



Legal Protection for Election Organizing Committees When They Experience Work Accidents During General Elections in the General Election Commission

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Article	Abstract
Keywords: General Election; Legal Protection; Work Accidents; General Election Commission; Social Security	<p><i>This study focuses on the legal protection for election committee workers when they experience work accidents during general elections within the environment of the General Election Commission (General Election Commission or KPU). General elections are a cornerstone of democracy that determines the direction and leadership of a nation. In Indonesia, election organizers including the District Election Committee (Kecamatan Election Committee or PPK), Voting Committee (Positioning Committee or PPS), and Voting Organizing Group (Kelompok Organizing Pemulungan Pemulungan or KPPS) may face risks of accidents while performing their duties. This research utilizes normative research methodology, focusing on the study of legal documents and applicable regulations. The aim is to delve deeper into the legal aspects and protections that need strengthening to ensure the safety and well-being of election committee workers in carrying out their tasks. Considering the significant number of casualties during this democratic event, this study highlights the importance of health guarantees for these ad hoc bodies, which have not been sufficiently regulated in the Election Commission Regulations (Peraturan Election Commission General or PKPU). Additionally, the research examines the role of the Social Security Organizing Agency (Social Security Organizing Agency or BPJS) in providing social protection for election committee workers and the challenges faced in implementing employment social security at the regional level. The results underscore the need for policy improvements and increased collaborative capacity with relevant parties to conduct fair, transparent, and accountable elections that strengthen democracy in Indonesia.</i></p>

INTRODUCTION

General Elections (Pemilu) are one of the pillars of democracy that determine the direction and leadership of a country. The involvement of election organizers, represented by the General Election Commission (KPU), is very important in maintaining the integrity and sustainability of the democratic process. However,

behind this great responsibility, there are serious problems related to the protection of election organizers when they experience work accidents. In Indonesia, election organizers, including the District Election Committee (PPK), the Voting Committee (PPS) and the Voting Organizer Group (KPPS), may face the risk of accidents while carrying out their duties. Therefore, it is necessary to pay attention to adequate legal protection for election organizers who experience work accidents. This study will discuss the context of the KPU and the problems faced in terms of protection for election organizers when they experience work accidents in Indonesia. Thus, this study aims to explore more deeply the legal aspects and protection that need to be strengthened to ensure the safety and welfare of election organizers in carrying out their duties.

One indicator of a democratic country is the holding of general elections. Elections can be an instrument in exercising people's sovereignty. In Indonesia, there have been 12 recorded general elections. The first election was held in 1955 until the last general election was held in 2019, and the next election will be held in 2024. Although elections have been held for years and many times, if assessed as a characteristic, at least the implementation of general elections in Indonesia can be classified into three political regimes, namely the old order general election (1959-1966), the new order general election (1966-1998) and the reform general election (1988-present).

In 2019, Indonesia successfully held its first simultaneous general election. This democratic process in Indonesia has attracted the world's attention. Undoubtedly, this election is considered a very complex election, but it is recognized as an impressive election in the eyes of the world, even considered the largest election in world history. This is because in this election voters must vote 5 times on 5 ballot papers, namely (President and Vice President, DPR RI, DPD RI, Provincial DPRD, and Regency/City DPRD) at the same time.

The election received a lot of appreciation in general because the election was able to take place safely, peacefully, and conducive. However, the success and appreciation were also accompanied by criticisms from various parties because of the many problems or incidents that accompanied the election process, such as many organizing officers who fell ill and even died, delays in logistics on election day, the neutrality of state officials being questioned,

Based on data obtained by the author reported by Jawapos.com and the KPU RI during the 2019 election, there were 583 KPPS members who died. Meanwhile, the number of organizing committee members who were sick reached 11,239. Seeing the number of victims in the democratic party, of course there are several causes or factors that trigger why so many organizing committee members fell. The fatigue factor is the main cause of the fall of election organizers, considering the heavy duties of the ad hoc body where they go directly to the field and deal directly with participants and voters.

Given the weight of the task, the election organizing committee, especially the ad hoc body, should be given health insurance so that the election organizing committee can carry out its duties in the field calmly and comfortably. Given that so far health insurance for ad hoc bodies has not been regulated in the General Election Commission Regulation (PKPU).

