



Protection Between Islamic Law and Law No. 13 of 2003 concerning Manpower (Case Study of PT Gunbuster Nickel Industry)

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Abstract

Labor protection is an important aspect in creating fair industrial relations, both from the perspective of Islamic law and positive Indonesian law. The employment case of PT Gunbuster Nickel Industry (PT GNI) shows that there are problems regarding the fulfillment of workers' rights, ranging from work accidents, occupational safety and health protection, fulfillment of wage rights, to freedom of association. This study aims to analyze the legal protection of labor in the perspective of Islamic law and Law Number 13 of 2003 concerning Manpower and examine its implementation in the case of PT Gunbuster Nickel Industry. The research methods used are normative juridical research with a statutory *approach*, a *conceptual approach*, and a *case approach*. Research data was obtained through literature studies on laws and regulations, legal literature, and sources related to PT GNI's case. The results of the study show that Islamic law through the concept of *maqashid al-syariah* provides protection for workers through the principles of justice, protection of the soul (*hifz al-nafs*), and protection of property (*hifz al-mal*). Indonesia's positive law provides protection through labor regulations, occupational safety, social security, and protection of freedom of association. The case of PT GNI shows that there is a gap between normative provisions and the practice of implementing industrial relations because problems related to work safety, wage rights, and worker protection are still found. The conclusion of this study shows that labor protection already has a strong legal basis, but its effectiveness requires more optimal supervision and law enforcement.

I. INTRODUCTION

The workforce has a strategic position in realizing national development because it is one of the main elements that support economic growth and the sustainability of industrial activities. Labor is not only seen as a factor of production in company activities, but also as human beings who have rights, dignity, and interests that are required to obtain legal protection. The existence of labor is an important part of the development of a company because the productivity, abilities, and contributions of workers are directly related to the achievement of company goals. Improving the quality of labor and fulfilling workers' rights are inseparable aspects of efforts to create a balanced industrial relationship between workers and employers (Effendy, 2021).

Labor protection is a form of respect for human values and the principle of justice that is the basis of labor relations. Islamic law pays attention to the relationship between workers and employers through the concepts of justice, responsibility, and

the prohibition of doing actions that harm other parties. Labor relations in an Islamic perspective not only have an economic dimension, but also contain moral values that place workers as human beings who have the right to be respected and treated fairly (Sherly et al., 2021). This principle is affirmed in Q.S. An-Nahl verse 90 which means: "Indeed, Allah has commanded (you) to be just and to do good, to give to relatives, and Allah forbids evil deeds, wickedness and enmity. He teaches you so that you can learn."

The content of Q.S. An-Nahl verse 90 shows that justice is the main principle in every social relationship, including the relationship between workers and employers. Actions that cause loss, disenfranchisement, exploitation, or inhumane treatment of workers are contrary to the principle of justice in Islamic law. Employers have an obligation to fulfill workers' rights appropriately through the provision of appropriate wages, occupational safety protection, and the creation of a humane work environment (Halim, 2022).

Labor protection in Islamic law has relevance to the Indonesian labor law system which places workers as legal subjects who have the right to fair treatment. Article 27 paragraph (2) and Article 28D paragraph (2) of the 1945 Constitution of the Republic of Indonesia provide a guarantee that every citizen has the right to get a job and to receive fair and decent treatment in employment relations. Law Number 13 of 2003 concerning Manpower is one of the legal instruments established to implement the mandate of the constitution through regulations regarding labor relations, the rights and obligations of workers and employers, wages, occupational safety and health, and the settlement of industrial relations disputes (Pratiwi & Andani, 2022).

Law Number 13 of 2003 concerning Manpower aims to create a balance between the interests of workers and the interests of the company. The regulation regulates various aspects of industrial relations, including outsourcing mechanisms that provide space for companies to hand over some of the work to other companies through employment outsourcing agreements or labor service providers. The provisions on outsourcing basically aim to provide flexibility in business activities while still ensuring the protection of workers' rights (Pratiwi & Andani, 2022).

