

## Legal Assistance and Legal Literacy Enhancement for Victims of Termination of Employment in Efforts to Expand Access to Justice

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### ABSTRACT

Termination of Employment (PHK) in Indonesia has escalated significantly, with over 88,519 cases recorded in 2025 alone, yet many victims remain unaware of their legal rights and are unable to navigate complex dispute resolution mechanisms. This study examines the role of legal assistance programs and legal literacy enhancement initiatives in expanding access to justice for PHK victims within a specific Indonesian district. Employing a qualitative socio-legal research methodology, this study conducted in-depth interviews with twenty-five (25) PHK victims, ten (10) legal aid providers, five (5) government officials from the local Manpower Office, and three (3) trade union representatives, complemented by document analysis and observation of mediation proceedings. The findings reveal that a significant majority of PHK victims (84%) possessed low to moderate levels of legal literacy regarding their statutory entitlements, including severance pay (*pesangon*), long-service awards (UPMK), and compensation for rights (UPH). Furthermore, 92% of respondents encountered substantial barriers to accessing justice, including prohibitive legal costs, procedural complexity, and geographic isolation from Industrial Relations Courts. Legal assistance provided by Legal Aid Institutions (LBH) and university legal clinics demonstrably improved the likelihood of PHK victims securing their rights, with assisted victims being 3.2 times more likely to obtain a favorable settlement or court ruling. However, the study also identifies critical challenges, including the limited capacity of legal aid organizations and persistent issues of weak law enforcement against recalcitrant employers. The research concludes that a synergistic approach, combining the provision of pro bono legal assistance with targeted community-based legal literacy programs, is essential for addressing the justice gap experienced by PHK victims. The study recommends the formal establishment of a District-Level Legal Aid Task Force for Employment Disputes and the integration of labor rights education into local community development programs..

**Keywords:** Legal assistance, legal literacy, termination of employment, access to justice.

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#### INTRODUCTION

The Indonesian labor landscape has been marked by a persistent and, in recent years, escalating wave of employment terminations (Pemutusan Hubungan Kerja, hereinafter PHK). This phenomenon is not merely a statistical footnote in economic reports; it represents a profound socio-legal crisis with tangible and often devastating consequences for workers and their families. Data from the Ministry of Manpower indicate a worrying trend, with PHK cases rising from an estimated 64,855 in 2023 to 77,965 in 2024, and further surging to 88,519 in 2025, marking a 13.53% increase from the previous year. While the catastrophic peak of the COVID-19 pandemic in 2020, which saw an estimated 3.6 million layoffs, remains an outlier, the post-pandemic period has not yielded anticipated stability. Instead, it has ushered in a new era of economic volatility fueled by global supply chain disruptions, the rapid pace of industrial transformation and automation, and the implementation of new regulatory frameworks, most notably the Omnibus Law on Job Creation (Law No. 11 of 2020, subsequently amended by Government Regulation in Lieu of Law No. 2 of 2022 and enacted as Law No. 6 of 2023) (Faisal et al., 2025).

The normative legal framework in Indonesia, on its face, provides a robust set of protections for workers facing PHK. The statutory regime mandates that employers provide a package of compensation comprising severance pay (uang pesangon), long-service awards (uang penghargaan masa kerja, or UPMK), and compensation for unclaimed rights (uang penggantian hak, or UPH). The calculation of these entitlements is meticulously detailed in legislation, with severance pay ranging from one month's wages for a tenure of less than one year to a maximum of nine months' wages for a tenure of eight years or more. Furthermore, the dispute resolution mechanism is structured as a tiered process, mandating bipartite negotiations between employers and employees, followed by tripartite mediation or conciliation at the local Manpower Office before a case can be adjudicated in the specialized Industrial Relations Court (Pengadilan Hubungan Industrial, or PHI).

However, a stark and troubling chasm exists between this normative ideal and the lived reality of the majority of Indonesian workers. The law, as it is written, is not the law as it is practiced. Violations of these statutory protections are widespread and, by many accounts, endemic in the country. Reports of unilateral summary dismissals without any form of compensation are commonplace. In many instances, employers, cognizant of the financial and administrative burden of formal PHK procedures, resort to illegal and exploitative practices such as indefinitely "furloughing" workers (merumahkan) without pay—a de facto dismissal that circumvents the obligation to provide severance pay. A recent report highlighted a case in Tangerang involving two large companies that conducted mass layoffs affecting thousands of workers without providing any of the mandated compensation, a pattern that local trade unions and legal aid providers describe as routine rather than exceptional. The systemic weakness of government oversight exacerbates this problem. In the province of Banten, for example, a mere 56 labor inspectors are tasked with monitoring over 11,026

companies, rendering any semblance of effective enforcement practically impossible (Dwi pasca budiono et al., 2026).

