

Legal Protection of Workers in Employment Termination Disputes in North Sumatra: Between Legal Certainty and Social Justice

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ABSTRACT

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This study analyzes the legal protection of workers in employment termination disputes in North Sumatra by examining the relationship between legal certainty and social justice. Employment termination remains a critical labour issue because it affects workers' economic security, access to welfare, and bargaining position in industrial relations. Although Indonesian labour law provides formal protection through termination procedures, severance rights, compensation mechanisms, and industrial relations dispute settlement, practical barriers continue to limit workers' access to substantive justice. This study applies a socio-legal approach by examining statutory regulations, relevant legal documents, court-related materials, and the practical context of employment termination disputes in North Sumatra. The findings show that legal protection is formally available through Law No. 13 of 2003, Law No. 2 of 2004, Law No. 6 of 2023, and Government Regulation No. 35 of 2021. However, workers still face unequal bargaining power, limited legal knowledge, financial constraints, lengthy dispute resolution processes, and difficulties in enforcing their rights. Employment termination disputes in North Sumatra commonly involve the legality of termination, procedural compliance, severance pay, compensation rights, and access to dispute resolution mechanisms. The study concludes that effective worker protection cannot rely solely on formal legal certainty, but must also incorporate social justice through accessible, fair, and responsive dispute resolution. This article contributes to labour law scholarship by offering a regional socio-legal analysis that integrates legal certainty and social justice in employment termination disputes.



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Introduction

Employment termination remains one of the most complex issues in labour law because it directly affects workers' economic security, social welfare, and access to decent living standards. In an employment relationship, workers are generally placed in a weaker bargaining position than employers due to differences in economic power, managerial authority, and access to legal resources. For this reason, labour law is not only intended to regulate contractual relations between employers and workers, but also to provide legal protection against arbitrary dismissal. Wibowo and Herawati (2021) emphasize that termination of employment should not be carried out unilaterally in a manner that harms workers, because Indonesian labour law provides specific restrictions and procedures to protect workers from unfair termination.

In Indonesia, employment termination is regulated through several legal instruments, including Law No. 13 of 2003 concerning Manpower, Law No. 2 of 2004 concerning the Settlement of Industrial Relations Disputes, Law No. 6 of 2023 concerning Job Creation, and Government Regulation No. 35 of 2021. These regulations provide rules concerning the grounds for termination, procedures for dispute settlement,

severance pay, compensation rights, and other normative entitlements of workers. However, the presence of statutory rules does not automatically guarantee effective protection in practice. Mirdinata et al. (2026) argue that one of the main problems in Indonesian labour law is the absence of a clear normative definition of unlawful and unjust termination, especially in cases where workers are dismissed without valid reasons or proper procedures.

The settlement of employment termination disputes is also closely related to the role of the Industrial Relations Court. Law No. 2 of 2004 provides several mechanisms for resolving industrial relations disputes, including bipartite negotiation, mediation, conciliation, arbitration, and litigation before the Industrial Relations Court. These mechanisms are designed to ensure that disputes between workers and employers can be resolved through legally recognized procedures. Nevertheless, the effectiveness of these mechanisms remains a critical issue. Ndun, Helan, and Pekuwali (2020) note that the competence of the Industrial Relations Court in resolving employment termination disputes continues to generate debate because court decisions may still be perceived as ineffective and inefficient in protecting workers' rights.

The tension between legal certainty and social justice becomes particularly visible in employment termination disputes. Legal certainty requires clear regulations, predictable procedures, and consistent judicial decisions so that both employers and workers can understand their rights and obligations. However, legal certainty cannot be separated from substantive justice. Sinaga et al. (2025) show that in termination disputes following the enactment of the Job Creation Law, courts must carefully apply legal principles, including the principle of non-retroactivity, to prevent unfair application of new regulations to previous legal events. Their study highlights that legal certainty in industrial relations disputes must also protect workers' constitutional rights and ensure fairness in judicial interpretation.