The application of the outsourcing system in industrial relations practices raises various problems regarding the effectiveness of legal protection for workers. The outsourcing system provides advantages for companies in terms of labor efficiency and flexibility, but also raises concerns about the certainty of employment relations, the sustainability of work, and the fulfillment of workers' rights. This condition shows that the existence of a regulation is not enough only to be assessed from the aspect of the formation of legal norms, but must also be seen from the ability of the law to provide real protection for workers (Saija, 2019).

The debate about the outsourcing system is one of the reasons for conducting material testing of several provisions in Law Number 13 of 2003 concerning Manpower, especially Article 59, Article 64, Article 65, and Article 66 through the Constitutional Court. The application was submitted because there is an assumption that the outsourcing mechanism has the potential to cause injustice for workers due to the weak position of workers in industrial relations. This problem shows that there is a tension between the needs of

the business world for labor flexibility and the state's obligation to provide protection for workers' rights.

PT Gunbuster Nickel Industry (PT GNI) is one example of labor conflict that illustrates the issue of worker protection in industrial relations practices in Indonesia. The nickel processing industry company operating in Morowali Regency, Central Sulawesi is facing conflicts with a number of workers related to end contract actions against several employees. The action is allegedly related to the involvement of workers in labor unions and the implementation of strikes as a form of conveying aspirations for working conditions.

Labor conflicts at PT GNI are not only related to the issue of the sustainability of employment relations, but also related to the fulfillment of workers' basic rights. The workers' demands include the implementation of Occupational Safety and Health (K3) standards, the unilateral termination of wage deductions, and the company's liability for work accidents that cause the loss of workers' lives. These problems show that industrial relations are not only related to economic interests between companies and workers, but also to the protection of human safety and respect for workers' human rights.

The case of PT Gunbuster Nickel Industry shows that there is a problem between the ideal goal of the law and the practice of labor protection in the field. Islamic law has provided a philosophical basis through the principles of justice, balance, and the prohibition of committing unjust acts against workers. Law Number 13 of 2003 concerning Manpower has provided a legal basis regarding the protection of workers. The difference between normative provisions and the reality of industrial relations is an important issue that needs to be analyzed in depth.

Research on labor protection from the perspective of Islamic law and Law Number 13 of 2003 concerning Manpower is important to examine the extent to which the principle of justice in Islamic law is compatible with the labor protection system in positive Indonesian law. The analysis of the case of PT Gunbuster Nickel Industry is expected to be able to provide an overview of the effectiveness of legal protection for workers and find a construction of labor protection that is able to realize fair and equitable industrial relations.

II. RESEARCH METHODS

The writing of this research applies the library research method, which is research that prioritizes information from books, scientific journals and news that is fictional so that it can be analyzed and relevant to the theoretical basis used (Muhaimin, 2020). This research is a type of normative juridical law research. This research is analyzed in a descriptive analytical manner, that is, revealing the laws and regulations that will be applied to the case that has been determined.

There are 2 data sources used, namely primary data in the form of Islamic law on *ijarah* and Law number 13 of 2003 concerning employment, especially outsourcing protection and secondary data, namely supporting sources for this research, namely news about violations by PT GNI.

The analysis method applied is qualitative analysis with deductive and comparative instruments. Deductive analysis is an analysis by displaying general data to conclude specifically (Rukhmana et al., 2022). Meanwhile, comparative analysis is to explain the correlation between two phenomena and thought patterns. (Priadana & Sunarsi, 2021)

III. RESULTS AND DISCUSSION

A. Chronology of PT Gunbuster Nickel Industry's Industrial Conflict and the Problem of Fulfilling Workers' Rights

The employment case that occurred at PT Gunbuster Nickel Industry (PT GNI) is one of the illustrations of the complexity of the problem of worker protection in the nickel processing industry sector in Indonesia. These problems are not only related to the employment relationship between companies and workers, but also related to aspects of occupational safety and health, the fulfillment of workers' normative rights, the treatment of foreign workers, and freedom of association in industrial relations.