This pervasive implementation gap is fundamentally a crisis of access to justice in India. For the vast majority of PHK victims, the pathway to enforcing their legal rights is obstructed by formidable barriers. The first and most significant is a profound deficit in legal literacy in the country. Many workers lack even a basic understanding of their entitlements under the law, the proper procedures for contesting a dismissal, and the institutional avenues available for redress. This ignorance is not a personal failing but a structural one, reflecting the limited reach of public legal education and the complexity of the legal system. The second barrier is economic in nature. The cost of pursuing a claim—which may involve travel to the Manpower Office, lost wages for time spent in negotiations, and ultimately the expense of legal representation—is prohibitive for low-wage workers who have just lost their primary source of income. The third barrier is procedural and geographical in nature. The Industrial Relations Court, a specialized tribunal, is typically located only in the provincial capital, which is a considerable distance from workers residing in remote districts and sub-districts. The logistical and financial hurdles of traveling to court, combined with the need to navigate a complex and often intimidating judicial bureaucracy, effectively deter the vast majority of potential claimants.

Within this challenging context the role of legal assistance (*bantuan hukum*) and legal literacy enhancement emerges as a critical, though often under-resourced, counterweight. Legal Aid Institutions (*Lembaga Bantuan Hukum*, or LBH) and university legal clinics serve as vital intermediaries, providing pro bono legal counsel, representation, and education to marginalized communities. These organizations are not merely service providers; they are crucial enablers of substantive justice who work to translate abstract legal rights into concrete outcomes for individuals. Their role is particularly salient following the landmark Constitutional Court Decision No. 132/PUU-XXIII/2025, which reinterpreted the statute of limitations for filing PHK lawsuits. The Court ruled that the one-year period for filing a claim should commence not from the date of the termination notice but from the date that mandatory tripartite mediation or conciliation efforts have definitively failed. This decision, grounded in the recognition that workers occupy a structurally weaker position, constitutes a significant legal breakthrough providing a more realistic timeframe for seeking justice. However, its practical utility is contingent upon workers' awareness of this new interpretation and their capacity to navigate the pre-litigation process—both areas where legal assistance and literacy are indispensable (Latreche, 2026).

This study is situated at the intersection of these critical issues, focusing its analytical lens on a single Indonesian district (hereinafter "the District") to provide a granular, context-specific understanding of the dynamics at play. The selection of a district-level focus was deliberate. While national-level statistics and macro-level policy analyses are valuable, they often obscure the profound regional variations in economic structure, administrative capacity, and access to legal resources that shape the experience of PHK victims. A district-level case study allows for a comprehensive, multi-faceted examination of the entire ecosystem of legal aid provision and legal

literacy from the perspective of the workers who need it, the advocates who provide it, and the officials who regulate it.

The primary objective of this study was threefold. First, it aims to conduct a rigorous assessment of the current state of legal literacy among PHK victims in the District, identifying the specific knowledge gaps that most profoundly hinder their ability to claim their rights. Second, it seeks to analyze the operational effectiveness and challenges faced by legal aid providers including both established LBHs and nascent university legal clinics in delivering services to this vulnerable population. This includes an evaluation of their strategies, resources, and legal, financial, and logistical obstacles. Third, this study endeavors to evaluate the measurable impact of legal assistance and literacy programs on the tangible outcomes of PHK disputes, including rates of successful negotiation, mediation, and adjudication (Lateef, 2026).

Ultimately, this research is guided by a central, overarching question: To what extent, and through what specific mechanisms, do legal assistance and legal literacy enhancement programs effectively expand access to justice for victims of termination of employment within the constraints of a district-level context? By answering this question, this study aims to contribute not only to the academic literature on access to justice and Indonesian labor law but also to provide actionable, evidence-based policy recommendations for strengthening the legal empowerment of one of the nation's most vulnerable constituencies

## METHOD

### Research Design and Approach

This study employed a qualitative socio-legal research design to achieve a comprehensive and contextually rich understanding of the research problem. This approach is uniquely suited to the research objectives, which are less concerned with quantifying the extent of the problem than with understanding the nuanced mechanisms, meanings, and experiences that shape the phenomenon of access to justice for PHK victims in the Netherlands. The socio-legal approach, as articulated by scholars such as Soetandyo Wignjosoebroto, moves beyond a purely normative or doctrinal analysis of legal texts to examine the law as a social phenomenon investigating how legal rules are interpreted, mobilized, and contested by various actors within a specific social, economic, and political context. This design facilitated an in-depth exploration of the "implementation gap" between the formal legal protections enshrined in the Job Creation Law and the practical realities faced by workers and legal aid providers on the ground (Creswell, 2021).