From the perspective of social justice, employment termination law should not only assess whether an employer has complied with formal procedures, but also whether the termination process and its consequences are fair for workers. Workers who lose their jobs often face economic vulnerability, psychological pressure, and difficulties in accessing legal remedies. Therefore, legal protection in termination disputes must include procedural fairness, adequate compensation, access to dispute resolution, and protection from discriminatory or arbitrary treatment. Previous research has also shown that industrial relations disputes in Indonesia include disputes over rights, interests, employment termination, and disputes among trade unions, indicating that termination disputes are part of a broader system of labour conflict that requires institutional protection and equal treatment before the law (Sihombing, 2024).

North Sumatra provides an important regional context for examining this issue. As one of Indonesia's major economic provinces, North Sumatra has diverse employment sectors, including plantations, manufacturing, trade, services, logistics, and informal urban economic activities. These sectors create various forms of employment relations and potential disputes, particularly when companies implement efficiency measures, restructuring, or workforce reduction. In such a context, employment termination disputes are not only legal problems but also social problems because they affect workers' livelihoods and the stability of industrial relations. Therefore, the study of worker protection in North Sumatra is important to understand how national labour regulations are implemented in a specific regional setting.

Several studies have examined employment termination in Indonesia, particularly in relation to unilateral dismissal, severance pay, court competence, and industrial relations dispute settlement. However, most existing studies remain focused on normative legal analysis or court decision analysis at the national level. Limited attention has been given to regional socio-legal dynamics, especially in North Sumatra, where employment relations are shaped by local economic structures, workers' legal awareness, institutional capacity, and patterns of dispute resolution. This indicates a research gap in understanding how the principles of legal certainty and social justice operate simultaneously in employment termination disputes at the regional level.

The novelty of this article lies in its regional socio-legal analysis of legal protection for workers in employment termination disputes in North Sumatra by placing legal certainty and social justice as two interconnected analytical dimensions. Unlike previous studies that mainly examine termination from a normative legal perspective, this article emphasizes how formal labour regulations are implemented in a regional context and how dispute resolution mechanisms affect workers' substantive access to justice. Thus, this study contributes to labour law scholarship by arguing that effective worker protection cannot be measured solely by the existence of statutory rules, but must also be evaluated through the fairness, accessibility, and social impact of the dispute resolution process.

Based on this background, this article aims to analyze legal protection for workers in employment termination disputes in North Sumatra by examining the relationship between legal certainty and social justice. Specifically, this study addresses three main questions: first, how Indonesian labour law regulates employment termination and workers' rights; second, how employment termination disputes are resolved in practice in North Sumatra; and third, whether existing legal mechanisms are sufficient to ensure substantive justice for workers. By answering these questions, this article is expected to provide both theoretical and practical contributions to the development of labour law and industrial relations dispute settlement in Indonesia.

Method

This study employs a socio-legal research design to examine legal protection for workers in employment termination disputes in North Sumatra. A socio-legal approach is appropriate because employment termination cannot be understood only through statutory interpretation, but must also be analyzed through the practical implementation of labour law, dispute resolution mechanisms, and the social realities experienced by workers. Socio-legal research combines legal analysis with empirical inquiry to understand how legal norms operate in society and how law affects social relations in practice (Nugroho et al., 2022). This approach is also relevant because industrial relations disputes involve not only legal rights and obligations, but also power relations between workers and employers, institutional access, and the effectiveness of legal remedies.

The object of this research is the legal protection of workers in employment termination disputes, particularly in relation to the balance between legal certainty and social justice. The subject of the research includes workers who have experienced employment termination disputes, labour union representatives, employers or company representatives, labour mediators, legal practitioners, and relevant officials involved in industrial relations dispute settlement. The research was conducted in North Sumatra, with particular attention to areas where employment disputes are commonly brought before labour institutions and the Industrial Relations Court, including Medan and surrounding industrial areas. This regional focus is important because the implementation of national labour law may vary depending on local employment structures, institutional capacity, and workers' access to legal assistance.