Occupational safety problems at PT GNI began to become public attention after a series of work accidents occurred that caused workers to suffer serious injuries to death. One of the incidents occurred at PT GNI's nickel processing facility or smelter when a worker installed a filter filter in the Grinding Smelter 1 division. The work process allegedly triggered a burst of fire from the lower area of the machine which then grabbed workers who were around the scene. The incident resulted in the death of one worker and six other workers injured.

The work accident occurred again in January 2023 when a fire hit the PT GNI smelter area and caused two workers to lose their lives again. This series of incidents shows that there are serious problems related to the implementation of occupational safety and health standards in the company environment. Data collected by various parties states that since the company has been operating, there have been a number of work accidents that have caused casualties and injuries. The work safety monitoring report in the period from June 2022 to January 2023 noted that accidents that occurred took various forms, ranging from fire incidents, explosions, to accidents due to the use of heavy equipment in the production process.

The high number of work accidents within PT GNI raises questions about the effectiveness of the implementation of the company's obligations in ensuring the safety of workers as regulated in Indonesian labor law. Occupational safety protection is not only an administrative obligation of the company, but is a fundamental right of workers that must be fulfilled as part of the principle of protection of human dignity. The company's failure to create a safe work environment can be categorized as a form of neglect of workers' rights that have been guaranteed in laws and regulations.

Employment problems at PT GNI do not stop at the aspect of work safety, but also develop in the issue of alleged exploitation of foreign workers who work for the company. A number of reports stated that there are foreign workers from China who experience various problems in employment relations, such as allegedly withholding personal documents in the form of passports, not being given copies of employment contracts, being obliged to work for long periods without adequate rest time, and wage cuts due to certain mistakes in work. This condition shows that there is an alleged imbalance in the employment relationship that has the potential to be contrary to the principle of labor protection.

Another issue that shows the weak protection of workers' rights is related to freedom of association and the expression of aspirations through the strike mechanism. In the period from January to April 2023, a number of workers together with the management of the National Labor Union (SPN) branch of PT GNI went on strike as a form of submitting demands for various employment problems they experienced. These demands include increasing occupational safety

standards, stopping the practice of unilateral wage deductions, and resolving the problem of termination of employment for several workers.

The existence of a labor union in a company is part of the basic rights of workers that have been recognized in the Indonesian labor law system. The right to form and join a trade union has an important function as an instrument of collective protection for workers in fighting for their interests. The alleged act of union busting experienced by PT GNI workers is a legal issue because it can hurt the principle of freedom of association and create an imbalance in industrial relations.

The series of events shows that PT Gunbuster Nickel Industry's labor conflict has a wide range of problems, ranging from the protection of work safety, the fulfillment of workers' normative rights, the treatment of foreign workers, to the protection of freedom of association. The case is relevant to be studied through the perspective of Islamic law and Law Number 13 of 2003 concerning Manpower because it shows the difference between the normative goals of the law that uphold justice and the reality of industrial relations that still face various problems of worker protection.

B. Maqashid Sharia's Perspective on the Protection of Workers' Rights in the Case of PT Gunbuster Nickel Industry

Employment relations in the perspective of Islamic law are basically built through a contract or binding agreement between workers (*Dreadful*) and employers (*musta'jir*). The employment contract is the basis for the emergence of rights and obligations for each party, so its implementation must be based on the principles of willingness, justice, honesty, and balance between the interests of workers and employers. Employment agreements not only have an economic dimension, but also contain moral value because they relate to the fulfillment of human rights to decent work (Nurcahyo, 2021).

The concept of labor protection in Islam can be analyzed through the *Maqashid al-Syariah*, which is the main purpose of the establishment of Islamic law to realize the benefits of human beings and prevent damage (*mafsadat*). Theory *Maqashid al-Syariah* developed by Imam al-Syathibi in the book *Al-Muwafaqat* explained that all the provisions of the Shari'ah have the purpose of maintaining the five fundamental elements of human life (*Al-Dharuriyyat al-Khamsah*), that is, to

maintain religion (*Hifz al-Din*), take care of the soul (*HUFZ al-NAFS*), keep your mind (*HEFZ al-aql*), taking care of offspring (*HUFZ al-Nasl*), and take care of the treasure (*Hifz al-Mal*) (Saphira et al., 2025).

