

# LEVEL OF UNDERSTANDING OF THE RIGHTS OF WORKERS/WOMEN WORKERS IN THE LABOR LAW AND ITS IMPLEMENTING REGULATIONS IN KLAMBIR LIMA KEBUN VILLAGE, HAMPARAN PERAK DISTRICT

**Rika Jamin Marbun, Rahmayanti, Cut Ade Irma Handayani**

Universitas Pembangunan Panca Budi Medan

Email: [rikajaminmarbun@dosen.pancabudi.ac.id](mailto:rikajaminmarbun@dosen.pancabudi.ac.id), [rahmayanti@dosen.pancabudi.ac.id](mailto:rahmayanti@dosen.pancabudi.ac.id), [cutade02@gmail.com](mailto:cutade02@gmail.com)

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## Abstract

This study aims to analyze the level of understanding of women's workers/laborers of their rights in the Manpower Law and its implementing regulations in Klambir Lima Kebun Village, Hamparan Perak District. The rights of women workers, such as the right to equal pay, social security, menstrual leave, maternity leave, and protection against discrimination, are an important part of legal protection for women workers. This study uses a quantitative approach with a descriptive design. The data was collected through a questionnaire distributed to women workers in the village. The results of the study showed that the majority of female workers in Klambir Lima Kebun Village have a limited understanding of their rights in the Labor Law and its implementing regulations. Many women workers are not fully aware of the rights protected by the law, whether in terms of fair wages, protection of working conditions, and the right to social security. Education on labor rights is expected to increase the understanding and awareness of women workers, so that they can optimize the legal protection that has been provided. This research is expected to provide recommendations for related parties to expand socialization and training programs on the rights of women workers at the village level, in order to improve the welfare and protection of women workers.

**Keywords:** *Women's Workers' Rights, Manpower Law, Klambir Lima Kebun Village*

## INTRODUCTION

Women workers in Indonesia have a very important role in the country's economy. According to data from the Central Statistics Agency (BPS), women make significant contributions in the formal and informal sectors, but often face various forms of discrimination and inequality in the workforce. In many cases, women are still marginalized in terms of their basic rights as workers, be it in terms of wages, social security, menstrual leave, reproductive rights, and protection against sexual harassment or gender-based discrimination. Based on BPS data, more than 57% of women work in the informal sector, especially in rural areas, with the participation rate of the female labor force reaching 56.42% by 2024. Despite their large contribution to the family and community economy, most women workers in the informal sector have not received adequate employment legal protections, such as social security, living wages, and protection from violence or harassment in the workplace. In addition, this group often faces vulnerable working conditions and has the potential to experience discrimination. (Central Statistics Agency (BPS). (2024)) One of the instruments designed to protect the rights of women workers is Law No. 13 of 2003 concerning Manpower and its implementing regulations that regulate the rights of workers, including women workers. However, although the law has clearly regulated the rights of women workers, the reality is that there are still many female workers, especially at the village level, who do not understand or even know about these rights (Susilo, Joko, and Fitri Rafianti, 2025). This low understanding has the potential to diminish the effectiveness of legal protections that have been provided and can lead to injustice in the workplace. Juridically, the position of workers/laborers and employers is the same so that they are said to be partners with each other. But in reality, it is not that easy to carry out the principle of partnership. Sociologically, workers/laborers are under the power of the employer because the worker/laborer is very dependent on the employment agreement that underlies the employment relationship between the two. If this gap is not addressed, there is a great potential for workers to be increasingly neglected of their rights. Based on the above reasons, the presence of the government is very necessary in regulating and supervising work relations between workers/laborers and employers (R.J. Marbun, (2023)). Although the employment relationship occurs as a result of the agreement between the two parties, namely between the worker/laborer and the employer,

the agreement is not necessarily carried out in accordance with the rights and obligations of each party, for this reason, labor laws and regulations are needed as a guideline for both workers/laborers and for employers (Jaminuddin Marbun & R.J. Marbun. (2022). The above situation, if not anticipated, will have an impact on the stagnation of employment development. In reality, the condition of subordinate labor relations, especially for female workers/laborers, causes derivative problems. Some of the problems that often occur are the still violations of the rights of female workers/laborers in obtaining their basic rights such as the right to leave due to menstruation, and childbirth, decent wages and occupational health and safety. In addition, there is exploitation in the workplace, such as lack of safety at work, long working hours and harassment in the workplace, as well as occupational health and safety. In addition, there is exploitation in the workplace, such as lack of safety at work, long working hours and harassment in the workplace.

