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Analysis of Legal Protection for Health and Safety (K3), Nurses in the Emergency Room of Royal Prima Hospital Medan

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ABSTRACT

Legal Protection is any effort made consciously by everyone and government, and private institutions. Nurses in hospitals are an important concern, one of which is in receiving occupational safety law protection when carrying out their work at the hospital because the work they do is at high risk of work accidents and consequent diseases. This study aims to analyze the Legal Protection Against Health and Safety (K3), Nurses In The Emergency Room Room. This type of research is qualitative research and descriptive. The research location of Royal Prima Hospital Medan from February to April 2022 with a total sample of 9 people. The data analysis used is qualitative descriptive analysis research. The results of occupational safety management (SMK3) have been made based on the rules of the occupational safety management system (SMK3) government regulation No. 50 of 2012. Royal Prima Hospital has complied with Government Regulation Number 14 of 1993 concerning the implementation of the workforce social guarantee system contained in article 2 concerning social security for workers. Royal Prima Hospital complies with the provisions of occupational safety law No. 1 of 1970, regulating work safety in all workplaces, be it land, sea, and air within the territory of the Republic of Indonesia. In conclusion, Royal Prima Hospital Medan very much maintains the health and safety of its workforce, especially nurses as one of the medical personnel in the field of services at the forefront.

Keywords: Nurses, Legal Protection, Health, Safety.

I. INTRODUCTION

Legal Protection is any effort made consciously by everyone and government, and private institutions aimed at striving for the security, control, and fulfillment of life welfare by with existing human rights as stipulated in Law Number 39 of 1999 concerning Human Rights (Safaruddin Harahap, 2016). Legal protection of labor according to Imam Soepomo is a safeguard so that workers can do decent work for humanity (Nurhalimah, 2018). Work safety

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is "safety related to equipment, workplace, work environment and ways of doing work (Boström et al., 2020); (Wahyuni et al., 2018). Meanwhile, occupational health is protecting or protecting workers from events or conditions of labor relations that are detrimental to their health and decency if workers do their jobs (Nurchayo, 2021). In Law Number 13 of 2003 concerning Manpower, in article 86 3 paragraph (1) letter it is explained that: "every worker or laborer has the right to obtain protection for occupational safety and health (Tumundo, 2017). The purpose of organizing occupational safety and health is to protect workers in building quality and optimal work productivity and provide guarantees in the prevention of occupational accidents and occupational diseases.

Hospitals are health/workplace service industries that have a high risk to the safety and health of human resources. Nurses in hospitals are an important concern, one of which is in receiving legal protection for occupational safety when carrying out their work at home because the work they do is at high risk of occupational accidents and occupational diseases (Dennerlein et al., 2020); (Zulaeha, 2021). This study aims to analyze the Legal Protection of Health and Safety (K3), Nurses in the Emergency Room of Royal Prima Hospital Medan.

(A) Literature review

Occupational health refers to a situation in which workers do not experience physical or mental impairment under the influence of interactions between work and the environment. The law governing occupational safety and health is law n. 13 of 2003 relating to employment, in particular the paragraph on safety and health in the workplace, Articles 86 and 87 (Supriyatman, 2017). The main objective of occupational health and safety is to create a safe and healthy environment or atmosphere to avoid work accidents in connection with the maintenance of employees and thereby increase employee loyalty to the company (Manurung, 2020). Law Number 1 of 1970 states that occupational safety related to machinery, equipment, and work bases can prevent accidents and occupational diseases, protect production sources and increase efficiency and productivity (Simatupang, 2016). Some of the results of the study revealed problems experienced by nurses such as emotional distress, depression, anxiety, and fatigue during the SARS, COVID-19 outbreak (Shah et al., 2020). Even some medical personnel who work, especially in isolation rooms, fever clinics, Intensive Care Units (ICUs), and other related departments, are infected with COVID-19 when they treat patients infected with the virus (Xiao et al., 2020).