The implementation of elections in Indonesia is faced with various dilemmas that affect the effectiveness and integrity of the election process. First, limited resources are a major challenge for organizers such as the KPU. Limited personnel, budget, infrastructure, and technology can hinder their ability to carry out their duties and responsibilities efficiently. Second, the use of technology in elections, although increasing efficiency and accuracy, also carries significant data security risks. Ensuring the security of electronic systems used in elections, such as electronic vote counting and delivery of results, is a priority in the face of technological developments.

In addition, election organizers are also faced with the demands of maintaining neutrality and fairness during the election process. They must ensure that there is no political bias and that every political party or candidate has an equal opportunity to participate and compete fairly. Handling election disputes is another dilemma. Election organizers are responsible for handling disputes transparently, independently, and fairly so that the decisions taken can be accepted by all parties involved.

In addition, increasing voter participation and political awareness is also a challenge. Although efforts to increase participation are made, election organizers must overcome low levels of participation, information gaps, and obstacles in reaching voters in remote areas. And election organizers have a responsibility to enforce the law and investigate election violations. They must maintain independence and dare to take action against violations without political pressure or intervention.

All of these dilemmas reflect the complexity and challenges faced in organizing elections in Indonesia. Election organizers in Indonesia continue to strive to overcome these dilemmas through policy improvements, capacity building, collaboration with relevant parties, and adoption of appropriate technology. The ultimate goal is to hold fair, transparent, and accountable elections that can strengthen democracy in Indonesia.

The agency in charge of social security in Indonesia is the Social Security Administering Agency. The social security administering agency is an entity that is responsible for implementing social security programs for the community. The main function of this agency is to protect and provide social protection to its participants, especially in terms of basic needs such as health, employment, and social welfare. In Indonesia, the most well-known social security providers are the Social Security Administering Agency (BPJS) Health and BPJS Employment. BPJS Health is tasked with managing the national health insurance program, while BPJS Employment

manages protection programs such as work accident insurance, death insurance, old age insurance, and pension insurance.

Social security agencies are usually funded through contributions paid by their participants, whether by government, companies, or individuals independently. These contributions are then used to provide benefits to eligible participants, such as health services, work accident compensation, pension benefits, and other social assistance. The main objectives of social security agencies are to improve the social welfare of the community, protect participants from social and economic risks, and ensure better access to health services and other basic needs.

Currently, there are several regional heads who protect election organizers in their areas, such as the Bandung Regency Government which has registered 101,738 Election Organizers from both the General Election Commission and the Election Supervisory Body. The details from the KPU Environment are, the Leadership and members of the Bandung Regency KPU number 5 people, while the KPU Secretariat staff number 14 people. The PPK has 155 members, while the PPS has 840 members. The PPK Secretariat involves 93 people, and the PPS Secretariat involves 840 people. There are also 62 support staff at the PPK Secretariat and as many as 99,729 officers at Polling Stations (TPS). On the other hand, the Election Supervisory Body (Bawaslu) of Bandung Regency has a total of 11,709 personnel, including 341 Sub-district Supervisory Committees (Panwaslu Kecamatan), 280 Village/Sub-district Supervisory Committees (Panwaslu Kelurahan/Desa), 7 Civil Servants (PNS) at the Bawaslu Secretariat, and 11,081 TPS Supervisors. The management of BPJS Ketenagakerjaan contributions for 2024 Election officers in Bandung Regency is carried out through regional budget allocations regulated by the Bandung Regency National Unity and Politics Agency (Kesbangpol).

This is done in accordance with Presidential Instruction Number 2 of 2021 concerning Optimization of the Implementation of the Employment Social Security Program. In this instruction, Regional Heads are asked to take action so that all workers, including those who receive wages and those who do not, including non-civil servant government employees, as well as election organizers in their regions, become active participants in the Employment Social Security Program. However, not all Regional Heads have implemented the Instruction, while the KPU through its Regulation, namely the General Election Commission Regulation (PKPU), has also not regulated legal protection for election organizers who experience work accidents, even in KPU Regulation Number 8 of 2022 concerning the Establishment and Work Procedures of the Ad Hoc Body for Organizing General Elections and Elections of Governors and Deputy Governors, Regents and Deputy Regents, Mayors and Deputy Mayors, the regulations are still not clear enough, such as those contained in Article 83 of KPU Regulation Number 8 of 2022 concerning the Establishment and Work Procedures of the Ad Hoc Body for Organizing General Elections and Elections of

