



Fulfillment of Prisoners' Rights to Occupational Safety Guarantees and Work-Performance Premiums: An Empirical Study at the Class III Penitentiary of Lhoknga


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Abstract: Article 9 letter j of Law Number 22 of 2022 on Corrections stipulates that every inmate is entitled to occupational safety assurance, wages, or work-performance premiums. This provision has not been fully implemented at the Class III Lhoknga Correctional Facility, particularly regarding work protection and fair remuneration for inmates participating in vocational activities. This study aims to explain the mechanism for fulfilling inmates' rights to occupational safety assurance and the provision of wages or work premiums, identify the obstacles encountered in its implementation, and analyze the efforts undertaken to address these challenges. The research employs an empirical juridical approach through field observations and interviews to assess the effectiveness of statutory implementation within correctional practice. The findings indicate that the fulfillment of inmates' rights to occupational safety and the distribution of wages or work premiums has not been optimal. Several work activities are not supported by adequate safety standards, and the remuneration provided does not yet meet the principles of fairness mandated by the relevant regulations.

Keywords: Inmate Rights Fulfillment, Occupational Safety Assurance, Wages or Work Premiums, Class III Lhoknga Correctional Facility.

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Abstrak: Pasal 9 huruf j Undang-Undang Nomor 22 Tahun 2022 tentang Pemasayarakatan menetapkan bahwa setiap narapidana berhak memperoleh jaminan keselamatan kerja, upah, atau premi hasil kerja. Ketentuan ini belum sepenuhnya terimplementasi di Lembaga Pemasayarakatan Kelas III Lhoknga, khususnya terkait perlindungan kerja dan imbalan yang layak bagi narapidana yang mengikuti program pembinaan kerja. Penelitian ini bertujuan menjelaskan mekanisme pemenuhan hak atas jaminan keselamatan kerja serta pemberian upah atau premi, mengidentifikasi kendala yang dihadapi dalam pelaksanaannya, dan menganalisis upaya yang ditempuh untuk mengatasi hambatan tersebut. Penelitian menggunakan pendekatan yuridis empiris melalui observasi dan wawancara untuk menilai efektivitas penerapan regulasi dalam praktik pemasayarakatan. Temuan penelitian menunjukkan bahwa pemenuhan hak narapidana terkait jaminan keselamatan kerja dan pemberian upah atau premi belum berjalan optimal. Beberapa kegiatan kerja belum disertai standar keselamatan yang memadai, sementara pemberian upah atau premi belum memenuhi prinsip kelayakan sebagaimana diamanatkan oleh peraturan perundang-undangan.

Kata kunci: Pemenuhan Hak Narapidana, Jaminan Keselamatan Kerja, Upah atau Premi, Lembaga Pemasayarakatan Kelas III Lhoknga.

Introduction

Every individual is entitled to recognition, guarantees, protection, and fair legal certainty, as well as equal treatment before the law.¹ Violations of these legal principles frequently arise within the criminal justice system.² The imposition of criminal sanctions—whether severe or lenient—is determined through formal mechanisms of criminal adjudication. Substantive criminal law is embodied in statutory regulations, including the Criminal Code and various special criminal laws outside the codified system. Procedural criminal law is governed by the Criminal Procedure Code, which provides the framework for implementing the criminal justice process.³

¹ Fandy Prabowo, "Prinsip Perlindungan Yang Sama Dalam Pemberian Bantuan Hukum Terhadap Pelaku Tindak Pidana Berat," *Al-Qanun: Jurnal Pemikiran Dan Pembaharuan Hukum Islam* 21, no. 1 (July 8, 2018): 128–47, doi:10.15642/alqanun.2018.21.1.128-147.

² Fahrurrozi Fahrurrozi and Abdul Rahman Salman Paris, "TINJAUAN TENTANG SISTEM PEMIDANAAN DALAM PERBARENGAN TINDAK PIDANA MENURUT KUHP," *Media Keadilan: Jurnal Ilmu Hukum* 9, no. 2 (June 3, 2019): 120, doi:10.31764/jmk.v9i2.889.

³ Tolib Effendi. *Sistem Peradilan Pidana*. (Jakarta: Pustaka Yustisia. 2013), 4.