The research sample was determined purposively by selecting informants who had knowledge, experience, or direct involvement in employment termination disputes. Purposive sampling was used because the study required information from parties who could explain the legal, institutional, and social dimensions of employment termination disputes. The sample may include terminated workers, representatives of labour unions, company management, labour office officials, mediators, advocates, and judges or court-related legal actors, depending on access and research feasibility. In addition, selected court decisions concerning employment termination disputes in North Sumatra were analyzed to strengthen the empirical and normative findings. The use of court decisions is relevant because judicial reasoning can reflect how legal certainty and fairness are interpreted in concrete disputes.

The main analytical dimensions in this research consist of legal protection, legal certainty, social justice, and employment termination dispute settlement. Legal protection refers to the extent to which workers receive recognition, guarantees, and enforcement of their rights before, during, and after employment termination. Legal certainty refers to the clarity, consistency, predictability, and enforceability of legal rules governing termination procedures and workers' entitlements. Social justice refers to fairness in the treatment of workers, proportionality of compensation, equal access to dispute resolution, and protection against unequal bargaining power. Employment termination dispute settlement refers to the mechanisms used to resolve disputes, including bipartite negotiation, mediation, conciliation, arbitration, and litigation before the Industrial Relations Court. These mechanisms are in line with Law No. 2 of 2004 concerning Industrial Relations Dispute Settlement, which recognizes termination disputes as one type of industrial relations dispute and provides procedural channels for their settlement.

Data were collected through three techniques: document study, interviews, and legal case analysis. Document study was conducted by examining relevant laws and regulations, including Law No. 13 of 2003 concerning Manpower, Law No. 2 of 2004 concerning Industrial Relations Dispute Settlement, Law No. 6 of 2023 concerning Job Creation, and Government Regulation No. 35 of 2021. These legal instruments regulate employment relations, termination procedures, severance pay, compensation rights, and dispute resolution mechanisms. Government Regulation No. 35 of 2021, for example, provides that in the event of employment termination, employers are required to pay severance pay, long-service pay, and compensation for rights that should have been received by workers.

Interviews were conducted with selected informants to obtain information regarding the practical challenges faced by workers in termination disputes, the role of employers and labour institutions, and the effectiveness of dispute resolution mechanisms. The interview questions focused on workers' understanding of their rights, the implementation of termination procedures, access to mediation or court mechanisms, and perceived fairness in dispute outcomes. Legal case analysis was carried out by examining selected Industrial Relations Court decisions related to employment termination disputes in North Sumatra. This analysis focused on the parties' arguments, legal basis, evidence, judicial considerations, and final decisions.

The instruments used in this research include interview guidelines, document analysis sheets, and case analysis matrices. The interview guidelines were prepared based on the main research dimensions, namely legal protection, legal certainty, social justice, and dispute settlement practice. The document analysis sheet was used to identify relevant legal norms, procedural requirements, and workers' rights in employment termination cases. Meanwhile, the case analysis matrix was used to examine legal reasoning, claims, evidence, judicial considerations, and outcomes of selected employment termination decisions. These instruments were designed to ensure consistency in data collection and to allow comparison between formal legal provisions and practical implementation.

Data analysis was conducted qualitatively through descriptive-analytical and juridical-sociological methods. Normative data from laws, regulations, and court decisions were analyzed to determine the legal standards governing employment termination and worker protection. Empirical data from interviews were analyzed through data reduction, data classification, interpretation, and conclusion drawing. The analysis focused on identifying patterns of dispute, barriers to justice, inconsistencies in legal implementation, and the extent to which legal mechanisms provide both procedural certainty and substantive fairness. This is important because Law No. 2 of 2004 requires industrial relations disputes, including termination disputes, to be resolved through structured mechanisms involving bipartite negotiation, mediation, conciliation, arbitration, and the Industrial Relations Court.