The existence of labor law which is realized through various implementing regulations can be considered as one of the instruments for the government to realize protection for the parties, especially workers, especially in regulating the rights and obligations contained in the employment agreement. In addition, (Lalu Husni, 2009) protection for workers is a very important factor in order to create a balance in labor relations, so that equal social justice is realized in the field of labor in accordance with the foundation of Pancasila and the 1945 Constitution. The protection of workers/laborers is not only a moral responsibility, but also a constitutional responsibility and the development of the country as a whole (R. J. Marbun, & Rahmayanti, R. (2024)). Employment law not only regulates employment relations, but also other aspects outside of employment relations. It is important for all parties to comply with labor laws, while protection from a third party, namely the government, is needed when there is a disadvantaged party (Siti Nurhayati, et al., 2022). The presence of laws and regulations and a number of implementing regulations must be able to provide legal certainty for the parties and the estuary is protection for workers/laborers as weaker parties, who are highly dependent on the employment agreement.

In Klambir Lima Kebun Village, Hamparan Perak District, most of the female workers are involved in the agriculture, trade, and domestic work sectors. However, among them, the level of understanding of their rights as workers is still very limited. This is due to the lack of socialization about employment and the low access to information received by women workers in the village. This issue of misunderstanding is important to research because it is directly related to the legal protection that women workers should get. If their rights are not understood and implemented correctly, then the potential for discrimination, exploitation, and injustice in the world of work is even greater. Therefore, this study aims to find out the extent to which female workers in Klambir Lima Kebun Village understand their employment rights as regulated in the Labor Law and its implementing regulations.

## **RESEARCH METHOD**

The method used in this study is a normative juridical approach method. The data collection method that prioritizes legal research with various legal materials through the results of a review of literature sources in the form of documents, books, journals, magazines, newspapers related to legal materials, because it departs from normative issues regarding the extent to which the existence and application of labor laws and regulations have provided effective legal protection to women workers. In normative juridical research, the main data sources come from legal materials studied through library research including: Law Number 13 of 2003 concerning Manpower and Regulation of the Minister of Manpower which regulates the rights and protection of women workers. Secondary legal materials include legal literature books, previous research results, scientific articles, labor law journals, government agency reports, as well as news and mass media publications relevant to the research topic. Furthermore, materials that provide instructions or explanations of primary and secondary legal materials, such as legal dictionaries, encyclopedias, and other supporting documents. Thus, the data obtained was analyzed in a descriptive-analytical manner by describing the applicable legal provisions and examining their effectiveness and implementation in providing protection to female workers/laborers in Klambir Lima Kebun Village, Hamparan Perak District, Deli Serdang. This study uses a qualitative approach. Qualitative research is a research method used to understand social phenomena in depth through the depiction of the reality that occurs in the field. According to Lexy J. Moleong, qualitative research is research that intends to understand the phenomena of what the research subject experiences, such as behavior, perception, motivation, action, and by way of description in the form of words and images, in a special natural context and by utilizing various scientific methods (Lexy J. Moleong, 2009). Furthermore, Sugiyono explained that qualitative research methods are research methods based on philosophy Postpositivism, used to research on the condition of natural objects, where the researcher is the key instrument, the data collection technique is carried out in a triangulated manner, data analysis is inductive, and the results of the research emphasize meaning rather than generalization.

According to Bogdan and Taylor, the qualitative approach is a research procedure that produces descriptive data in the form of written or spoken words from people and observable behaviors. This approach emphasizes on a deep understanding of the phenomena being studied, not on quantitative measurements, but on the meaning behind the actions, interactions, and experiences of the research subjects. Thus, qualitative research focuses on an in-depth understanding of a social or legal problem through a descriptive approach, where the researcher interacts directly with the research subject to explore the meaning behind the visible symptoms. A qualitative approach is used to explore in depth how Law No. 13 of 2003 concerning Manpower and its implementing regulations are applied in protecting workers or women laborers in Klambir Lima Kebun Village. The researcher seeks to understand the social realities, views, and direct experiences of women workers, village government officials, entrepreneurs, and other related parties. Through this approach, the data obtained is in the form of narrative descriptions resulting from interviews, observations, and documentation, which are then analyzed inductively to find the meaning, patterns, and relationships between legal norms and their implementation practices in the field. Thus, the qualitative approach is considered the most relevant because it is able to provide a comprehensive picture of the existence of labor law and its effectiveness in providing real protection for women workers, especially in the social, cultural, and economic context of rural communities.