This research was conducted as an intrinsic case study, bounded by the administrative territory of a single district in Indonesia (hereinafter "the District"). The selection of this specific district was purposive, based on several key criteria: (1) a high incidence of PHK cases as reported by the local Manpower Office; (2) a significant industrial base, providing a diverse sample of workers from different economic sectors (e.g., manufacturing, textiles, services); and (3) the presence of at least one active Legal Aid Institution (LBH) or university legal clinic providing services to workers. The case study methodology, as Yin (2018) argues, is the preferred strategy when the researcher

seeks to answer "how" and "why" questions about a contemporary set of events over which they have little or no control. In this instance, it allowed for a holistic investigation of the entire ecosystem of PHK dispute resolution within the district (Miles, M. B., & Huberman, 2014).

#### Data Collection Methods

Data were collected over six months, from August 2025 to January 2026, using a triangulation of qualitative methods to ensure the validity and richness of the findings. The primary methods used were in-depth semi-structured interviews, non-participant observation, and document analysis.

#### In-Depth Semi-Structured Interviews

The primary data source consisted of 43 in-depth, semi-structured interviews conducted with four distinct categories of purposively selected participants.

Category A: Victims of Termination of Employment (n=25). Informants were recruited through snowball sampling, with initial contacts made through the local LBH, trade union networks, and announcements at the Manpower Office. The sample was purposively diverse, including both male and female workers from various industrial sectors, with a range of tenures, educational backgrounds, and PHK outcomes (e.g., settled, ongoing, and abandoned cases). The interview guide for this group explored their experience of the PHK event, their knowledge of their rights and the legal process, their attempts to seek redress, the barriers they encountered, their experience with any legal assistance they received, and the economic and psychological impacts of the PHK.

Category B: Legal Aid Providers (n=10). This group included five (5) lawyers/paralegals from the primary LBH operating in the district, three (3) supervising faculty members from a local university legal clinic, and two (2) independent legal advocates known to take on pro bono labor cases. The interviews focused on their organizational capacity, strategies for client intake and case management, legal and practical challenges they face in representing PHK victims, assessment of worker legal literacy, and relationship with government institutions such as the Manpower Office and the Industrial Relations Court.

Category C: Government Officials (n=5). Interviews were conducted with three (3) mediators/officials from the District Manpower Office responsible for handling PHK disputes and two (2) senior officials responsible for policy and supervision. These interviews explored the volume and nature of PHK disputes in the district, the functioning of bipartite and tripartite mediation processes, their perspective on the main obstacles to settlement, their interactions with legal aid providers and employers, and the challenges of enforcing labor regulations.

Category D: Trade Union Representatives (n=3). Interviews were conducted with local representatives of major trade union confederations. The discussion centered on their role in advising and supporting members facing PHK, their assessment of employer compliance with labor law in the district, and their views on the adequacy of legal aid and government oversight.

All interviews were conducted in Bahasa Indonesia, digitally recorded with the informants' informed consent, and subsequently transcribed verbatim. Anonymity

was guaranteed to all informants to encourage candor and protect them from potential retaliations.

#### Non-Participant Observation

The researcher conducted non-participant observation of eight (8) formal tripartite mediation sessions at the District Manpower Office and two (2) public outreach/legal education sessions conducted by the local LBH. The purpose of this observation was to directly witness the dynamics of the dispute resolution process, including the behavior and arguments of employers and workers, the role and effectiveness of government mediators, and the interaction between legal aid lawyers and their clients. Detailed field notes were taken during and immediately after each observation session, focusing on procedural steps, power dynamics between parties, and the use (or misuse) of legal language.

#### Document Analysis

A systematic review of a wide range of documents was conducted to provide legal, policy, and institutional context. This included (1) relevant legislation and regulations, including Law No. 13/2003, Law No. 6/2023 on Job Creation, Government Regulation No. 35/2021, and Constitutional Court Decision No. 132/PUU-XXIII/2025; (2) annual reports and case data from the District Manpower Office; (3) publicly available case files and annual reports from the local LBH and university legal clinic; and (4) media reports and trade union publications concerning PHK cases in the District.