Governors and Deputy Governors, Regents and Deputy Regents, Mayors and Deputy Mayors which reads "In the event that a member of the Ad Hoc body experiences a work accident in the implementation of the Election and Election, the KPU can provide compensation" in this article there is the phrase "can" which can have two meanings, namely it could be yes and it could also be no, this legal ambiguity can raise questions among organizers regarding the legal regulations that occur if an election organizer experiences a work accident

Special Agency The special agency responsible for organizing the General Election (Pemilu) and the election of the Governor and Deputy Governor, Regent and Deputy Regent, and Mayor and Deputy Mayor consists of several elements, including the District Election Committee (PPK), the Voting Committee (PPS), the Voting Organizer Group (KPPS), Voter Data Update Officers (Pantarlih), and Polling Station Order Officers (TPS Order Officers). They face high risks because they work under conditions of very heavy workloads, limited time to complete tasks, and the number of personnel that has been determined by law. In addition, they also experience unavoidable external pressure, because this special agency interacts directly with stakeholders and the general public in a very dynamic political context. To offset this great risk, it is important to provide social security in the form of compensation to members of the special agency who experience work accidents.

The results of the evaluation of the implementation of the simultaneous General Election in 2019 showed that many members of the Ad Hoc Body involved in organizing the Election experienced health problems and even experienced fatal work accidents that resulted in death. In addition, the diverse geographical characteristics and vast areas in their areas of duty add a significant burden to the Ad Hoc Body organizing the Election, increasing the risk of accidents while carrying out their duties. To provide social protection in the form of compensation for death and work accidents, the General Election Commission is responsible. This is regulated in the General Election Commission Regulation Number 8 of 2022 which regulates the formation and work procedures of the Ad Hoc Body organizing the Election and in the General Election Commission Regulation Number 1 of 2023 which regulates the budget during the stages of the General Election.

To provide more detailed guidelines in managing the provision of compensation, it is necessary to prepare a Technical Guide for the Execution of Death Compensation and Compensation Due to Work Accidents for Ad-hoc Institutions responsible for the General Election and the Election of Governors and Deputy Governors, Regents and Deputy Regents, and Mayors and Deputy Mayors in 2024. The KPU itself has 2 types of legal products, namely regulations and decisions. Theoretically, there are three cumulative differences between laws and decisions. First, laws and regulations are general in nature, meaning that their impact applies to many people and not just to certain individuals (individuals). If a legal product is only intended for certain

individuals, then it is considered a decision. Second, laws and regulations are abstract, meaning that they are intended to address various specific legal events. This is different from the characteristics of decisions that are only intended for one legal event. Third, basically, regulations have continuous characteristics (*einmalig*), meaning that their legal effects will continue until they are revoked by other regulations or canceled by a court decision (through *judicial review*).

METHOD

The type of research method used by the researcher is a type of normative legal research, namely research conducted by studying laws and regulations (*law in books*) or rules or norms and principles contained in laws and regulations and also doctrines contained in legal science. Another name for this type of normative legal research is doctrinal legal research which can also be called library research or document study. This research is called doctrinal law because basically this research is conducted or aimed only at applicable written regulations and legal materials. In its use, this type of research can be used as a means of answering problems in this research based on existing legal principles, and governing laws, and other supporting theories.

In relation to the type of research that will be used, namely normative juridical, the problem-solving approach method used is:

1. Legal Approach (*statute approach*)

An approach taken by examining all existing laws and regulations that are related to the legal issue to be studied.

2. Conceptual *approach*

An approach to studying and understanding various views and doctrines that exist in legal science so as to produce new understandings and concepts as well as legal principles that are relevant to the issues being studied.

The types of data used in this study include primary and secondary data. Primary data consists of laws and regulations. While secondary data can include legal opinions expressed by legal experts, books, printed media or journals, articles and research results and other written works related to electoral regulations in Indonesia.

RESULTS AND DISCUSSION

1. Legal provisions for the Election Organizing Committee within the General Election Commission if they experience a work accident

According to Article 1 paragraph 14 of Law Number 40 of 2004 concerning the National Social Security System, a work accident is an incident that occurs in the workplace that results in physical or health injury to the worker concerned. This phenomenon is one aspect that is often a major concern in the field of occupational safety and health. Work accidents can occur in various types of industries and sectors, from construction, manufacturing, agriculture, to the service sector. Every year, millions of work accidents occur worldwide, resulting

in significant losses for both individuals and companies. However, in the implementation of the Election according to KPU Decree Number 59 of 2023, namely "A work accident is an accident that occurs in carrying out duties, obligations, and/or in other circumstances related to the implementation of the implementation of the stages of the Election and Election, an accident that is equated with an accident that occurs in carrying out its duties and obligations, including due to the actions of irresponsible elements or as a result of actions against these elements in carrying out their duties, on the way from home to work or vice versa, and/or illnesses that arise as a result of the task of organizing the Election and Election".