The application of the contract work system and employment relations in a company must be directed to achieve benefits in accordance with the goals of sharia. Benefit from an Islamic perspective is not only related to economic gain, but also includes the protection of basic human rights. Employment relationships that cause loss of life, non-fulfillment of workers' rights, or the occurrence of exploitative acts are contrary to the main purpose of Islamic law because they result in damage to human welfare (Kusuma, 2025).

The case of PT Gunbuster Nickel Industry shows that there are several problems that can be analyzed through the perspective of *maqashid al-sharia*, especially related to the protection of life (*hifz al-nafs*) and the protection of property (*hifz al-mal*). These two aspects are closely related to workers' rights because work activities are not only aimed at earning income, but also must ensure the safety and sustainability of workers' lives.

According to Tanggareng T, Islamic normative principles regarding labor rights and obligations can be classified in several forms, namely workers' rights, the right to earn wages, the right to take breaks or reduced work, and the right to protection or guarantees. These four forms of rights are related to the principle of justice in Islam because workers have a position as human beings who must receive proper treatment in employment relationships (Sulistiani & Nurrachmi, 2021).

First, the aspect of protecting workers' rights is related to the company's obligation to provide a safe and humane work environment. The right to occupational safety is part of the basic rights of workers that must be provided by the company regardless of the level of risk of the work carried out. The nickel processing industry sector has a high level of risk, so the company's obligations in implementing Occupational Safety and Health (K3) standards are becoming greater (Wildan, 2017).

The work accident that occurred at PT GNI shows that there is a problem regarding the effectiveness of the implementation of occupational safety protection. The company has the obligation to ensure the availability of personal protective equipment (PPE), carry out

regular inspections and maintenance of machinery, and build a work system that is able to minimize the risk of accidents. Failure to ensure that this aspect can be categorized as a form of neglect of the principle *of hifz al-nafs* because the safety of workers' lives is part of the main goal of Islamic law.

Allah SWT says in Q.S. Al-Maidah verse 32 which explains that taking care of one's life has a very great value from an Islamic perspective. The verse shows that any action that causes a threat to human safety should be avoided. This principle has relevance to the company's obligation to create a work environment that is able to protect workers' lives.

Second, the fulfillment of the right to earn wages is an important part of the employment relationship according to Islamic law. Wages are not only a form of economic compensation for the work done, but they are also an inherent right to the worker after fulfilling his obligations. Islam pays great attention to the employer's obligation to provide wages fairly and on time (Kennedy, 2024).

A hadith narrated by Ibn Majah states: "Give wages to the workers before their sweat dries." The hadith shows the prohibition of delaying or reducing workers' rights without a justified reason. Al-Munawi in *Faidhul Qadir* explained that the obligation to provide wages after the work is completed is a form of prohibition on delaying payment when the employer has the ability to pay it (Budijanto, 2017).

The alleged unilateral wage cuts against PT GNI workers, including foreign workers from China who reportedly suffered cuts due to certain mistakes in their work, show that there are problems regarding the fulfillment of workers' economic rights. If this fact is proven, the action is contrary to the principle of justice in Islam because it is a form of taking someone's rights without a justified basis. This act is also contrary to the concept of *hifz al-mal* because Islamic law provides protection for property to which a person is entitled.

Third, the protection of workers' guarantees is an important aspect from the perspective of Islamic law. Workers who have a work accident have the right to obtain protection, compensation, and a form of responsibility from the company according to the level of loss experienced. The guarantee is a form of employer's social responsibility towards workers who have given

their energy and abilities for the benefit of the company.

A series of work accidents that occurred at PT GNI raised questions about the extent of the company's responsibility in providing protection to victims and families of affected workers. Unclear about the provision of compensation or guarantees to victims of work accidents has the potential to be contrary to the principle of justice in Islam because workers are in a position to suffer losses due to work activities.