Efforts to improve health are to achieve the highest degree of health in a healthy, healthy, and productive state (Hidayat, 2017). Disease management interventions are treating disease, preventing disease severity, preventing and reducing disability, and preventing death (Stavsky

et al., 2017). An effective way to prevent accidents is to take appropriate measures on workers and their equipment so that workers have the concept of occupational health and safety to avoid accidents (Chinniah, 2015); (Golovina et al., 2016). In principle, legal protections do not distinguish us in terms of race, religion, or the gender system of state governments (Hahn et al., 2018), as included in the 1945 explanation of basic activation, including the view "Indonesia is a country based on the law (recestaat) and Government Based on the Constitutional System "The main element of the law adalah recognition and the protection of the law" fundamental rights "(constitutional rights of citizens) (Yani, 2018).

(B) Research methods

This type of research is qualitative research and is descriptive, namely research that describes a symptom, event, or event that occurs at present. The research location was conducted at Royal Prima Hospital Medan, from February to April 2022. The research approach used in the discussion of this research is the approach, namely the statute approach and the sociological approach. Data sources through observation and interviews with several informants. The primary data source is 9 informants, namely the director of services: 1 person, the head of nursing services: 1 person, and the nurse; 7 people. The data analysis used is qualitative descriptive analysis research, namely collecting, sorting, clarifying, and recording the resulting field notes and providing code so that the data source can be traced and then described (Notoatmodjo, 2013); (Notoatmodjo, 2018).

(C) Results of research and discussion

a. Occupational safety management system (SMK3) government regulation No. 50 of 2012.

The occupational safety management system (SMK3), required for companies, employs more than 100 people and has a high level of potential hazards. For this reason, companies are required to prepare a K3 plan, in preparing the K3 plan, employers involve K3 experts, occupational safety and health development committees (P2K3), worker representatives, and other related parties. SMK3 is part of the company's overall management system to control risks related to working activities in order to create a safe, efficient, and productive workplace (Fitriana, 2017).

Based on the results of an interview with the director of services and head of care at the IGD of Royal Prima Hospital Medan, it is stated that occupational safety management (SMK3) has been made based on the rules of the occupational safety management system (SMK3) government regulation No. 50 of 2012. Where in the planning process of the occupational safety

management system (SMK3) at Royal Prima Hospital involves K3 Experts, the occupational safety and health development committee (P2K3), worker representatives, and other related parties.

b. Implementation of legal protection for health insurance for nurses at Royal Prima Hospital.

Government Regulation Number 14 of 1993 concerning the Implementation of the Labor Social Security System contained in Article 2 concerning social guarantees for workers in Regulation This government includes guaranteed work accidents, death insurance, and antiquity guarantees. Guarantees in the form of services, that is, guarantees of medical assistance (Indonesia, 2001). Social security of workers can address occupational risks while providing security to people, which helps improve work efficiency (Tjakra Jemias & Arsjad, 2016).

Based on the results of interviews with the director of services, the head of nursing, and the nurses who were sampled. All respondents said that nurses, other medical personnel, and all employees at Royal Prima Hospital received health insurance from the management. Where all employees get BPJS health insurance facilities, as stipulated in the Presidential Regulation of the Republic of Indonesia No. 82 of 2018 concerning health insurance. For the distribution of contributions, it is also by the Presidential Regulation of the Republic of Indonesia No. 82 of 2018, Article 30 point 2, provided that 3% is paid by the employer and 2% is borne by the worker. The class of health facilities received varies, depending on the position, wages, and length of work of each nurse who works in the IGD Room of Prima Medan Hospital.

Based on the above provisions, it can be said that Royal Prima Hospital has complied with Government Regulation Number 14 of 1993 concerning the Implementation of the Tenaga Kerja yang Social Guarantee System contained in Article 2 concerning social security for workers. And Presidential Regulation of the Republic of Indonesia No. 82 of 2018 Article 13 point 1 concerning Employers are required to register themselves and their workers as participants in health insurance to BPJS Kesehatan by paying contributions, article Article 28 point 3 concerning contributions for PPU participants paid by employers and workers and Article 30 point 2: Dues are paid provided that 3% (three percent) is paid by the employer and 2% (two percent) is paid by the participant.

c. Implementation of legal protection for safety for nurses at Royal Prima Hospital

Occupational safety law No. 1 of 1970, regulates work safety in all workplaces, be it land, sea, and air within the territory of the Republic of Indonesia (Darmayanti, 2018). The occupational safety law aims to reduce accidents, reduce the danger of blasting, force an increase in the ability

of workers to provide first aid in accidents and provide protective equipment to workers, especially for jobs that have a high risk, and help create a conducive work environment such as workplace lighting, cleanliness, air circulation, as well as harmonious relationships between workers, work environment, Work equipment, and processes (Arkisman, 2018).