One aspect that needs to be considered in the context of work accidents is the causative factor. Work accidents can be caused by various factors, including unsafe working conditions, non-compliance with safety procedures, improper use of tools and machines, and lack of adequate training or supervision. In addition, human factors such as fatigue, lack of concentration, or risky behavior can also be the cause of work accidents.

The impact of work accidents is not only felt by the injured individual, but also by the company and society as a whole. For injured individuals, work accidents can result in physical and psychological suffering, loss of income due to absence from work, and long-term impacts on health and quality of life. Meanwhile, for companies, work accidents can cause decreased productivity, additional costs for compensation and reimbursement, as well as damage to reputation and loss of public trust.

Therefore, prevention of work accidents is very important in efforts to maintain occupational safety and health. These preventive measures can include increasing awareness and safety training for workers, strict enforcement of occupational safety regulations, routine maintenance and repair of work facilities and equipment, and promoting a strong safety culture in the work environment.

In addition to prevention efforts, responding to work-related accidents is also important. A responsive and effective system for dealing with work-related accidents can help minimize their negative impacts. This includes providing appropriate and prompt medical care to victims, investigating the causes of accidents to prevent similar incidents in the future, and providing compensation and support to affected individuals.

Overall, work accidents are not just an individual or company problem, but also a social problem that requires attention and joint action from various parties, including the government, companies, unions, and society at large. With coordinated and comprehensive efforts, we can create a safer and healthier working environment for everyone.

The guarantee of legal protection for workers has been stated in the 1945 Constitution, where in Article 28 paragraph 1 it states "Everyone has the right to recognition, guarantee, protection, and legal certainty". According to this regulation, it is emphasized that all individuals have the right to be protected and have legal certainty in their lives and work. The Manpower Law acts as a legal basis that regulates labor rights and guarantees fair treatment regardless of any differences, with the aim of achieving welfare and prosperity for every worker.

In Indonesia, the regulation of work accidents is based on the established labor law framework. Although the election organizers in the KPU environment tend to be considered a relatively safe work environment, the risk of work accidents remains and needs to be addressed seriously. Law Number 13 of 2003 concerning Manpower is the main basis that regulates the rights and obligations of workers and employers, including in the context of work accidents in offices.

In the election organizer, the risk of work accidents is usually related to injuries caused by falling, slipping, or being hit by objects around the workplace. In addition, health problems such as musculoskeletal disorders due to non-ergonomic sitting positions can also be a concern. The KPU as an employer is obliged to implement an adequate K3 management system to prevent work accidents and ensure safe working conditions for ad hoc bodies in its ranks. Provision of facilities that support ergonomics in the Dadan Adhoc Secretariat, such as appropriate chairs and tables, as well as training on the proper use of office equipment, is also part of the effort to prevent work accidents in the election organizing committee.

In addition to general regulations, there are also more specific regulations related to workplace accidents in offices. For example, regulations regarding evacuation procedures in emergency situations, handling of chemicals used in the office, and fire prevention and other emergency response procedures.

However, despite the existence of clear regulations, the implementation of work accident regulations in offices often still faces challenges. One of them is the low awareness and compliance with OHS standards, especially in small and medium-scale offices that may not have sufficient resources to implement all OHS requirements.

Increasing awareness, training, and regular monitoring of OHS conditions in offices can help reduce the risk of work accidents. In addition, cooperation between the government, employers, and employees in implementing good OHS practices is also key to creating a safer and healthier work environment in Indonesian offices. With this joint effort, it is hoped that a safer and more productive work environment can be achieved for all parties involved.

According to Law Number 40 of 2004 concerning the National Social Security System, there are at least 5 guarantees that workers can obtain, including:

- a) Health insurance;

- b) Accident insurance;
- c) Pension plan;
- d) Pension Guarantee;
- e) Death Benefit.

In Article 29 of Law Number 40 of 2004 concerning the National Social Security System, Work accident insurance is organized with the aim of ensuring that participants receive health service benefits and cash compensation if a worker experiences a work accident or suffers from an occupational disease. Work accident insurance refers to the protection provided to workers who experience accidents or injuries while carrying out their work duties. This concept has been regulated in the labor law framework in various countries, including Indonesia. In Indonesia, work accident insurance is organized through a social security system regulated by the Social Security Administering Agency (BPJS) for Employment.