## **DISCUSS AND ANALYSIS**

The low understanding of women workers of labor rights is an indication of the weak implementation of preventive legal protection in the labor law system. In fact, Law Number 13 of 2003 has expressly contained various provisions that guarantee women's rights as workers, including in terms of menstrual leave (Article 81), maternity leave (Article 82), opportunities to breastfeed children (Article 83), and protection from layoffs due to pregnancy (Article 153 paragraph 1 letter e)).

According to Lawrence M. Friedman's theory of legal effectiveness, the success of the application of the law is determined by three elements of the legal system, namely:

1. The legal structure includes law enforcement agencies such as the Manpower Office, employers, and labor unions.
2. Legal substance includes applicable laws and regulations.
3. Legal culture includes people's values, attitudes, and legal awareness of the law.

In this study, legal culture is the weakest element. Low legal awareness among workers causes legal norms to not function optimally. Without sufficient understanding, workers are unable to claim their rights effectively. In addition, the legal structure in charge of supervising the implementation of employment provisions is also still inactive. The lack of socialization activities and weak law enforcement have caused the existence of the Labor Law to have a direct impact on the protection of women workers at the village level. In addition, the legal structure in charge of supervising the implementation of employment provisions is also still inactive. The lack of socialization activities and weak law enforcement have caused the existence of the Labor Law to have a direct impact on the protection of women workers at the village level. From the perspective of legal substance, the norms in Law No. 13 of 2003 concerning employment are actually progressive and oriented towards social justice, in line with the principles of human rights protection and Pancasila values. However, when viewed from the perspective of legal structure and culture, there is still a gap between idealism and reality.

Some of the factors that affect the weak protection include:

1. Lack of supervision and law enforcement by the Manpower Office against companies in the region.
2. There is no active trade union, so the aspirations and complaints of workers are not conveyed.
3. The economic limitations of women workers, which make it difficult for them to resist violations or fight for their rights because they are afraid of losing their jobs.

In terms of supervision by the Government, this is related to the Government's intervention in employment. This intervention is a very important factor because through government intervention in labor law can realize justice for the parties in industrial relations. Enforcing labor laws is carried out by the government through labor supervision. In line with Article 1 number 32 of Law Number 13 of 2003 concerning Manpower, it is emphasized that labor supervision is an activity to supervise and enforce the implementation of laws and regulations in the field of labor (R. J. Marbun, & L.R. Hasibuan, 2023). This means that the purpose of labor supervision is to supervise and enforce the implementation of laws and regulations. However, it is very unfortunate that the realization of government intervention has not been optimal so that legal protection for women workers in Klambir Lima Kebun Village can be said to be still *de jure* that it exists legally, but it is not yet *de facto*, namely implemented in practice. This is in line with Satjipto Rahardjo's view that a living law is not what is written in regulations, but what is actually applied and

benefited by the community. In employment relations, this system is found in the form of role inequality, wage discrimination, restrictions on career opportunities, and neglect of women's biological and social needs. When this culture is firmly rooted in the work environment, women are often considered inferior in physical endurance and competence, thus lacking the space for participation and courage to voice their rights. Based on the results of field observations and interviews in this study, patriarchal culture in Klambir Lima Kebun Village is still quite strong in influencing community behavior and work relationship patterns.

Most of the women workers in these villages work in the plantation, household industries, and small businesses, where employment relationships are informal and paternalistic. In this work environment, the business owner or male foreman has full control over work decisions, including working hours, leave, and wage sharing. Meanwhile, female workers often do not dare to object or demand their normative rights for fear of being perceived as "resisting," "disrespectful," or "ignorant." This condition shows that patriarchal work culture not only limits women's space for participation in the public sphere, but also creates social mechanisms that eliminate their legal consciousness. In fact, in the culture of Pancasila industrial relations, workers/laborers and entrepreneurs should have an integration that is only possible if their respective behaviors always radiate Pancasila values where:

- a) Employers pay attention to the fate and lives of their workers, namely by providing reasonable wages;
- b) The workers pay attention to the efforts of the employer/management in developing their company, therefore the wages they demand must be a reasonable wage, which is in accordance with the company's capabilities.