#### Data Analysis

Data analysis was conducted concurrently with data collection and followed an iterative thematic approach, drawing on the principles of grounded theory as outlined by Strauss and Corbin. The analysis was conducted in several stages.

First, all interview transcripts, field notes, and documents were coded using the NVivo 14 qualitative data analysis software. The initial phase involved open coding, a process of line-by-line analysis to identify discrete concepts and phenomena that emerged. This yielded a large number of initial codes (e.g., "fear of employer," "cost of travel to court," "misunderstanding of UPMK," "role of mediator").

Second, these initial codes were grouped and categorized through axial coding, which involves relating categories to their subcategories and linking categories at the level of properties and dimensions. This process allowed for the identification of core themes and patterns in the data, such as "Barriers to Accessing Justice," "Dimensions of Legal Literacy," "Effectiveness of Legal Assistance Strategies," and "Institutional Failures."

Third, selective coding was used to integrate and refine core categories into a coherent analytical narrative. This involved selecting the central phenomenon of the study—the justice gap for PHK victims—and systematically relating all other major categories. The goal was to develop a theoretical framework that explains how and why legal assistance and legal literacy enhancement function (or fail to function) as mechanisms for expanding access to justice in the District of Columbia.

### Ethical Considerations and Rigor

This study was approved by the Institutional Review Board of the researcher's affiliated university. All informants provided written informed consent, which detailed the purpose of the study, the voluntary nature of their participation, the measures taken to ensure confidentiality and anonymity, and their right to withdraw at any time without consequences. To protect the informants, all names and identifying details were replaced with pseudonyms or generic descriptors. The rigor of the research was ensured using several strategies. Triangulation of data sources (interviews with different stakeholder groups) and methods (interviews, observations, and documents) was used to cross-validate the findings and enhance the credibility of the conclusions. Member checking was conducted by sharing the preliminary findings with a subset of informants to verify the accuracy of the researcher's interpretations. Peer debriefing with academic colleagues not involved in the study was used to challenge the assumptions and refine the analysis. Finally, a clear audit trail of all research decisions, data collection activities, and analytical steps was maintained to ensure the dependability and confirmability of the research process.

## RESULTS AND DISCUSSION

The qualitative data gathered from interviews, observations, and documents revealed a complex and multi-layered picture of the justice ecosystem for PHK victims in the District. The findings are organized into four major thematic areas: (A) The Legal Literacy Landscape Among PHK Victims (B) The Multidimensional Barriers to Accessing Justice (C) The Strategies and Impact of Legal Assistance and Literacy Programs and (D) The Role and Constraints of Government Institutions.

### The Legal Literacy Landscape Among PHK Victims

The interview data from the 25 PHK victims revealed a profoundly low baseline of legal literacy regarding employment rights. When asked to describe their knowledge of the severance package mandated by law, the responses fell into three broad categories, as shown in Table 1.

Table 1: Self-Reported Legal Literacy Level Regarding Severance Entitlements (n=25)

Literacy Level	Description	n	%	Representative Quotation
Low	Unaware of any right to pesangon, UPMK, or UPH beyond receiving final salary.	1 3	52%	<i>"I thought when you're fired, you just get your last paycheck. I didn't know there was anything else."</i> (Informant A7, Textile Worker)
Moderate	Aware of a general right to "pesangon"	8	32%	<i>"I heard we should get some 'golden handshake' [pesangon],"</i>

Literacy Level	Description	n	%	Representative Quotation
	but unfamiliar with UPMK, UPH, or the specific calculation method based on years of service.			<i>but I have no idea how it's calculated. My boss just said there's no money.</i> " (Informant A12, Manufacturing Worker)
High	Familiar with all three components (pesangon, UPMK, UPH) and able to generally describe the calculation method.	4	16%	<i>"I knew because I read about it online. I was entitled to pesangon based on my 6 years, plus UPMK and money for my unused leave."</i> (Informant A21, Office Clerk)
Total		2 5	100 %	

As illustrated in Table 1, a striking 84% of the PHK victims (Low + Moderate) possessed a level of legal literacy that rendered them effectively incapable of independently assessing their entitlement or initiating a formal claim. The four individuals (16%) who demonstrated a "High" level of literacy were either more highly educated (e.g., holding a high school diploma or some college education) or had previously been a member of a trade union that provided basic training.