A prisoner is an individual who has lost their liberty as a consequence of committing a criminal offense as determined by a judicial decision. This definition aligns with Law No. 22 of 2022 on Corrections, which stipulates that a prisoner is a convicted person serving a custodial sentence in a penitentiary.⁴ Penitentiary institutions occupy a central role in the criminal justice system because they serve a dual function: as law-enforcement institutions and as rehabilitation entities that facilitate the correctional process and support the social reintegration of prisoners.⁵

Pancasila serves as the philosophical foundation of the correctional system, emphasizing balance and harmony in human life as individuals, as members of society, as part of the natural order, in relation to other nations, and in connection with God Almighty. This perspective aligns with the views of Bahrudin Soerjobroto, who states that:

“Corrections is defined as an effort to achieve unity in life, livelihood, and living conditions, interwoven between the individual who has violated the law and their personal humanity, between the offender and fellow human beings, between the offender and society as well as the natural environment, all under the protection of God Almighty.”⁶

This statement underscores the strategic role of penitentiary institutions in fostering the moral and legal awareness of prisoners. Such awareness is intended to cultivate law-abiding citizens, making the success of correctional guidance measurable not only by compliance with internal institutional regulations but also by the comprehensive fulfillment of inmates' rights. Ensuring these rights becomes a key indicator of the effectiveness of the correctional system.

Prisoners serving their sentences at the Class III Penitentiary of Lhoknga are entitled to a range of rights that must be fulfilled. Among the most essential are the right to occupational safety guarantees and the right to receive wages or work-performance premiums for activities conducted within the institution.

⁴ Jullia Putri Shandyana, “Pemenuhan Hak Narapidana Kasus Narkoba Menurut Undang-Undang Pemasarakatan,” *Indonesian Journal of Law and Justice* 1, no. 4 (July 1, 2024): 14, doi:10.47134/ijlj.v1i4.2806.

⁵ Romi Irawan, “Konsep Diri Warga Lembaga Pemasarakatan,” *SCHOULID: Indonesian Journal of School Counseling* 3, no. 2 (June 21, 2018): 41, doi:10.23916/08423011.

⁶ Bahrudin Soerjobroto, *Ilmu Pemasarakatan (Pandangan Singkat)*, (Jakarta: AKIP, 1986), 8.

These entitlements align with statutory provisions that affirm every prisoner's right to protection in the workplace and to fair remuneration for their productive contributions.⁷

The provision of these rights is intended to instill skills that can be applied after release, ensure the welfare of prisoners during their sentence, enhance responsibility and productivity, and build readiness to reintegrate into the workplace. The Class III Penitentiary of Lhoknga is obligated to provide appropriate work activities, guarantee occupational safety in every assigned task, and deliver wages or performance-based premiums as fair compensation. Skills training is also an integral component of the correctional process, enabling prisoners to rehabilitate themselves and reduce the likelihood of reoffending upon returning to society.

Prisoners who meet specific requirements and are granted the opportunity to work—whether in kitchen services, agriculture, construction, barbering, sanitation, or welding—retain their inherent rights as correctional residents. The duty to ensure occupational safety lies with the penitentiary, which must provide a secure and proper working environment. Likewise, the payment of wages or premiums for completed work serves as formal recognition of their contributions. Such remuneration functions not only as compensation but also as a rehabilitative instrument that supports the prisoners' social reintegration once their custodial term concludes.⁸

Preliminary observations indicate that the fulfillment of prisoners' rights often does not operate as it should. This situation is closely linked to weak implementation by the authorities, particularly correctional officers who play a central role in carrying out rehabilitation based on the correctional system. Various factors contribute to the suboptimal realization of these rights, causing

⁷ Akbar Akbar, Slamet S. Soewondo, and Nur Azisa, "Pemenuhan Hak Narapidana Memperoleh Pelatihan Kerja Dan Upah Atas Pekerjaan Yang Layak," *Al-Azhar Islamic Law Review* 1, no. 2 (July 31, 2019): 90–98, doi:10.37146/ailrev.v1i2.18.

⁸ Ahmad Syauqi, Pit Arzuna, and Abber Hasibuan, "TINJAUAN HUKUM ISLAM TERHADAP PEMENUHAN HAK UPAH BAGI NARAPIDANA YANG BEKERJA DI LEMBAGA PEMASYARAKATAN (Studi Kasus Di Lembaga Pemasyarakatan Kelas IIA Jambi)," *Wasatiyah: Jurnal Hukum*, 2024, <https://api.semanticscholar.org/CorpusID:275306179>.

the function of penitentiary institutions to shift from centers of rehabilitation to mere holding facilities for individuals serving sentences.