The principle *of maqashid al-syariah* places the protection of life and property as the main goal of Islamic law that must be realized in every human activity, including industrial relations. Companies have an obligation to ensure that economic activities are not at the expense of the safety and welfare of workers. The case of PT Gunbuster Nickel Industry shows that the aspect of labor protection is not only a positive legal obligation, but also a moral and religious obligation based on the principle of justice in Islam.

C. Implementation of Labor Law Protection in the Case of PT Gunbuster Nickel Industry Based on Indonesian Labor Law

Legal protection of labor is one of the important instruments in creating fair industrial relations. The state has an obligation to ensure that workers obtain basic rights in employment relationships, including the right to decent work, the right to fair wages, the right to occupational safety and health, and the right to social protection. Law Number 13 of 2003 concerning Manpower is the main basis for providing legal guarantees for the relationship between workers and employers (Iswaningsih et al., 2021a).

Labor protection in the perspective of Indonesian law can be carried out through two main mechanisms, namely protection derived from state regulations and protection provided through the existence of labor unions. Labor regulations provide limits on the company's actions so as not to engage in practices that are detrimental to workers, while unions function as a means for workers to express their aspirations, conduct negotiations, and fight for the fulfillment of unfulfilled rights (Iswaningsih et al., 2021a).

The case of PT Gunbuster Nickel Industry shows that there are problems in the implementation of legal protection for workers. The alleged unilateral wage cut against workers is a form of problem related to workers' normative rights. Wages are the main rights inherent to

workers after performing work as agreed in the employment relationship. Companies cannot reduce or withhold wage payments without a clear legal basis because such actions have the potential to harm workers and are contrary to the principles of labor protection.

Workers' rights to decent wages are protected through the provisions of Article 88 of Law Number 13 of 2003 concerning Manpower which affirms that every worker has the right to earn an income that meets a decent livelihood for humanity. The concept of decent income is not only related to the nominal amount of wages, but also includes the ability of workers to meet the living needs of themselves and their families (M. R. Hidayat & Dalimunthe, 2022).

The provisions regarding the payment of wages also relate to the principle that the employment relationship must be based on a balance between the performance of the worker and the obligations of the company. Unilateral wage cuts without a mechanism in accordance with the provisions of the law can create injustice in industrial relations because workers have fulfilled their obligations, but their economic rights are not fully granted (Hanifah, 2020).

Protection of occupational safety and health is another aspect that is closely related to the case of PT GNI. The nickel processing industry is a high-risk employment sector so companies have a greater obligation to ensure worker safety. Law Number 1 of 1970 concerning Occupational Safety provides an obligation to employers to create a safe workplace and prevent work accidents.

A series of work accidents that occurred within PT GNI show the importance of evaluating the implementation of the company's occupational safety standards. The provision of personal protective equipment, maintenance of production machinery, safety training, and supervision of work procedures are part of the company's obligations in preventing the risk of accidents. Failure to meet these aspects can have legal consequences because worker safety is a right guaranteed by the state.

Social protection for workers is also an important part of Indonesia's labor law system. Labor social security is a form of state protection for workers who experience risks due to work relationships, such as work accidents, illness, loss of ability to work, or death. The provisions regarding social security were initially regulated through Law Number 3 of 1992 concerning Labor Social Security and are currently developing

through the national social security system organized by the state (I. D. Hidayat, 2021).

Workers who have a work accident have the right to obtain protection and social security benefits in accordance with applicable regulations. The company has an obligation to ensure that its workers obtain such protection as a form of responsibility for occupational risks that arise in production activities. The issue of transparency in providing compensation to victims of PT GNI's work accidents is one of the important aspects to be studied because it is directly related to the fulfillment of workers' rights.

The existence of trade unions also has an important position in the Indonesian labor law system. Trade unions serve as instruments of collective protection that allow workers to have a bargaining position in industrial relations. The right of workers to form and join trade unions is guaranteed through Law Number 21 of 2000 concerning Trade Unions/Trade Unions (Iswaningsih et al., 2021b).