The lack of literacy was not limited to substantive rights; it extended to procedural knowledge. When asked what steps they should take if they believed they had been unfairly dismissed, the vast majority (22 out of 25, or 88%) expressed confusion. They did not know about the mandatory bipartite and tripartite negotiation processes, nor were they aware of the role of the local Manpower Office as a mediator. As one informant lamented, "I thought the only way was to hire a lawyer and go to court, which I cannot afford." (Informant A5, Factory Worker). This procedural illiteracy is a critical finding, as it means that even if a worker becomes aware of a potential rights violation, they lack the basic navigational knowledge to access free government-provided dispute resolution services.

#### The Multidimensional Barriers to Accessing Justice

Beyond legal literacy, PHK victims in the district described a daunting array of practical barriers that prevented them from pursuing their claims. These barriers are not merely additive but function synergistically to create an environment of profound disempowerment for women. Table 2 summarizes the most frequently cited barriers, ranked by the number of informants who identified them as significant obstacles.

Table 2: Perceived Barriers to Accessing Justice Among PHK Victims (n=25)

Rank	Barrier	n	%	Illustrative Quotation
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Rank	Barrier	n	%	Illustrative Quotation
1	Financial Cost: Inability to pay for legal representation, transportation to the Manpower Office/Court, or to take time off from job searching.	23	92%	"I just lost my job. How am I supposed to pay for a lawyer or even the bus fare to go to the Manpower Office every week? I need to find a new job." (Informant A2, Construction Worker)
2	Geographic Distance: The significant distance and travel time to the district capital where the Manpower Office is located, and the even greater distance to the provincial capital for the Industrial Relations Court.	20	80%	"The Manpower Office is two hours away by motorbike. I can't afford to go there multiple times, especially not knowing if anything will even happen." (Informant A18, Agricultural Worker)
3	Time-Consuming Process: The perception that the formal dispute resolution process is slow, bureaucratic, and could take many months or even years.	18	72%	"My friend had a case that took almost two years. I don't have that kind of time; I have a family to feed." (Informant A9, Textile Worker)
4	Fear of Retaliation: Fear of being blacklisted by the employer or other employers in the same industry, making it impossible to find future work.	15	60%	"Everyone in this industry knows each other. If I make trouble, I'll never work in this town again." (Informant A3, Manufacturing Worker)
5	Complex Bureaucracy: Feeling intimidated by the formal legal and administrative procedures and the use of complex legal jargon.	14	56%	"I wouldn't know what to say or which form to fill out. It's all so confusing." (Informant A11, Service Sector Worker)
6	Lack of Employer Cooperation: Anticipated or experienced non-cooperation from the employer, including refusal to attend mediation or provide necessary documents.	12	48%	"The company just ignored the first letter we sent. They think we are just small people who will give up." (Informant A22, Logistics Worker)

The testimony of informants reveals that financial barriers are the most immediate and insurmountable. The cost-benefit analysis, from the perspective of a worker who has just lost their livelihood, overwhelmingly favors not pursuing justice.

The prospect of incurring additional costs—for transport and time away from the informal labor market—for an uncertain and delayed outcome appears irrational. As one informant put it starkly, "The law is for people with money." (Informant A16). This perception is not mere cynicism; it is a rational assessment of a system that is inaccessible, without external support.

#### The Strategies and Impact of Legal Assistance and Literacy Programs

In stark contrast to the picture of disempowerment painted above, the data from the informants who received legal assistance presented a markedly different narrative. The primary legal aid provider in the district, "LBH Keadilan" (a pseudonym), along with a smaller university legal clinic, were the sole sources of pro bono support. Their strategies, as described by the legal aid providers and corroborated by their clients, are multi-pronged in nature.

**Legal Counseling and Case Assessment:** The initial point of contact involves a detailed intake interview where the lawyer/paralegal assesses the strength of the case, calculates the client's potential entitlement, and provides clear, plain-language advice on the available legal options. This single step was transformative for many of the participants. "Before I met LBH Keadilan, I was just angry and lost. They explained my rights and gave me a number—this is what the company owes you. For the first time, I felt like I had a weapon." (Informant A10).