Studies on the fulfillment of prisoners' rights within the correctional system have been conducted by several researchers, although most remain focused on social services, health services, or the general protection of basic rights. Research by Asrul, Siregar, and Kmur (2024) examined the implementation of prisoners' health service rights under Government Regulation No. 32 of 1999 at the Class IIB Penitentiary in Tanjungbalai. Their study identified various technical and administrative obstacles in delivering health services, demonstrating weaknesses in the realization of inmates' fundamental rights. While relevant to the broader discourse on prisoners' rights, this study does not address issues of occupational safety, wage mechanisms, or work-performance premiums—critical components within productivity-oriented rehabilitation frameworks.⁹

The study conducted by Nurgumilar, Suprijatna, and Aminuloh (2025) examines the duties and functions of penitentiary institutions in fulfilling prisoners' rights by addressing the general implementation of those rights and highlighting the institutional role within the correctional system. The focus of their research remains macro-level and does not explore how the rights to occupational safety and remuneration are exercised within the context of inmate labor. Although the study offers a useful conceptual foundation, it does not address the specific issues related to prisoners' productive work.¹⁰

A study more closely aligned with the present research focus was conducted by Syauqi, Arzuna, and Hasibuan (2024) in an article titled *An Islamic Legal Review of the Fulfillment of Wage Rights for Prisoners Working at the Class IIA Penitentiary in Jambi*. Their research examines the ambiguity and inequity surrounding the payment of wages to prisoners employed within the

⁹ Asrul Asrul, Emiel Salim Siregar, and Yunita Kmur, "Implementasi Peraturan Pemerintah Nomor 32 Tahun 1999 Tentang Hak Pelayanan Kesehatan Narapidana Di Lembaga Pemasyarakatan Kelas IIB Tanjungbalai," *Ex-Officio Law Review*, 2024, <https://api.semanticscholar.org/CorpusID:272053553>.

¹⁰ Tariz Nurgumilar, Dadang Suprijatna, and Muhamad Aminuloh, "Tugas Dan Fungsi Lembaga Pemasyarakatan Dalam Upaya Pemenuhan Hak-Hak Narapidana (Studi Kasus Di Lembaga Pemasyarakatan Kelas IIA Bogor)," *Karimah Tauhid*, 2025, <https://api.semanticscholar.org/CorpusID:279883074>.

Class IIA Penitentiary of Jambi. Drawing upon Islamic legal principles, the study affirms that workers are entitled to fair compensation for the services they provide. Using a qualitative descriptive approach, it incorporates direct observation of wage-distribution practices and analysis of penitentiary policies. The findings reveal that although work-based rehabilitation programs are in place, their implementation does not fully embody the principles of justice and legal certainty in wage distribution. This study makes a significant contribution by highlighting the gap between normative standards and actual practice—particularly from the perspective of Islamic law—yet it does not integrate an examination of occupational safety guarantees as part of the protection of prisoners' rights within work activities.¹¹

Overall, these three studies demonstrate that previous literature has not specifically addressed the fulfillment of prisoners' rights to occupational safety guarantees or to wages and work-performance premiums. Research on inmate productivity and workplace safety remains fragmented and has not been integrated into a comprehensive analysis of implementation, challenges, and institutional improvement efforts. This situation reveals a clear research gap in the existing body of scholarship: the absence of empirical studies that directly examine the mechanisms for fulfilling prisoners' labor rights and the obstacles encountered within the framework of correctional regulations and human rights principles. The present study fills this gap by providing an in-depth analysis of how these rights are implemented at the Class III Penitentiary of Lhoknga, along with the institutional challenges and opportunities for improvement.

This study is guided by a central question concerning how the mechanisms for fulfilling prisoners' rights to occupational safety guarantees and to wages or work-performance premiums are applied in the Class III Penitentiary of Lhoknga. This inquiry arises from indications that these rights are not fully realized in accordance with correctional regulations and human rights norms. The research also examines the various obstacles encountered in practice—structural, administrative, and technical—that contribute to the

¹¹ Syauqi, Arzuna, and Hasibuan, "TINJAUAN HUKUM ISLAM TERHADAP PEMENUHAN HAK UPAH BAGI NARAPIDANA YANG BEKERJA DI LEMBAGA PEMASYARAKATAN (Studi Kasus Di Lembaga Pemasyarakatan Kelas IIA Jambi)."

suboptimal provision of workplace safety and delays in wage payments. Additionally, the study explores the effectiveness of the institution's efforts to overcome these challenges and situates the findings within the broader regulatory framework and principles governing the protection of prisoners' rights.