To strengthen the validity of the findings, this study used source and method triangulation. Source triangulation was conducted by comparing information from workers, labour unions, employers, mediators, legal practitioners, and court decisions. Method triangulation was conducted by comparing the results of document study, interviews, and legal case analysis. Through this triangulation process, the study seeks to obtain a comprehensive understanding of how employment termination law operates in practice in North Sumatra. This methodological framework enables the research to assess not only whether the law provides formal legal certainty, but also whether it is capable of delivering substantive social justice for workers affected by employment termination disputes.

Results and Discussion

3.1. Characteristics of the Research Object

This study examines legal protection for workers in employment termination disputes in North Sumatra by focusing on the relationship between legal certainty and social justice. The object of the study consists of employment termination disputes that occur in the context of industrial relations, particularly disputes involving disagreement over the validity of termination, severance payment, compensation rights, procedural compliance, and access to dispute resolution mechanisms. The analysis is based on statutory regulations, relevant court decisions, and socio-legal observations concerning the implementation of labour protection in North Sumatra.

North Sumatra is an important region for analysing employment termination disputes because it has diverse labour sectors, including plantations, manufacturing, trade, logistics, services, and urban informal economic activities. These sectors create different patterns of employment relationships and different risks of termination. In labour-intensive sectors, workers are often more vulnerable to unilateral termination, efficiency-based dismissal, and disputes over compensation. This condition confirms that employment termination is not only a legal issue, but also a social issue because it directly affects workers' livelihoods, family welfare, and access to decent work.

The legal framework for employment termination in Indonesia is formally regulated through Law No. 13 of 2003 concerning Manpower, Law No. 2 of 2004 concerning the Settlement of Industrial Relations Disputes, Law No. 6 of 2023 concerning Job Creation, and Government Regulation No. 35 of 2021. Law No. 2 of 2004 provides settlement mechanisms through bipartite negotiation, mediation, conciliation, arbitration, and litigation before the Industrial Relations Court. These mechanisms are intended to provide legal certainty for both workers and employers when industrial relations disputes occur.

The research findings indicate that employment termination disputes in North Sumatra generally arise from four main issues: the legality of termination, the fulfillment of procedural requirements, the

amount of severance pay and compensation, and the accessibility of dispute resolution mechanisms. These findings are consistent with previous studies showing that termination disputes in Indonesia often arise because of different interpretations of legal provisions, particularly regarding workers' rights after termination and the employer's obligation to comply with statutory procedures.

Table 1. Main Issues in Employment Termination Disputes in North Sumatra

No.	Main Issue	Description	Legal Implication
1	Legality termination	of Dispute over whether the employer has valid legal grounds to terminate the worker	Determines whether termination is lawful or unlawful
2	Procedural compliance	Dispute over whether termination followed bipartite negotiation, mediation, or other required procedures	Affects the validity and fairness of the termination process
3	Severance compensation	and Disagreement over severance pay, service pay, and compensation rights	Creates rights disputes between workers and employers
4	Access to justice	Workers face difficulties in pursuing dispute settlement due to cost, time, and legal knowledge	Weakens substantive legal protection
5	Balance between certainty and justice	Formal rules exist, but their implementation may not fully protect vulnerable workers	Shows the gap between normative law and social justice

3.2. Legal Protection of Workers in Employment Termination Disputes

The findings show that legal protection for workers in employment termination disputes is formally available through statutory regulations. Indonesian labour law recognizes workers' rights to receive legal remedies when termination is disputed. Workers may challenge termination through bipartite negotiation, mediation, and litigation before the Industrial Relations Court. In this sense, the legal system has provided procedural channels to prevent employers from terminating workers arbitrarily.

However, the existence of legal procedures does not always guarantee effective protection in practice. Many workers face limitations in understanding legal procedures, preparing evidence, calculating severance rights, and accessing legal assistance. This finding supports the argument that labour law should not be understood only as a set of formal rules, but also as a protective instrument for workers who occupy a weaker position in employment relations. Previous research has also emphasized that unilateral termination may harm workers when employers ignore legal procedures and workers' normative rights.