The occupational safety law contains technical instructions regarding what to do by and to workers to ensure the safety of the workers themselves, the general safety, and the products produced because so many processes are carried out taking into account the development of science and technology that causes changes in the occupational risks faced by workers in their workplaces (Simatupang, 2016). The legal basis for Personal Protective Equipment in the workplace is contained in Law No. 1 of 1970.

1. Article 3 paragraph (1) point f:

“By laws and regulations, occupational safety requirements are established for..... providing workers with personal protective equipment ...”

2. Article 9 paragraph (1) point c:

“Administrators are required to show and explain to each new workforce about..... Personal protective equipment for the worker concerned.”

3. Article 12 point b:

“By laws and regulations, the obligations and or rights of labor are regulated to..... Wearing the required personal protective equipment ...”

4. Article 14 point b:

“Administrators are required..... Installing in the workplace he leads, all required occupational safety drawings and all other coaching materials, in places that are easy to see and read according to the instructions of the supervisory employee or Occupational Safety expert...”

5. Article 14 item c:

“Administrators are required..... Provide free of charge, all personal protective equipment required of the workforce under its leadership and provide for any other person entering the workplace, accompanied by the necessary instructions according to the instructions of the supervisory employee or occupational safety expert...”

As mentioned, K3 protective equipment is a device that isolates part or all parts of the body from potential danger. If described in more detail, then the purpose of using PPE includes the following:

1. Protect workers from the potential risk of K3 hazards.
2. Increase work effectiveness and productivity.
3. Create a safe work environment (Novianto, 2015).

The results of an interview with the director of services and the head of nursing nurses in the IGD Room of Royal Prima Hospital Medan, said that for nurses and those who are in contact with patients, the hospital has provided and required to use complete PPE when carrying out work. Regulations for the use of PPE have also been stated in the employment agreement of each nurse, both sanctions, and fines received by nurses if they do not comply with the rules for wearing PPE. In every corner of the room, leaflets are also installed to warn the use of PPE equipment for medical personnel. Especially in the dressing room of the medical personnel room, there are also regulations for the mandatory use of PPE and ways to use PPE properly and correctly. This is done to increase preventive measures for the transmission of the disease to nurses and other medical personnel.

Based on the results of interviews with 7 nurses who were sampled, said that PPE is indeed provided and required for all medical personnel working at Royal Prima Hospital. This is to minimize nurses and other medical personnel from being exposed to or infected from diseases from patients who are handled directly by nurses. From the observations of researchers, that all health workers on duty do wear complete PPE, such as wearing gloves, headgear, masks, uniform clothes, and shoes.

So based on the above provisions, Royal Prima Hospital complies with the provisions of the Occupational Safety Law No. 1 of 1970, regulates work safety in all workplaces, be it land, sea and air within the territory of the Republic of Indonesia. The legal basis for Personal Protective Equipment in the workplace is contained in Law No. 1 of 1970: Article 3 paragraph (1) point f, namely providing personal protective equipment to workers, Article 9 paragraph (1) point c is that the management is required to show and explain to each new worker, Article 12 point b the obligation and or right of workers to wear the required personal protective equipment, Article 14 point c on installing in the workplace he leads, all required occupational safety drawings and all other coaching materials.

II. CONCLUSION

Based on the discussions and research that has been carried out, it can be concluded that Royal Prima Hospital has a health and safety management system (SMK3) by government regulation No. 50 of 2012. Royal Prima Hospital Medan complies with the implementation of legal

protection for health insurance by the Presidential Regulation of the Republic of Indonesia No. 82 of 2018 concerning health insurance. All employees, especially nurses in the emergency room of Royal Prima Hospital, get BPJS health insurance. Where the payment contribution is also by the Presidential Regulation of the Republic of Indonesia No. 82 of 2018 Article 30 point 2 Dues are paid with the provision that 3% (three percent) is paid by the employer and 2% (two percent) is paid by the participant. Royal Prima Hospital Medan, complying with the Occupational Safety Law No. 1 of 1970, regulates work safety in all workplaces, be it land, sea, and air within the territory of the Republic of Indonesia. With the legal basis of Personal Protective Equipment in the workplace as stated in Law No. 1 of 1970.

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