Alleged acts of extermination of trade unions (*Union Busting*) in the conflict PT GNI became a legal issue because freedom of association is part of the basic rights of workers. Companies are not allowed to take actions that hinder workers from carrying out workers' organizational activities as long as they are carried out in accordance with the provisions of the law. Protection of trade unions has an important function in maintaining the balance of industrial relations between workers and companies (Habibi et al., 2024).

The perspective of Indonesian labor law shows that worker protection is not only administrative, but also has a dimension of protection of human rights. The Constitution of Indonesia through Article 27 paragraph (2) of the 1945 Constitution of the Republic of Indonesia guarantees citizens' rights to work and livelihood that is decent for humanity. Article 28D paragraph (2) also emphasizes that everyone has the right to receive fair and appropriate remuneration and treatment in employment relationships.

A comparison between Islamic law and positive Indonesian law shows that there is a similarity in principles in providing protection for workers. Islamic law through the concept of *maqashid al-syariah* emphasizes the protection of soul, property, and justice in employment relationships. Indonesia's positive law through Law Number 13 of 2003 concerning Manpower provides protection through regulatory

mechanisms, supervision, and sanctions against violations of workers' rights.

The case of PT Gunbuster Nickel Industry shows that the existence of legal norms does not always guarantee the fulfillment of workers' rights if it is not followed by effective implementation and supervision. Labor protection will achieve its true goals if the principles of justice in Islamic law and the provisions of positive Indonesian law can be applied consistently in industrial relations.

D. The Relevance of the Principles of Justice of Islamic Law and Indonesian Labor Law in the Protection of Workers of PT Gunbuster Nickel Industry

Labor protection in Islamic law and Indonesian labor law have the same orientation, which is to create employment relationships that uphold the values of justice, balance, and respect for human rights. The difference in characteristics between the two legal systems does not eliminate the common purpose in providing protection to workers. Islamic law places labor protection within the framework of moral values and human welfare through the concept of *Maqashid al-Syariah*, while Indonesia's positive law provides protection through legal instruments that have formal binding power (Akmal, 2026).

In the perspective of legal protection theory, the protection of workers can be divided into preventive protection and repressive protection. Preventive protection aims to prevent violations through the establishment of labor standards, occupational safety regulations, wage provisions, and mechanisms for industrial relations. Meanwhile, repressive protection is carried out through law enforcement mechanisms, dispute resolution, and the imposition of sanctions against parties who violate workers' rights. In the context of PT Gunbuster Nickel Industry, the existence of labor regulations should not only function as written norms, but must also operate effectively through supervision and enforcement mechanisms to prevent repeated violations against workers.

The case of PT Gunbuster Nickel Industry shows that the issue of worker protection is not only related to the formal fulfillment of legal provisions, but also concerns the application of justice values in industrial relations. Problems related to work accidents, alleged wage cuts, weak occupational safety protections, and the issue of freedom of association show that the relationship

between companies and workers still faces challenges in realizing a balance of rights and obligations.

The perspective of Islamic law through the concept of *Maqashid al-Syariah* provides the basis that economic activities and employment relations must still pay attention to the protection of the five main elements of human life. Protection of the soul (*HUFZ al-NAFS*) is directly related to the company's obligation to ensure worker safety. Companies not only have a responsibility to provide jobs, but also ensure that the work does not endanger the lives of workers. Protection of property (*Hifz al-Mal*) is related to the obligation to provide fair wages and the prohibition of unlawfully taking or reducing workers' economic rights (Hidayatullah, 2020).

The concept of *Maqashid al-Syariah* also emphasizes that economic activities cannot be separated from humanitarian values. The achievement of economic benefits (*maslahah*) cannot be justified if it causes harm (*mafsadah*) to workers. In the case of PT Gunbuster Nickel Industry, industrial activities that generate economic benefits for the company must be accompanied by responsibility to protect the safety, dignity, and welfare of workers. The principle of justice in Islamic law requires employers to avoid exploitation, because the relationship between employers and workers is not merely a contractual relationship but also a moral relationship based on responsibility and trust (*amanah*). Therefore, any employment practice that prioritizes profit while neglecting worker protection contradicts the fundamental objectives of Islamic law.