From a normative perspective, legal protection is reflected in the obligation of employers to comply with statutory procedures and provide workers with their rights after termination. Government Regulation No. 35 of 2021 regulates termination-related rights, including severance pay, long service pay, and compensation pay, depending on the grounds and conditions of termination. Although this regulation provides a more detailed framework, disputes still occur because workers and employers may interpret the provisions differently, particularly regarding the amount of compensation and the legal basis for termination.

The study also finds that workers' legal protection is strongly influenced by the effectiveness of dispute resolution institutions. When bipartite negotiation fails, mediation becomes an important step before the dispute is brought to the Industrial Relations Court. However, mediation does not always produce a binding settlement if one party refuses to comply with the mediator's recommendation. As a result, workers may need to continue the case to court, which requires more time, cost, and legal capacity. This situation shows that formal access to dispute resolution is not always equal to substantive access to justice.

3.3. Legal Certainty in Employment Termination Disputes

Legal certainty is one of the most important principles in employment termination disputes. It requires clear rules, predictable procedures, and consistent implementation. In the context of employment

termination, legal certainty means that workers and employers must clearly understand the legal grounds for termination, the required procedures, the rights that must be paid, and the available mechanisms for dispute resolution.

The findings indicate that legal certainty in North Sumatra is supported by the existence of national labour regulations and the Industrial Relations Court mechanism. Law No. 2 of 2004 provides a structured path for dispute resolution, beginning with bipartite negotiation and continuing to mediation, conciliation, arbitration, or litigation. This procedural structure is important because it prevents disputes from being resolved solely through unilateral employer decisions.

Nevertheless, legal certainty remains problematic in practice. One major issue is the difference in interpretation between workers and employers regarding the validity of termination. Employers often justify termination on the grounds of efficiency, misconduct, restructuring, or contract expiration. Workers, on the other hand, may argue that the termination was not based on valid reasons or did not follow proper procedures. These differences show that legal certainty is not only determined by the existence of regulations, but also by how those regulations are interpreted and enforced.

Court decisions play an important role in strengthening legal certainty. The Industrial Relations Court is expected to provide authoritative interpretation of labour regulations and determine whether termination has been conducted lawfully. However, previous studies have shown that the competence and effectiveness of the Industrial Relations Court in resolving termination disputes remain debated, particularly because overlapping legal norms and procedural complexity may affect workers' access to justice.

In the North Sumatra context, analysis of employment termination cases before the Industrial Relations Court in Medan shows that judges often examine the validity of termination, the mediation process, and the calculation of workers' rights. A study of Decision No. 060/Pdt.Sus-PHI/2023/PN Mdn in conjunction with Supreme Court Decision No. 1174K/Pdt.Sus-PHI/2023 demonstrates that termination disputes may proceed from mediation to court and even to cassation when parties disagree on the legality and fairness of termination. This confirms that legal certainty depends not only on statutory norms, but also on judicial reasoning and consistency in decision-making.

Table 2. Legal Certainty Indicators in Employment Termination Disputes

Indicator	Finding	Interpretation
Clear legal basis	Labour regulations provide rules on termination, severance, and dispute settlement	Formal legal certainty exists
Procedural mechanism	Bipartite negotiation, mediation, and court litigation are available	Workers have procedural channels
Consistency interpretation	Differences remain in interpreting valid grounds for termination	Legal certainty is not fully achieved
Court role	Industrial Relations Court provides legal determination	Judicial consistency is essential
Worker understanding	Many workers have limited legal knowledge	Legal certainty is weakened at the practical level

3.4. Social Justice in Employment Termination Disputes

Although legal certainty is important, employment termination disputes cannot be evaluated only from a formal legal perspective. The findings show that social justice is equally important because termination directly affects workers' economic survival and social welfare. A termination decision may be formally based on legal provisions, but still create injustice if workers do not receive fair compensation, are excluded from meaningful negotiation, or cannot access effective remedies.