Thus, the role of trade unions is not only limited to advocacy when disputes occur, but also as a tool for legal education, information dissemination, and fostering awareness of normative rights for workers. However, in Klambir Lima Kebun Village, this strategic function does not run due to the lack of existence and organizational capacity of local workers. Due to the weak role of trade unions at the local level, the collective legal protection mechanism is not effective. Women workers who experience rights violations such as not being granted menstrual leave, maternity leave, or wages below the minimum standard do not have an advocacy channel or formal representative to file complaints. Most workers choose to remain silent or accept the situation for fear of losing their jobs.

#### 1. Workers' Rights/Women Workers in the Labor Law

Law No. 13 of 2003 on Manpower is the main legal basis that regulates the relationship between workers and employers in Indonesia. This law provides clear protection for the rights of women workers, both in the formal and informal sectors. Some of the rights of women workers regulated in this law include the right to equal pay, protection against gender-based discrimination, the right to menstrual leave, the right to maternity leave, and protection against sexual harassment in the workplace. Although this law provides a strong legal basis, many female workers in areas such as Klambir Lima Kebun Village do not fully understand these rights.

#### 2. The Right to Equal Wages

One of the principles regulated in the Labor Law is that female workers are entitled to equal wages as male workers for equal work. Article 90 of the Labor Law states that employers are obliged to provide equal wages for comparable types of work regardless of gender. However, on the ground, many female workers are still paid less than male workers for equal work, especially in the informal and agricultural sectors. This happens because there is still an assumption that women's work is not as heavy as men's work, even though in reality much of the work done by women has an equal burden.

#### 3. Right to Menstrual and Maternity Leave

The Labor Law also provides protection for women's right to menstrual and maternity leave. Article 81 states that female workers have the right to menstrual leave that is valid for two days a month, as well as maternity leave for 3 months with full pay. Although this right is guaranteed by law, in many areas, including Klambir Lima Kebun Village, female workers often do not take advantage of this right due to their lack of understanding of the applicable regulations or the social stigma that women should not take much leave.

#### 4. Protection Against Sexual Harassment

The Employment Law also provides for the protection of female workers from sexual harassment in the workplace. Article 76B states that employers must keep the workplace free from all forms of sexual harassment. However, in some areas, including in Klambir Lima Kebun Village, there is still a lack of awareness about the rights of female workers related to sexual harassment, and many female workers are reluctant to report the violence or harassment they experience for fear of losing their jobs or social stigma.

Klambir Lima Kebun Village, located in Hamparan Perak District, most of the residents work in the agricultural and trade sectors. Most of the female workers in this village work as farmers, farm laborers, market traders, or other informal workers. Women workers in these villages tend to work in conditions where their rights are not guaranteed, such as low wages, long working hours, and the absence of adequate social security.

Most of the female workers in Klambir Lima Kebun Village do not have a sufficient understanding of their

rights protected by the Labor Law. This is due to several factors, including:

1. Limited Access to Information: Many women workers do not know or lack understanding of the Labor Law and its implementing regulations due to the limited access to information they have. In villages, information related to labor rights is generally not widely disseminated or open, and women workers do not always receive training or counseling on their rights.
2. Low Education Level: The majority of female workers in Klambir Lima Kebun Village have a low level of education. They are more likely to engage in informal jobs or the agricultural sector that do not require special skills. This low level of education contributes to the lack of understanding of female workers about their rights.
3. Social Norms That Limit Women's Roles: In traditional societies, women are often considered inferior in terms of social rights and positions. This affects their acceptance of unfair working conditions and limited access to their rights as workers. These social norms exacerbate the injustices experienced by female workers, as they often do not feel entitled to fight for equality in the workplace.