The Social Security Administering Agency (BPJS) for Employment is an institution tasked with organizing social security programs for workers in Indonesia (Sutrisno 2022) . Established based on Law Number 24 of 2011, BPJS Employment has a mandate to provide social security protection against the risks of work accidents, illness, disability, death, and retirement to registered participants. This program aims to provide broad social protection to workers and their families and to promote the welfare of the Indonesian workforce as a whole. BPJS Employment organizes several social security programs, including Work Accident Insurance (JKK), Death Insurance (JKm), Old Age Security (JHT), and Pension Insurance (JP). This program includes various benefits, such as work accident compensation, disability compensation, death compensation, and the right to pension funds for participants who have reached retirement age (Kusuma et al. 2021) .

One of the main features of BPJS Ketenagakerjaan is the financing system carried out through a contribution scheme. Participants, including formal and informal workers, as well as employers, pay regular contributions to BPJS Ketenagakerjaan. The amount of the contribution is determined based on the level of risk and income of the participant, thus allowing this social security program to continue to run sustainably and provide adequate protection to participants. In addition, BPJS Ketenagakerjaan also has an important role in education and advocacy regarding the importance of social security protection for workers. Through various socialization and campaign programs, BPJS Ketenagakerjaan seeks to increase public awareness of their rights to receive social protection and the importance of participating in the social security program being held.

Despite its important role in providing social protection for workers, BPJS Ketenagakerjaan also faces several challenges. Some of these include issues of

contribution compliance, increasing efficiency and service, and increasing compliance and awareness of occupational safety and health in the workplace.

Overall, BPJS Ketenagakerjaan is a vital instrument in providing social protection for workers in Indonesia. Through its social security programs, BPJS Ketenagakerjaan contributes to improving the welfare and financial security of workers and their families, thereby strengthening the foundation of social justice and the sustainability of national development. Therefore, it is important to continue to support and strengthen the role of BPJS Ketenagakerjaan in organizing effective and sustainable social security programs for all Indonesian people.

The work accident insurance system in Indonesia includes several main components. First, every worker registered as a BPJS Ketenagakerjaan participant automatically receives work accident insurance protection. Second, in the event of a work accident resulting in injury or death, the participant or his/her heirs are entitled to various forms of benefits, including medical expenses, disability benefits, death benefits, and medical and social rehabilitation costs.

Under Indonesian legal framework, the work accident insurance claim process involves several stages. First, the participant or his/her heirs are required to report the work accident to BPJS Ketenagakerjaan within the specified time. Second, BPJS Ketenagakerjaan will verify the claim to ensure its validity and truth. The next stage involves assessing the severity of the injury or disability experienced by the participant, which will determine the amount of compensation received.

In addition, work accident insurance also covers aspects of prevention and promotion of work safety. In this case, BPJS Ketenagakerjaan plays a role in providing education and training on work safety and health to companies and workers. The purpose of this approach is to prevent work accidents by increasing awareness, knowledge, and skills in identifying and addressing risks in the workplace.

Overall, work accident insurance is an important component of the social security system in Indonesia. Through this mechanism, BPJS Ketenagakerjaan participants can obtain the necessary protection in facing the risk of work accidents, as well as receive benefits according to the severity of the injury or disability experienced. In addition, efforts to prevent and promote work safety are also an integral part of this system, with the aim of creating a safer and healthier work environment for all workers.

In organizing the General Election in Indonesia, the KPU does not work alone, in this case the Regency/City Regional KPU is given the authority to form an ad-hoc Election Body, there are 3 types of ad-hoc bodies within the KPU.

- a) Sub-district Election Committee (PPK)
- b) Voting Committee (PPS)
- c) Voting Organizing Group (KPPS)

The duration or time span of the work contract given by the KPU to the three Ad-hoc Agencies varies, where the PPK works for 14 months, the PPS works for 13 months, while the KPPS only works for one month. The work contract which tends to be quite long accompanied by a high workload, it is not impossible for the Election Organizing Committee in the KPU Environment to experience a work accident.