This principle is in accordance with the purpose of Indonesian labor law which provides protection for workers through various legal instruments. Law Number 13 of 2003 concerning Manpower provides guarantees regarding the right to get decent work, the right to wages, occupational safety protection, and the right to receive fair treatment in employment relations. This provision shows that Indonesian law also places workers as legal subjects who have rights and not just instruments of production in the company's activities.

Indonesian labor law also adopts the principle of social justice by placing workers as parties who require special protection due to the unequal bargaining position between workers and employers. The employment relationship inherently creates an imbalance because

employers generally have greater economic and organizational power compared to individual workers. Therefore, labor law functions as a balancing instrument to ensure that freedom of contract does not become a means of legitimizing unfair treatment. In this regard, the protection provided by Law Number 13 of 2003 concerning Manpower reflects the state's obligation to intervene in employment relations to guarantee fairness and human dignity.

The main difference between Islamic law and positive Indonesian law lies in the source of legitimacy of its protection. Islamic law is sourced from sharia values that emphasize the moral aspects, responsibility, and accountability of humans to Allah SWT. Indonesia's positive law comes from state regulations that provide legal certainty through supervision and sanction mechanisms. The two approaches have a complementary relationship because worker protection requires legal certainty as well as moral awareness from the company.

The case of PT Gunbuster Nickel Industry shows that the existence of the rule of law does not automatically guarantee the fulfillment of workers' rights. The effectiveness of labor protection is highly dependent on company compliance, government supervision, and the courage of workers to fight for rights through available legal mechanisms. The value of justice in Islamic law can be the ethical basis in the implementation of industrial relations, while Indonesian labor law is a formal instrument to ensure that these rights can be enforced.

The PT Gunbuster Nickel Industry case also demonstrates that worker protection cannot be fully achieved solely through corporate compliance. The government has an important role in ensuring the effectiveness of labor regulations through supervision, inspection, and law enforcement. Weak supervision may create a gap between legal norms and industrial practices, allowing violations of workers' rights to continue. Therefore, the protection of workers requires cooperation between the government, companies, and workers' organizations to create a balanced industrial relationship.

The ideal labor protection in the case of PT Gunbuster Nickel Industry must be understood as a form of balance between the economic interests of the company and the humanitarian interests of workers. Industrial relations cannot only be directed at increasing productivity and profits, but must also ensure that workers obtain safety,

welfare, and fair treatment. The harmony between the principles of justice of Islamic law and the provisions of Indonesian labor law is an important basis in realizing fair employment relations.

IV. CONCLUSIONS AND SUGGESTIONS

A. Conclusion

Labor protection in the perspective of Islamic law and Law Number 13 of 2003 concerning Manpower have the same goal, namely to realize fair labor relations and ensure the fulfillment of workers' rights. Islamic law through the concept of *maqashid al-syariah* places the protection of the soul (*hifz al-nafs*) and the protection of property (*hifz al-mal*) as the main principles that must be realized in the employment relationship. The case of PT Gunbuster Nickel Industry shows that there are problems in the fulfillment of workers' rights, especially related to occupational safety and health, wage payments, guarantees of protection against occupational risks, and freedom of association.

Indonesia's positive legal perspective provides protection through Law Number 13 of 2003 concerning Manpower, Law Number 1 of 1970 concerning Occupational Safety, as well as regulations related to labor unions and labor social security. The existence of these regulations shows that the state has provided legal instruments to protect workers, but its implementation still faces various obstacles in the practice of industrial relations. The case of PT GNI shows that there is a gap between legal norms and the implementation of labor protection, so that more effective supervision and law enforcement are needed so that workers' rights can be protected in real terms.

B. Suggestions

Companies need to improve compliance with labor standards, especially in the aspects of work safety, fulfillment of wage rights, and worker protection. The government needs to strengthen supervision and take firm action against companies that are proven to violate labor rights. Workers and trade unions also need to continue to strengthen their role in fighting for rights through available legal mechanisms.

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