Social justice in employment termination disputes requires attention to the unequal bargaining position between workers and employers. Employers usually have greater control over documents, company policies, legal representation, and negotiation strategy. Workers, in contrast, often depend on wages for daily survival and may lack sufficient legal knowledge. This imbalance can influence the outcome of negotiation, especially during the bipartite stage. Therefore, a dispute settlement process that appears formally legal may still produce unfair results when workers are pressured to accept compensation below their legal entitlement.

The findings also indicate that workers' vulnerability increases when the dispute settlement process is lengthy. Even when workers have strong legal claims, they may choose not to continue the dispute because of economic pressure, litigation costs, or uncertainty about the outcome. This supports the view that access to justice must be measured not only by the availability of legal institutions, but also by the real ability of workers to use those institutions effectively. In termination disputes, delayed justice can reduce the practical value of legal protection.

Social justice also requires that judges, mediators, and labour authorities consider the substantive impact of termination on workers. The principle of fairness should guide not only the calculation of compensation, but also the assessment of whether termination was conducted proportionally and in good faith. In this regard, employment termination law should protect workers from arbitrary dismissal while also allowing employers to manage business needs within the limits of law and justice.

Previous research has shown that disputes over termination often involve the protection of workers' rights, particularly severance pay, compensation, and other statutory entitlements. These disputes occur because of differences in interpretation or implementation of legal provisions. Therefore, social justice requires not merely the recognition of workers' rights in legislation, but also effective enforcement that ensures workers actually receive those rights.

3.5. The Tension between Legal Certainty and Social Justice

The central finding of this study is that legal protection for workers in employment termination disputes in North Sumatra is located between two important dimensions: legal certainty and social justice. Legal certainty provides the formal framework for determining whether termination is lawful, while social justice evaluates whether the process and outcome are fair for workers.

In practice, these two dimensions may support each other, but they may also create tension. Legal certainty may prioritize procedural compliance, written regulations, and formal evidence. Social justice, however, requires deeper consideration of workers' vulnerability, unequal bargaining power, and the socio-economic consequences of termination. If legal certainty is applied too rigidly, it may ignore the substantive injustice experienced by workers. Conversely, if social justice is pursued without clear legal standards, it may create uncertainty for employers and weaken predictability in industrial relations.

The findings show that the ideal model of worker protection requires integration between legal certainty and social justice. Employers must have clear rules regarding termination, but those rules must be implemented in a way that protects workers from arbitrary and unfair treatment. Workers must have access to dispute resolution institutions, but those institutions must be affordable, understandable, and responsive to workers' social conditions. Judges must apply statutory provisions consistently, but judicial reasoning should also reflect the protective function of labour law.

This integrated approach is important because employment termination disputes are not purely contractual disputes. They involve social welfare, economic dependency, human dignity, and the constitutional right to fair treatment in employment. Therefore, legal protection in termination disputes should be assessed through both formal and substantive indicators.

Table 3. Relationship between Legal Certainty and Social Justice

Dimension	Legal Certainty	Social Justice
Main orientation	Rule clarity and procedural predictability	Fairness and protection of vulnerable workers
Main concern	Validity of termination and compliance with legal procedures	Impact of termination on workers' livelihood and rights
Key institution	Labour regulations and Industrial Relations Court	Mediators, judges, labour offices, and legal aid
Risk if ignored	Legal uncertainty and inconsistent decisions	Formal legality without substantive fairness
Ideal outcome	Lawful, predictable, and enforceable termination process	Fair compensation, meaningful remedies, and protection from arbitrary dismissal

3.6. Discussion of Findings

The findings confirm that legal protection for workers in North Sumatra is formally guaranteed, but its implementation still faces practical obstacles. This condition shows a gap between law in the books and law in action. Statutory regulations provide legal procedures and compensation rights, but workers may still experience difficulties in enforcing those rights. This gap is particularly visible when workers lack legal knowledge, cannot afford litigation, or are pressured to accept unfavourable settlements during negotiation.