The regulation regarding Ad-hoc Bodies that experience work accidents within the KPU Environment itself has been regulated in Article 83 of KPU Regulation Number 8 of 2022 concerning the Establishment and Work Procedures of Ad-hoc Bodies for Organizing General Elections and Elections of Governors and Deputy Governors, Regents and Deputy Regents, Mayors and Deputy Mayors which reads "In the event that members of the ad-hoc body experience work accidents in the implementation of the General Election and Election, the KPU can provide compensation". Compensation is a form of financial assistance or compensation given to individuals or groups in response to certain events that are guaranteed by social security or insurance programs. In the context of social protection, compensation is often given to participants or their heirs as a form of replacement or compensation for losses suffered due to events such as accidents, illness, disability, or death. The main purpose of compensation is to provide financial protection to recipients, so that they can cope with the economic consequences arising from events that are guaranteed in the social security or insurance program.

This compensation can be in the form of cash payments, reimbursement for costs incurred, or the provision of other benefits in accordance with the provisions in force in the relevant social security or insurance program. The amount of compensation is usually determined based on the type of incident, severity, and other provisions that have been set out in the social security or insurance program. For example, in the context of work accident insurance, compensation can include medical treatment costs, replacement of lost income during the recovery period, and disability or death benefits provided to workers or their families according to the severity of the injury or disability experienced by the worker. By providing financial assistance to individuals or families directly affected by the insured event, compensation plays an important role in the social security or insurance system. Compensation not only helps recipients overcome economic difficulties arising from unexpected events, but also provides a sense of security and certainty regarding future financial protection.

The latest mechanism for providing compensation within the KPU Environment has been regulated in the Decree of the General Election Commission Number 59 of 2023 concerning Technical Guidelines for Providing Death Compensation and Work Accident Compensation for Ad-hoc Election

Organizing Bodies and Elections of Governors and Deputy Governors, Regents and Deputy Regents, and Mayors and Deputy Mayors in 2024, which includes:

- a) Provision of death benefits and work accident benefits for Ad Hoc Bodies;
- b) The amount of death benefits and work accident benefits for Ad Hoc Agencies; and
- c) Mechanism for providing death benefits and work accident benefits for Ad Hoc Agencies.

According to the Decree of the General Election Commission Number 59 of 2023, "A Work Accident is an accident that occurs in carrying out duties, obligations, and/or in other circumstances related to the implementation of the implementation of the stages of the Election and Election, an accident that is equated with an accident that occurs in carrying out its duties and obligations, including due to the actions of irresponsible elements or as a result of actions against these elements in carrying out their duties, on the way from home to work or vice versa, and/or illnesses that arise as a result of the task of organizing the Election and Election". And what is meant by Work Accident Compensation is cash compensation provided by the KPU to Adhoc Bodies that experience work accidents in carrying out the implementation of the stages of the Election and Election resulting in permanent disability, serious injury/illness and/or moderate injury/illness (KPU RI 2023) .

According to Law Number 13 of 2003 concerning Manpower, more precisely in Article 99 which states "Every worker/laborer and their family have the right to obtain social security for workers" The social security for workers referred to here is implemented in accordance with applicable laws and regulations. Social security for workers in the law is regulated in Law Number 24 of 2011 concerning the Social Security Administering Body, in which Law Number 24 of 2011 concerning manpower states that BPJS Ketenagakerjaan organizes work accident insurance programs, old age insurance, pension insurance, and death insurance, which also rigidly regulates the procedures and requirements for workers who become participants in the social security program, in Article 14 of Law Number 24 of 2011 it is instructed that everyone who works for at least 6 (six) months in Indonesia is required to become a Participant in the Social Security program. However, worker protection for election organizers in this case, ad hoc bodies within the KPU when experiencing work accidents has also been regulated in Article 83 of KPU Regulation Number 8 of 2022 which states "in the event that members of the ad hoc body experience work accidents in the implementation of the Election and Election, the KPU can provide compensation" if viewed from the text of this article, it can be said that the KPU does not have an obligation to provide compensation, the mechanism and technical instructions for compensation provided by the KPU are then regulated in the General Election Commission