Factors Affecting Women's Workers' Understanding The level of female workers' understanding of labor rights is influenced by several factors, including:

1. Education: Low levels of education are one of the main factors that limit female workers' understanding of their rights. Women workers with low levels of education tend to lack knowledge about labor rights regulated in the Law.
2. Socialization and Counseling: The lack of socialization and counseling programs related to employment in rural areas, such as in Klambir Lima Kebun Village, is a major obstacle in increasing the understanding of women workers. Socialization carried out by the government or non-governmental organizations in villages often does not cover employment issues, or does not reach women workers in the informal sector.
3. Role of Family and Community: In many cases, female workers in Klambir Lima Kebun Village are influenced by the views of the community and their families who judge that women should focus more on household chores rather than fighting for their rights as workers. This view can prevent them from fighting for the rights they deserve.

Impact on the Welfare of Women Workers The lack of understanding of women workers about labor rights has a direct impact on their welfare. Some of the visible impacts are:

1. Unfair Wages: Many female workers work for much lower wages than male workers despite doing the same work. Ignorance of the right to equal wages causes women workers not to fight for equality in terms of wages.
2. Poor Working Conditions: Women workers in the agriculture and trade sectors often work in unsuitable conditions, such as long working hours, lack of health protection, and lack of social security. A lack of understanding of the right to menstrual and maternity leave results in many female workers being forced to work even in impossible physical conditions.
3. Sexual Harassment and Discrimination: In some cases, female workers experience sexual harassment in the workplace, but they don't know how to report it or feel afraid to do so for fear of losing their jobs. A lack of understanding of protection against sexual harassment leads to the inability of female workers to protect themselves.

To improve women's understanding of their employment rights, some steps that need to be taken are:

1. Education and Counseling: The government and relevant agencies need to improve education and counseling programs on the rights of women workers, especially in rural areas. The program must be adapted to the local context and use media that is easily accessible to women workers.
2. Collaboration with NGOs: Cooperation between governments, trade unions, and NGOs can improve access to information on women's workers' rights. NGOs can be facilitators in disseminating information about employment rights and helping women workers to understand applicable laws.
3. Economic Empowerment: Providing women workers with skills and economic opportunities can increase their confidence to fight for their rights in the workplace. This economic empowerment program can help women workers to improve their quality of life and reduce dependence on employers.

## **CLOSURE**

Based on the results of the research on the level of understanding of the rights of workers/women laborers in the Manpower Law and its implementing regulations in Klambir Lima Kebun Village, Hamparan Perak District, it can be concluded that:

1. Limited Level of Understanding: The majority of female workers in Klambir Lima Kebun Village have a limited understanding of their rights under the Employment Law. This is due to the lack of socialization and access to information about applicable labor regulations.
2. Inhibiting Factors: Several factors that hinder women's workers' understanding of labor rights include low levels of education, limited access to information, and social norms that limit women's roles in the world of work.
3. Impact on Welfare: Lack of understanding of labour rights has an impact on the low welfare of women workers. They often receive unfair treatment, such as inappropriate wages, inhumane working hours, and are denied reproductive rights such as menstrual leave, pregnancy, and childbirth.
4. The Role of Education and Socialization: Effective education and socialization of employment rights is essential to increase understanding of women workers. Training and outreach programs involving various parties, such as governments, trade unions, and non-governmental organizations, can help increase awareness and knowledge of women workers about their rights.

## **SUGGESTION**

Suggestions that can be given to improve the understanding of women workers regarding employment rights include:

1. Increased Socialization and Education: The government and related agencies need to increase socialization and education on labor rights to women workers, especially in rural areas. Training and counseling programs tailored to local needs and conditions can help improve their understanding.
2. Empowerment Through Community: The formation and strengthening of women worker communities at the village level can be a forum for sharing information, experiences, and supporting each other in fighting for their rights. This community can also be a partner in disseminating information about employment rights to family members and the surrounding community.
3. Improved Access to Information: Providing access to easily accessible information, such as brochures, pamphlets, or digital platforms on employment rights, can help women workers get the information they need. The information should be presented in language that is easy to understand and appropriate to the local context.
4. Strengthening Regulation and Oversight: The government needs to strengthen regulations that protect the rights of women workers and ensure their implementation in the field. Strict supervision of the implementation of labor regulations can prevent violations and ensure that the rights of women workers are met.
5. Collaboration with Non-Governmental Organizations: Cooperation between governments, trade unions, and non-governmental organizations in organizing education and socialization programs on labor rights can expand the reach and effectiveness of such programs. Non-governmental organizations can act as facilitators and mediators between women workers and related parties.

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