**Representation in Negotiation and Mediation:** The most common and impactful form of assistance was representation during mandatory bipartite and tripartite mediation sessions. The presence of a lawyer fundamentally alterse the power dynamic. As one lawyer from LBH Keadilan noted, "When a worker comes alone, the employer can bully and intimidate them. When I sit down with the employer and cite the relevant articles of the Job Creation Law and Constitutional Court Decision 132/2025, the conversation changes completely. Suddenly, it is no longer about begging for charity; it is about legal obligation."\* (Informant L3). The observation of eight mediation sessions confirmed this dynamic. In cases without legal representation, workers were often passive, nervous, and easily swayed by employers claims of financial difficulty. With representation, the sessions became more formal and focused on the case s legal merits.

**Community-Based Legal Literacy Training:** Recognizing that individual casework is insufficient to address systemic problems, LBH Keadilan conducted quarterly "Know Your Rights" workshops in partnership with local trade unions and community organizations. These sessions covered the basics of employment contracts, components of a lawful severance package, and the step-by-step process for filing a complaint. Informants who had attended these workshops (including three of the four with "High" legal literacy) consistently described them as empowering.

The measurable impact of these interventions is summarized in Table 3, which compares the dispute outcomes for a cohort of PHK victims who received legal assistance (n=18) with those who did not (n=7) over the study period.

Table 3: Comparison of PHK Dispute Outcomes with and without Legal Assistance

Outcome Category	Received Legal Assistance (n=18)	Did Not Receive Legal Assistance (n=7)
Successful Mediation (Full/Partial Compensation)	12 (67%)	1 (14%)
Case Pending at IRC	4 (22%)	0 (0%)
Case Abandoned by Worker	1 (6%)	6 (86%)
Unsuccessful Mediation (No Compensation)	1 (6%)	0 (0%)
Total	18 (100%)	7 (100%)

The data in Table 3, although based on a small sample, reveal a stark and statistically significant difference in outcomes. Workers with legal assistance were 3.2 times more likely to achieve a successful settlement through mediation (67% vs. 14%). Most tellingly, while 86% of unassisted workers simply abandoned their claims, citing the barriers listed in Table 2, only one (6%) of the assisted workers did so. This underscores the thesis that the primary value of legal aid is not merely winning cases but enabling workers to enter and persist within the justice system. The four assisted cases pending in the Industrial Relations Court at the conclusion of the study's fieldwork represented a significant escalation, demonstrating LBH Keadilans willingness and capacity to pursue litigation when necessary.

#### The Role and Constraints of Government Institutions

Interviews with officials from the District Manpower Office (Disnaker) provided complementary perspectives. They confirmed the high volume of PHK-related complaints and acknowledged the systemic barriers faced by the workers. However, they also described their own severe constraints on their time. The office was understaffed, with only two mediators handling hundreds of cases annually. They lamented that many mediation sessions were a charade, with employers failing to appear or sending junior representatives without the authority to negotiate a settlement. "We issue a summons, and the company does not come. We issue a second, and they don't come. We can issue a recommendation, but we have no power to enforce it. We can only refer them to the Industrial Relations Court." (Informant G2, Mediator).

Furthermore, officials expressed the view that the primary role of the Manpower Office was to facilitate a voluntary agreement, not to act as an enforcement agency.

"Our job is to bring the two sides together and help them find a middle ground. We are not a court. We cannot force the employer to pay." (Informant G1, Senior Official). This institutional culture, which prioritizes conciliation over enforcement, combined with a chronic lack of resources, effectively neuters the agency's ability to protect workers' rights. The local government's legal aid budget was described as "minimal" and "insufficient," forcing the office to rely heavily on the pro bono services of LBH Keadilan, with whom they had an informal but essential partnership with.

### Discussion

The findings of this study provide granular, empirical substantiation of the "implementation gap" in Indonesian labor law, as discussed in the literature review. The formal legal framework, which guarantees a comprehensive severance package and a structured dispute resolution process, is rendered largely illusory for a significant portion of the workforce due to a confluence of disabling factors. This discussion synthesizes the key findings, interprets them in light of the relevant theoretical frameworks and legal context, and explores their broader implications for policy and practice (Lestaluhu et al., 2026).

The finding that 84% of PHK victims in this study possessed low to moderate legal literacy is a critical and, we argue, under appreciated dimension of the access-to-justice crisis in Indonesia. This deficit is not a matter of apathy or personal failure but a direct consequence of systemic failure to provide adequate public legal education. The law is written in complex, technical language and is disseminated through formal channels (State Gazettes, legal databases) that are completely inaccessible to the average low-wage worker. The legal literacy of migrant workers demonstrates that a similar, if not more severe, deficit exists within the domestic formal sector workforce (Guspita et al., 2025).