Decree Number 59 of 2023. However, according to the author, the KPU Decree Number 59 of 2023 is still considered unclear regarding the regulation of work accidents experienced by ad hoc election bodies within the KPU environment, such as the criteria for ad hoc bodies experiencing work accidents in the General Election Commission Decree Number 59 of 2023 is still not detailed. The KPU Decree Number 59 of 2023 which regulates the Technical Guidelines for the Provision of Death Compensation and Work Accident Compensation for the Ad Hoc Election Organizing Body and the 2024 Election should be stronger and have clearer regulations compared to the Manpower Law and the BPJS Law. Because the KPU does not have its own financial resources, therefore, in accordance with Presidential Instruction Number 2 of 2021 concerning Improving the Implementation of the Social Security Program for Employment, the KPU can coordinate with the Regional Government in the KPUD's working area so that later the Regional Government will pay the BPJS Employment premium for the election organizing committee in its region of 0.24% -1.74% depending on the risk of work and that is considered wiser compared to the compensation mechanism, and it is necessary to add a clause for election organizers if there is a work accident and the KPU/Regional Government does not register for Social Security, then the KPU/Regional Government must compensate at least as much as should be paid by BPJS so that there is no injustice for election organizers when they experience a work accident.

2. A legal consequence arising from the regulation of legal protection for Election Organizing Committees within the General Election Commission who experience work accidents

So far, the KPU as the employer has provided compensation to the election organizing committee who have work accidents, but according to the author, the compensation mechanism is still considered less than optimal. Although the compensation method in work accidents has many benefits, there are several shortcomings that need to be considered. One of the main shortcomings is the potential for injustice in determining the amount of compensation. In some cases, the amount of compensation may not be adequate to replace the losses experienced by victims of work accidents, especially if the accident results in permanent disability or death. The assessment criteria for determining the amount of compensation may also not always be objective, and can be influenced by various factors such as applicable regulations.

In addition, the compensation claim process can also be complicated and time-consuming. Ad-hoc KPU bodies that experience work accidents often have to go through various complicated and convoluted administrative stages, including document collection, verification processes, and proving the validity of their

claims. During this process, accident victims may experience financial hardship and difficulty in meeting their urgent needs, especially if they are unable to work during recovery.

Not only that, the compensation system can also raise moral and ethical issues. For example, there is a risk that recipients of compensation may misuse the funds they receive, or that insurance companies or institutions may try to deny or delay legitimate claims in order to reduce costs. This can lead to injustice and distrust in the social security or insurance system.

Finally, compensation methods in workplace accidents may not be enough to effectively prevent workplace accidents. Although compensation can provide financial assistance to accident victims, this approach is more reactive than preventive. Therefore, additional efforts are needed to increase awareness of occupational safety and health, and to implement more effective preventive measures in the workplace to reduce the overall risk of workplace accidents.

Considering these shortcomings, it is important for the KPU to continue to evaluate and improve the compensation system for work accidents experienced by the Election Organizing Committee. This includes efforts to increase transparency, fairness, and efficiency in determining the amount of compensation, as well as speeding up and simplifying the claims process for accident victims. Thus, it is hoped that a safer, healthier, and fairer work environment can be created for all workers.

Health insurance in the context of work accidents provides a series of significant benefits for workers. One of the main advantages of health insurance in work accidents is that it provides quick and broad access to the necessary health services for accident victims. With health insurance, KPU ad hoc bodies who experience work accidents can immediately get the necessary medical care without having to worry about high medical costs. This not only helps in accelerating the physical recovery process, but can also reduce the risk of complications and minimize the long-term impact of the injuries experienced.

In addition, health insurance for work accidents also provides financial protection for workers and their families. Compensation provided through health insurance can cover various costs, such as medical expenses, hospital care, medicines, and rehabilitation therapy. With this guarantee, workers do not need to worry about the large financial burden due to high medical costs, allowing them to focus on recovery and return to optimal health.

In addition to providing financial protection, occupational accident health insurance can also provide a sense of security and certainty for workers and their families. By knowing that they are protected by comprehensive health insurance, workers feel more confident in carrying out their work duties without fear of the risk of accidents that may occur. This can also increase the productivity and

psychological well-being of workers, as well as strengthen the relationship between workers and the company they work for.

Finally, occupational accident health insurance can also play a role in encouraging the implementation of better occupational safety and health practices in the workplace. By knowing that medical expenses due to occupational accidents are covered by health insurance, the KPU tends to pay more attention to accident prevention efforts and improve occupational safety standards. This not only benefits the KPU by creating a safer work environment, but also reduces the risk of accidents and high medical costs for the country.

Overall, occupational accident health insurance has many significant advantages for election organizers, the state, and society as a whole. By providing quick and widespread access to necessary health services, providing financial protection, creating a sense of security and certainty, and encouraging the implementation of better occupational safety practices, occupational accident health insurance can help create a healthier, safer, and more productive work environment for all parties involved.