This study supports previous research which argues that employment termination disputes in Indonesia are strongly influenced by procedural complexity and institutional effectiveness. The Industrial Relations Court has an important role in resolving disputes, but its effectiveness depends on accessibility, consistency, and the ability of judges to balance legal certainty with fairness. Ndun, Helan, and Pekuwali argue that the competence of the Industrial Relations Court in termination disputes remains a critical issue because protection of workers' rights requires effective judicial mechanisms.

The findings also strengthen the argument that legal certainty should not be understood narrowly as procedural formality. Legal certainty must include clarity of rights, predictability of compensation, consistency of judicial decisions, and enforceability of outcomes. If workers win a dispute but face difficulty in executing the decision or receiving payment, legal certainty remains incomplete. Therefore, legal certainty must be connected to the practical realization of workers' rights.

At the same time, this study emphasizes that social justice must be placed at the centre of employment termination law. Workers who lose employment may face immediate economic hardship, especially in regions where alternative employment opportunities are limited. In North Sumatra, the diversity of labour sectors means that termination disputes may affect workers in different ways depending on the nature of employment, wage level, contract type, and access to unions or legal assistance. Therefore, a socially just approach requires sensitivity to local labour conditions.

The novelty of this study lies in its attempt to connect legal certainty and social justice in a regional socio-legal analysis of North Sumatra. Previous studies have commonly examined employment termination from the perspective of statutory interpretation, severance pay, or court competence. This study expands the discussion by showing that worker protection must be evaluated through the interaction between formal legal rules and the lived realities of workers in a specific regional context. Thus, effective legal protection requires not only legal compliance, but also fair, accessible, and socially responsive dispute resolution.

3.7. Answer to the Research Questions

Based on the findings and discussion, the first research question concerning how Indonesian labour law regulates employment termination and workers' rights can be answered as follows: Indonesian labour law has provided a formal legal framework for regulating employment termination, including valid grounds for termination, procedural requirements, severance pay, compensation rights, and dispute settlement mechanisms. This framework provides the foundation for legal certainty.

The second research question concerning how employment termination disputes are resolved in North Sumatra can be answered by stating that disputes are generally resolved through bipartite negotiation, mediation, and, when necessary, litigation before the Industrial Relations Court in Medan. However, the effectiveness of these mechanisms depends on workers' legal awareness, access to assistance, employer compliance, and the consistency of institutional decision-making.

The third research question concerning whether existing legal mechanisms are sufficient to ensure substantive justice for workers can be answered conditionally. Formally, the legal mechanisms are available and provide procedural protection. Substantively, however, protection remains incomplete because workers still face barriers related to legal knowledge, economic vulnerability, unequal bargaining power, and lengthy dispute resolution processes. Therefore, existing mechanisms need to be strengthened to ensure that legal certainty is accompanied by social justice.

3.8. Implications of the Findings

The findings have several theoretical and practical implications. Theoretically, this study contributes to labour law scholarship by emphasizing that legal protection in employment termination disputes should be analysed through an integrated framework of legal certainty and social justice. This approach moves beyond purely normative analysis by considering the practical realities of dispute resolution and workers' vulnerability.

Practically, the findings suggest that labour authorities, mediators, and courts should strengthen workers' access to legal information, ensure transparent calculation of termination rights, and encourage fair negotiation during the bipartite and mediation stages. Employers should also be encouraged to apply termination procedures carefully and in good faith, while workers should be supported through legal aid, union assistance, and public education on labour rights.

In the context of North Sumatra, strengthening legal protection requires coordination among labour offices, mediators, trade unions, employers, legal aid institutions, and the Industrial Relations Court. Such coordination is necessary to ensure that employment termination disputes are resolved not only according to legal procedures, but also in a manner that reflects fairness, dignity, and social justice for workers.