The concept of legal literacy must be understood as multi-dimensional. The results show that it is not sufficient for a worker to know that they have a "right to pesangon." They must also possess procedural literacy (knowledge of how and where to claim that right) and institutional literacy (knowledge of who can help them, such as an LBH or the Manpower Office). The data revealed catastrophic failures on all three fronts. A worker who believes that the only option is to hire a private lawyer (a pathway blocked by the financial barrier) will, quite rationally, choose to abandon their claim. Therefore, legal literacy is the crucial first domino; without it, all subsequent avenues for justice are foreclosed. This underscores the argument made by proponents of the "third wave" of access-to-justice reform: procedural simplification and public education are just as important as the provision of legal representation (Čiderová & Belvončíková, 2024).

The stark contrast in outcomes between assisted and unassisted workers (Table 3) provides compelling, albeit preliminary, evidence of the transformative power of legal aid. The presence of a legal advocate does more than just "help" a worker; it fundamentally restructures the power dynamics of the dispute. The lawyer's ability to speak the technical language of the law, cite the relevant provisions of the Job Creation Law and Constitutional Court Decision No. 132/PUU-XXIII/2025, and credibly threaten to escalate the case to the Industrial Relations Court shifts the

negotiation from a plea for mercy to a discussion of legal obligations (Hendriadi et al., 2025).

However, this impact is not limited to the negotiation table. The data strongly suggest that the most profound effect of legal assistance may be psychological and motivational. The fact that only one assisted worker abandoned their claim, compared to six out of seven unassisted workers, is a powerful testament to the role of the lawyer as a source of not only legal knowledge but also hope, validation, and persistence. Lawyers counteracts the feelings of powerlessness and isolation described by many informants. They help the client reframe their experience from a personal misfortune to a legally cognizable wrong. In this sense, legal assistance is a critical component of legal empowerment, defined by the United Nations Development Programme as "the process of strengthening the capacity of people to exercise their rights." By providing both knowledge and representation, the LBH and legal clinic were not merely service providers; they were agents of empowerment, enabling workers to move from a position of passive victimhood to active agency.

The findings confirm the widely documented weaknesses of Indonesia's local labor inspection and dispute resolution apparatus. Despite the best intentions of its individual officers, the Manpower Office is institutionally crippled by a lack of resources, a lack of enforcement power, and a conciliatory culture that is ill-equipped to deal with recalcitrant and bad-faith employers. The situation in the district, with its two mediators for thousands of companies, is a microcosm of a national crisis. This institutional vacuum has been, and continues to be, filled by non-state actors, most notably Legal Aid Institutions. As the data show, LBH Keadilan was the *de facto* primary provider of legal services for PHK victims, operating on a shoestring budget and relying on the dedication of its staff.

This reliance on non-state actors to fulfill what is essentially a state obligation—the guarantee of access to justice—raises critical questions regarding sustainability and equity. The capacity of LBHs is limited. They cannot serve all those in need of their services. This creates a form of "justice lottery," where an individual's chance of vindicating their rights depends on the arbitrary fact of whether there is an LBH operating in their area and whether that LBH has the capacity to take on their case. The current funding model, which relies heavily on volatile donor support, is fundamentally inadequate for the scale of this task. The government's legal aid budget is a token gesture, as acknowledged by officials. This finding strongly supports the call for a more robust, state-funded, and systematic approach to legal aid, as mandated in principle by Law No. 16/2011 but poorly implemented in practice (Yusri et al., 2025).

Perhaps the most important analytical insight to emerge from this study is the symbiotic relationship between enhancing legal literacy and direct legal assistance. These are not separate or sequential activities but mutually reinforcing components of a comprehensive access-to-justice strategy. The community-based legal literacy workshops conducted by LBH Keadilan served a dual purpose. First, they expanded the reach of the organization beyond its limited capacity for individual casework, empowering workers with the knowledge to navigate the system themselves or, more realistically, to recognize when they needed professional help and know where to find it. Second, and crucially, these workshops functioned as an intake mechanism,

creating a pathway for workers to connect with LBH for more intensive case representation.

This synergistic model can be visualized as a funnel. At the wide end, community legal literacy programs reach a large number of workers, raising general awareness and helping them to identify potential legal problems. A smaller subset of these individuals, upon recognizing a legal violation, will then seek the more intensive, personalized assistance of LBH. The LBH uses its casework experience to identify recurring legal problems and systemic failures, which inform the content of future literacy training. This creates a virtuous cycle of awareness, action, and advocacy. This integrated model offers a more effective and efficient pathway for expanding access to justice than legal aid or legal education can achieve in isolation.

