal protection in the form of criminal penalties against individuals or legal entities who commit crimes related to social security.

Through these articles, Law No. 24 of 2011 provides repressive legal protection by imposing sanctions on parties who violate the provisions in the implementation of social security, both in the form of administrative and criminal sanctions.

Realizing the importance of workers for employers, society and the government, an idea arose so that workers' safety can be maintained at work. Worker protection can be implemented either through demands or by strengthening recognition of human rights based on applicable norms. Social Security is part of social protection whose purpose is to provide guarantees to all elements of society and to obtain fulfillment of more qualified life needs. Law Number. 24 of 2011 concerning BPJS, where the Law grants authority to BPJS Employment, according to the BPJS Law, the function of BPJS Employment is to implement 4 programs, namely work accident insurance, pension, old age, death. The insurance program when workers experience an accident at work is implemented in order to provide guarantees to participants to get benefits in the form of monetary compensation and health services when workers experience an accident at work. With the enactment of the law related to BPJS, workers in Indonesia do not need to worry about their welfare as workers. at the beginning of the agreement, the service provider company and the company's partners are not responsible for accidents and the certainty of obtaining social security protection in accordance with statutory regulations cannot be provided by the online motorcycle taxi service provider because of the partnership agreement letter. Furthermore, the implementation of legal protection is transferred to BPJS Ketenagakerjaan by registering its partners as participants as Non-Wage Workers (PBPU), to overcome accidents and illnesses if experienced by Online Motorcycle Taxi Drivers, the Company provides a form of self-help protection, where this self-help protection is a feature for online motorcycle taxi drivers in the form of protection that can be chosen by the driver, namely BPJS or Insurance. BPJS Ketenagakerjaan and Gojek themselves have also collaborated in providing social security for their drivers with several premium payment systems such as automatic deductions from Gopay balances or by paying independently to BPJS directly. Although not many and not optimal, there have been several

socializations and counseling regarding the importance of social security for online drivers in several associations. Therefore, they should realize that BPJS Ketenagakerjaan is very important in working. Basically, it all comes back to the awareness of each online driver, actually there are several choices of payment periods for contributions offered by BPJS Ketenagakerjaan, some are one year, 6 months, 3 months, and some are 1 month. makes it easier for online drivers because they can adjust their respective financial capabilities. This employment social security program is also divided into 3 different programs, namely work accident insurance, death insurance, and old age insurance. Protection and guarantees from unexpected accidents, single accidents while driving a vehicle or accidents while working, all costs should be fully covered by the work accident insurance program. If a worker dies, he will receive a fee of 25 million rupiah which is covered in the death insurance program. The fee will be handed over to the guardian/parent concerned if he does not have his own family or is married, but will be given to his partner if he is married. While the provision of guarantees or fees whose nominal value is adjusted according to how long he has worked and been a member of BPJS Ketenagakerjaan is covered in the old age insurance program. Various conveniences have been offered by BPJS Ketenagakerjaan so that workers are willing to register. These conveniences include a variety of payment terms and methods and very easy registration requirements, namely by only using an ID card. This proves that BPJS Ketenagakerjaan is very flexible for all professions, but many still do not realize the importance of social security for both workers and companies.

2. Government Responsibility in Providing Social Security for Gojek Driver Workers

Law Number 24 of 2011 concerning the Social Security Administering Body (BPJS) regulates the government's obligation to provide social security for all Indonesian people, including informal workers such as Gojek drivers. The government has a responsibility to ensure that all workers, including those working in the online transportation sector, can enjoy social security protection, such as Health Insurance (JKN) and Work Accident Insurance (JKK). Although initially Gojek drivers were not included in the category of social security recipients, in 2020 the government through BPJS Ketenagakerjaan began implementing a social security program for informal sector workers, which also includes online motorcycle taxi drivers. Some points related to government responsibilities are:

- a. Social Security Implementation: The government is responsible for providing an inclusive social security system, which includes health insurance, work accident insurance, pension insurance, and old age security for all workers, both those working in the formal and informal sectors as stated in Article 4 of Law 2011 and Article 5 of Law
- b. Registration and Participation Article 13 of Law No. 24 of 2011: The government through BPJS Ketenagakerjaan provides a mechanism to register informal workers, including Gojek drivers, in the social security program. These workers can participate in work accident insurance (JKK)

- and death insurance (JKM), although pension insurance and old age security for the informal sector are still under development.
- c. Subsidies for worker contributions: In several programs, the government can provide subsidies or social assistance to help workers who have difficulty paying social security contributions, as well as conducting socialization to ensure that workers understand their rights and obligations related to social security in accordance with Article 14 of Law No. 24 of 2011.
 - d. Counseling and Socialization to workers: The government must be required to provide counseling to informal workers such as Gojek Drivers about the importance of registering for the social security program and how to register which aims to increase participation in the social security system in accordance with Article 12 of Law No. 24 of 2011.

Overall, based on Law 24/2011, the government has an obligation to create a social security system that can be accessed by all workers, including Gojek drivers, so that they are protected from social and economic risks. In essence, the application provider company only provides jobs but pays less attention to welfare aspects up to career levels. then in the case before the problem occurs between the application provider and the driver, the application provider must pay attention to the provisions of the Minister of Transportation Regulation Number 12 of 2019 concerning the Protection of the Safety of Motorcycle Users Used for the Interest of the Community (hereinafter referred to as Permenhub). Especially Article 14 concerning the preventive efforts that must be implemented by the application provider against the driver.