Therefore, considering the high work pressure for the KPU ad hoc body with 24-hour integrity, there needs to be health insurance through BPJS Ketenagakerjaan, so that the KPU ad hoc body is calm and peaceful when carrying out its work, as mandated in Presidential Instruction (Inpres) Number 2 of 2021 concerning Improving the Implementation of the Employment Social Security Program, one of the important points highlighted is the strengthening of social security for election officials, including members of the General Election Commission (KPU). In this Inpres, Regional Heads are urged to take steps to ensure that all workers, including government employees who are not state civil servants, and election organizers in their areas, are registered as active participants in the employment social security program. The legal consequences that arise are the weakness of KPU Decree Number 59 of 2023 which regulates work accidents experienced by ad hoc bodies within the KPU Environment.

CONCLUSION

1. There is legal ambiguity in the rules on work accidents experienced by ad hoc bodies within the KPU Environment, where in Article 83 of KPU Regulation Number 8 of 2022, in this article the KPU is not required to provide compensation for work accidents experienced by ad hoc election organizing bodies within the KPU Environment. There is no social security or work accident insurance obtained by the KPU ad hoc body when working, even though it is clear according to the Manpower Law that every worker and their family have the right to receive social security for workers, this is in accordance with Article 14 of Law Number 24 of 2011 concerning the Social Security Administering Body that, "Everyone who works for at least 6 months in Indonesia is required to become a participant

- in the Social Security program". KPU Decree Number 59 of 2023 which regulates work accidents experienced by ad hoc bodies within the KPU Environment should have stronger regulations than the Manpower Law and Law Number 24 of 2011 concerning BPJS. The KPU should add a clause for election organizers if there is a work accident and the KPU/Regional Government does not register for Social Security, then the KPU/Regional Government must compensate at least as much as should be paid by BPJS so that there is no injustice to election organizers when experiencing a work accident (paying/bearing full medical expenses when experiencing an ad hoc body experiencing a work accident). That at the time of the election, the law enforcement process must be considered, especially in election cases, namely the balance, harmony, and harmony between legal awareness instilled by legal awareness and legal filling
2. The legal consequences arising from the regulation of legal protection for the Election Organizing Committee within the General Election Commission who experience work accidents are that the KPU Decree Number 59 of 2023 is not strong enough as a regulation for work accidents experienced by ad hoc bodies within the KPU.

Suggestion

1. The makers of KPU Regulations and KPU Decisions, namely the General Election Commission, are required to review and revise the provisions on work accidents experienced by ad hoc bodies, considering that ad hoc bodies are the spearhead in making the General Elections in Indonesia a success.
2. It is hoped that the regulations on work accidents for ad hoc election organizing bodies within the KPU will be strengthened to ensure the comfort and safety of ad hoc KPU bodies when carrying out their work.

REFERENCES

- Kusuma, Rahmawati, AD Basniwati, Lalu Guna Nugraha, and Sri Hariati. 2021. "Rights of Participants in the Employment Social Security Administration Agency." *Palar | Pakuan Law Review* 7(2):194–205. doi: 10.33751/palar.v7i2.3242.
- Sutrisno, Sutrisno. 2022. "The Role of Social Security for Workers by the Social Security Administration Agency for Employees (Study at the Kediri BPJS Employment Office)." *Mizan: Journal of Legal Studies* 11(2):250. doi: 10.32503/mizan.v11i2.3239.
- Indonesia. 2017. "Law Number 7 of 2017 concerning General Elections."
- Indonesia. 2003. "Law Number 13 of 2003 Concerning Manpower"
- Indonesia. 2011. "Law Number 24 of 2011 concerning Social Security Administering Body."

- KPU RI. 2019. “ Regulation of the General Election Commission of the Republic of Indonesia Number 8 of 2019.”
- KPU RI. 2023. “ General Election Commission Regulation Number 1 of 2023 which regulates the budget for expenditure during the General Election stages.”
- KPU RI. 2022. “ KPU Regulation Number 8 of 2022 Concerning the Establishment and Work Procedures of the Ad Hoc Body for Organizing General Elections and Elections of Governors and Deputy Governors, Regents and Deputy Regents, Mayors and Deputy Mayors.”
- KPU RI. 2023. “KPU Decree Number 59 of 2023 Concerning Technical Guidelines for the Provision of Death Compensation and Work Accident Compensation for Ad Hoc Election Organizing Bodies and Election of Governors and Deputy Governors, Regents and Deputy Regents and Mayors and Deputy Mayors.”