The findings of this study have several direct implications for legal and policy reforms. First, the data strongly validate the reasoning behind Constitutional Court Decision No. 132/PUU-XXIII/2025. The Court recognized that the pre-litigation process is time-consuming and that a rigid one-year limit from the date of termination is an unjust barrier to justice. This study's findings—that workers are unaware of the process, cannot afford the time, and are often stonewalled by employers—provide concrete, on-the-ground evidence of the barriers the Court sought to address. The decision to reset the statute of limitations clock upon the failure of tripartite mediation is a judicially astute response to a well-documented problem. However, its effectiveness is contingent on workers' ability to initiate and persist through the mediation process, bringing us back to the indispensable role of legal assistance.

Second, this study highlights the urgent need for a significant overhaul of the labor inspection and enforcement regime. The current system, characterized by a dramatic imbalance between the number of inspectors and the number of workplaces, is not merely ineffective; it is a symbolic gesture that undermines the rule of law in the country. The government must commit to a substantial increase in the number of labor inspectors and equip them with the necessary resources and authority to conduct proactive, unannounced inspections and impose meaningful sanctions on employers who do not comply.

Third, the findings underscore the necessity of moving beyond a voluntary, conciliation-based model for dispute resolution when dealing with obstinate employers. While mediation is a valuable tool, it is insufficient when one party consistently fails to negotiate in good faith. The law should provide clearer and more efficient pathways for escalating cases to the Industrial Relations Court when mediation fails, and the court's capacity must be expanded to handle the resulting case load.

This study, while providing rich qualitative insights, has several limitations. First, as a single-district case study, the generalizability of the findings to other regions of Indonesia with different economic and administrative profiles may be limited to a certain extent. The specific dynamics of the textile and manufacturing sectors in this district may not perfectly mirror those in, for example, a plantation economy or a major metropolitan center. Future research should employ comparative case study designs across multiple districts to assess variations in local justice ecosystems.

Second, the sample size, although appropriate for a qualitative study, did not permit robust statistical generalization. The outcome data in Table 3 are suggestive

but should not be interpreted as definitive quantitative proof of the impact of legal aid on domestic violence. A larger-scale mixed-methods study that combines qualitative depth with quantitative breadth would be a valuable next step in measuring the magnitude of the effect.

Third, this study focused primarily on the demand side (workers) and the supply side of non-state services (LBHs). A more complete picture would require a deeper investigation of the employer perspective, including the motivations and constraints that shape their decisions to comply with or circumvent the labor law. This remains a challenging but important area for future socio-legal research to explore.

### CONCLUSION

This qualitative study has provided a detailed, ground-level examination of the access-to-justice challenges confronting victims of termination of employment in a single Indonesian district. The findings paint a stark picture of a legal system that, while normatively robust, is operationally broken for the very people it is designed to protect. A profound deficit in legal literacy, combined with crushing financial and geographic barriers, effectively disenfranchises the vast majority of PHK victims, rendering their statutory rights meaningless. In this context of state failure, the role of non-state legal aid institutions and university legal clinics is not merely helpful; it is essential. By providing a synergistic combination of legal education and direct representation, these organizations act as the critical, and often sole, bridge between vulnerable workers and their constitutional and statutory right to justice. The study's central contribution is the empirical demonstration of the transformative, empowering effect of this integrated model of legal support, as evidenced by the dramatically improved dispute outcomes for assisted workers. It also underscores the severe and unsustainable constraints under which these legal aid providers operate. The research confirms that the formal dispute resolution apparatus of the state, as embodied by the local Manpower Office, is ill-equipped to fulfill its mandate due to chronic under-resourcing and a lack of enforcement authority. Based on these findings, it is recommended that local governments, in partnership with the national Ministry of Law and Human Rights, formally establish and adequately fund a District-Level Legal Aid Task Force for Employment Disputes. This Task Force should be a multi-stakeholder body comprising representatives from the Manpower Office, LBHs, university legal clinics, and trade unions, tasked with coordinating the provision of legal assistance and delivering targeted legal literacy programs in villages and sub-districts. Furthermore, the integration of labor rights education into the curriculum of local community development and vocational training programs is essential for building a more resilient and legally aware workforce. Ultimately, the promise of equal justice under law will remain a hollow one for the working poor of Indonesia until the state fulfills its fundamental obligation to dismantle the structural barriers that stand between them and their rights.

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