3. Inhibiting Factors in the Implementation of Social Security for Online Gojek Drivers

Social security has an important role, it can prevent the community or workers and their families from becoming new poor families when workers or someone experiences economic shocks due to work accidents or economic crises, including layoffs, then the main cushion that can be at stake for the sustainability of their decent lives is social security. Therefore, it is important to see what can affect or hinder the implementation of social security for Gojek Drivers, because it is hoped that they will all get good social security for the survival of their lives and their families in the future. If the implementation of social security faces a number of obstacles, it will affect the effectiveness and efficiency of the social security program. To find out directly related to various problems or things that then become obstacles in the implementation of social security.

Policies, Limited Information, Administrative Constraints, to Demographic Changes are things that can affect the level of participation or obstacles to the implementation of social security. The following are some common obstacles that are often faced in the field in implementing social security, including:

- a. Tight competition with conventional motorcycle taxis and low income of drivers where only 80% of the fare is received and the rest is given to the company. In addition, there are still many supporting needs such as internet quota, gasoline, or credit.

- b. Online drivers have difficulty setting aside money to pay BPJS Employment premiums because on average they use their minimal income to meet the needs of their wives and children such as education costs, clothing, food and so on, which are related to article 17 of Law No. 24 of 2011.
- c. Many online drivers are not yet aware of the benefits of social security for employment and there are still few who want to participate due to the lack of socialization from BPJS Employment.
- d. Online drivers are not given social security by the Grab company.
- e. The burden of contributions to become a BPJS Employment participant is too burdensome for drivers
- f. Many drivers have not received counseling and socialization about improving social security for employment from the government or the Grab company.
- g. The BPJS Employment registration process is too long and complicated, which is related to Article 4 of Law No. 24 of 2011.
- h. There are still many online drivers who are not aware of the importance of social security for employment.

CONCLUSIONS AND RECOMMENDATIONS

Based on the discussion that has been explained, it can be concluded that legal protection for Gojek drivers who experience work accidents, in the context of Law No. 24 of 2011 concerning the Social Security Administering Agency (BPJS), consists of two parts, namely preventive and repressive legal protection. Preventive Legal Protection: This protection focuses on preventing accidents from occurring. In the context of Gojek drivers, the company or party involved must ensure that drivers receive adequate safety training and protection while working. This protection also includes the obligation to register drivers in social security programs, such as BPJS Health and BPJS Employment.

Related article: Article 14 of Law No. 24 of 2011 regulates the obligation to implement social security, which includes health and employment insurance. Repressive Legal Protection: Repressive protection aims to provide recovery or compensation for drivers who experience work accidents. In this case, if an accident occurs, the driver is entitled to medical care and compensation or compensation in accordance with the provisions of BPJS Employment. Related article Article 16 of Law No. 24 of 2011 regulates the provision of benefits for workers who experience work accidents, including medical treatment, rehabilitation, and death or disability benefits. In addition, Article 17 also emphasizes the provision of social security for risks experienced by workers. Overall, Law No. 24 of 2011 provides a legal basis for Gojek drivers to obtain social security protection both preventively through preventing work accidents, and repressively in the form of compensation if an accident occurs. they are still entitled to employment social security protection in accordance with existing regulations, such as work accident insurance, death insurance, and old age insurance. Furthermore, in accordance with Permenhub No. 12 of 2019, Gojek

provides free Accident Compensation (Reimbursement). Then related to the obstacles to the implementation of social security, especially BPJS Employment to Gojek Drivers in partnership with Gojek in general, it can be concluded that it is due to unclear policies, limited information, information constraints, and demographic changes. The obstacles experienced in implementing social security for Gojek Drivers, especially BPJS Ketenagakerjaan, are due to the Low Awareness of the Drivers, the lack of coaching and socialization from Gojek to the Drivers, the access to information for the Drivers, and the financial income conditions of the Gojek Drivers. The government's responsibility in providing social security for Gojek driver workers, who are included in the category of independent or informal workers, is reflected in Law Number 24 of 2011 concerning the Social Security Administering Body (BPJS). The government has an obligation to ensure that all Indonesian people, including informal workers such as Gojek drivers, receive protection through social security programs that include health insurance and employment insurance. Responsibilities given by the government such as the Implementation of Social Security, Provision of accents for registration and membership workers, subsidies for worker contributions, counseling and socialization to workers. The government has a responsibility to ensure that workers such as Gojek Drivers can access social security programs that provide social protection such as health insurance and employment insurance. This is regulated in Law Number 24 of 2011, specifically in articles 4, 5, 13, 14 and 11.

The implementation of social security for Gojek drivers faces a number of obstacles that affect the effectiveness of the social security program. Therefore, it is important to see what can affect or hinder the implementation of social security for Gojek Drivers, because it is hoped that they will all get good social security for their survival and their families in the future. The main inhibiting factors in the implementation of social security for Gojek drivers include lack of awareness, inability to pay contributions, complicated registration processes, ambiguity of employment status, and lack of support from the platform. To overcome these obstacles, a more integrated approach is needed, including increased socialization, ease of registration process, contribution subsidies, and closer collaboration between the government and the platform to ensure that all Gojek drivers receive proper social protection. This is regulated in Law Number 24 of 2011, specifically in articles 4, 10, 5, and 17.

ADVANCED RESEARCH

As for the suggestions given for further research, in order to improve and perfect the shortcomings and limitations of this study, suggestions from researchers such as, Increasing Socialization and Education for Gojek Drivers, Simplifying the BPJS Employment Administration Process, Cooperation between the Government and the Gojek Company, Increasing Supervision and Evaluation of BPJS Implementation, The Need for Special Policies for Workers in the Informal Sector. The suggestions put forward, it is hoped that Gojek drivers and other informal sector workers can better understand their rights and get better legal protection in facing the risk of work accidents, in accordance with the provisions in the BPJS Law.

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