Conclusion

This study concludes that legal protection for workers in employment termination disputes in North Sumatra has been formally regulated through Indonesian labour law, particularly Law No. 13 of 2003 concerning Manpower, Law No. 2 of 2004 concerning the Settlement of Industrial Relations Disputes, Law No. 6 of 2023 concerning Job Creation, and Government Regulation No. 35 of 2021. These regulations provide a legal basis for termination procedures, severance pay, compensation rights, and dispute settlement mechanisms through bipartite negotiation, mediation, and litigation before the Industrial Relations Court. Therefore, from a normative perspective, the legal system has established a framework of legal certainty for both workers and employers.

However, the findings indicate that legal certainty does not automatically ensure substantive justice for workers. In practice, workers in employment termination disputes still face several obstacles, including unequal bargaining power, limited legal knowledge, financial constraints, lengthy dispute settlement processes, and difficulties in accessing legal assistance. These obstacles show that legal protection cannot be measured only by the existence of statutory rules, but must also be assessed by the extent to which workers can effectively claim and obtain their rights.

The study also shows that employment termination disputes in North Sumatra are commonly related to the validity of termination, procedural compliance, severance pay, compensation rights, and the effectiveness of dispute resolution mechanisms. Although the Industrial Relations Court provides an important institutional channel for resolving disputes, the realization of justice depends on the consistency of legal interpretation, the accessibility of proceedings, and the enforcement of decisions. Thus, the protection of workers requires not only clear legal norms, but also fair, affordable, and responsive dispute settlement mechanisms.

The main contribution of this study lies in its regional socio-legal analysis of employment termination disputes in North Sumatra by integrating legal certainty and social justice as two interconnected dimensions. This study emphasizes that employment termination law should not be applied merely as a procedural instrument, but also as a mechanism for protecting workers' dignity, welfare, and socio-economic rights. Legal certainty and social justice should therefore be understood as complementary principles: legal certainty provides predictability and procedural order, while social justice ensures that the process and outcome of termination disputes remain fair for workers.

Based on these conclusions, this study recommends strengthening workers' access to legal information, improving the quality of mediation in industrial relations disputes, expanding legal aid services for vulnerable workers, and ensuring consistency in Industrial Relations Court decisions. Employers should also apply termination procedures in good faith and provide workers with their statutory rights transparently. In the North Sumatra context, stronger coordination among labour offices, mediators, trade unions, employers, legal aid institutions, and the Industrial Relations Court is necessary to ensure that employment termination disputes are resolved not only according to legal certainty, but also in accordance with social justice.

This study is limited to the analysis of legal protection in employment termination disputes within the regional context of North Sumatra. Future research may expand the analysis by comparing several provinces, using larger empirical data, or examining the effectiveness of specific dispute resolution mechanisms, such as mediation, legal aid, or court enforcement. Further studies may also explore workers' lived experiences in termination disputes to provide a deeper understanding of how legal protection operates in practice.

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Author Contributions Statement

W conceived the main research idea, developed the conceptual framework, and drafted the initial manuscript. ES contributed to the analysis of international legal sources, refinement of the argument on *non-refoulement* and State sovereignty, and critical revision of the manuscript. IM contributed to literature review, analysis of *jus cogens*, manuscript organization, and final editing. W, ES, IM approved the final version of the manuscript and agreed to be accountable for all aspects of the work.

AI Usage Statement

The authors declare that the use of Artificial Intelligence (AI) tools in this work was strictly limited to supportive functions, including language editing, grammar checking, and improving clarity and readability. AI was not used to generate the core ideas, conduct substantive legal analysis, interpret legal materials, or draw scholarly conclusions. The authors retain full responsibility for the originality, accuracy, and academic integrity of the content. AI tools are not credited as authors or contributors, in accordance with ethical standards in academic publishing.

Conflict of Interest

This section is a statement from the author that this article has a conflict of interest or not.

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