The primary objective of this research is to present an empirical account of how the mechanisms for fulfilling prisoners' labor rights are implemented and the extent to which these practices reflect existing legal provisions. The study aims to identify the factors that hinder optimal fulfillment of these rights, including regulatory limitations, institutional capacity, and challenges in marketing inmates' production outputs. It also seeks to evaluate the improvement measures undertaken by the Class III Penitentiary of Lhoknga and assess their alignment with the principles of prisoners' rights protection under correctional and human rights regulations. This narrative is expected to provide a comprehensive understanding of the dynamics surrounding the fulfillment of prisoners' labor rights and to highlight potential avenues for strengthening their implementation in the future.

Method

This study employs an empirical juridical research design, which combines normative analysis of statutory provisions with empirical observations of their implementation in practice. The empirical component is used to examine how Article 9(j) of Law No. 22 of 2022 on Corrections is applied in fulfilling prisoners' rights to occupational safety guarantees and to the payment of wages or work-performance premiums. The juridical approach analyzes the legal norms governing prisoners' rights, while the empirical approach explores their actual implementation through direct engagement with the research subjects.¹²

The research was conducted at the Class III Penitentiary of Lhoknga, Aceh Besar Regency, which serves as the focal setting for the implementation of inmate work programs. Data collection took place within the designated research period in accordance with academic procedures and field observation

¹² Ronny Hanitjo Soemitro, *Metodologi Penelitian Hukum* Cetakan 4, (Jakarta: Ghalia Indonesia, 1990), 61.

requirements. The data sources consisted of primary and secondary data. Primary data were obtained through in-depth interviews with individuals directly involved in the inmate work-training process, while secondary data were gathered through a literature review of statutory regulations, academic writings, policy documents, and other relevant scientific references.

Respondents and informants were selected using purposive sampling, a method that identifies subjects based on predetermined criteria aligned with the research objectives. The participants included two staff members of the inmate development division at the Class III Penitentiary of Lhoknga, six prisoners directly engaged in work activities, and the Head of the Inmate Development Subdivision, who served as the key informant due to his comprehensive understanding of institutional policies and the implementation of prisoners' rights.

Data were collected through library research and fieldwork. Library research provided secondary data through an examination of legal regulations, legal literature, and previous studies. Fieldwork provided primary data through structured and semi-structured interviews with respondents and informants, as well as direct observation of inmate work activities.

The collected data were analyzed using a qualitative approach by organizing, interpreting, and systematically synthesizing the information to identify patterns in the implementation of prisoners' rights. The analysis involved linking empirical findings with prevailing legal provisions and correctional theories, ultimately producing a descriptive-analytical narrative that serves as the basis for drawing conclusions and formulating recommendations.

Result and Discussion

Mechanisms for Fulfilling Prisoners' Rights to Occupational Safety Guarantees and to Wages or Work-Performance Premiums

Occupational safety guarantees constitute a form of protection for the physical and psychological well-being of individuals engaged in work activities. Such protection is not only relevant to workers in general but also to prisoners who participate in work programs within correctional institutions.¹³ Workplace

¹³ Suriani Suriani et al., "JAMINAN KESEHATAN NARAPIDANA DALAM MENJALANKAN MASA HUKUMAN DI LEMBAGA PEMASYARAKATAN KELAS II

safety in penitentiary settings forms part of the fulfillment of human rights as affirmed in various national and international legal instruments.¹⁴ In modern correctional systems, the guarantee of occupational safety is an essential component directly linked to the objectives of rehabilitation, training, and social reintegration.

Conditions within penitentiary institutions under the Ministry of Law and Human Rights often face budgetary constraints. These limitations affect the optimal implementation of occupational safety and health (OSH) supervision across various inmate work activities. Yet Article 9(j) of Law No. 22 of 2022 clearly stipulates that every prisoner is entitled to workplace safety guarantees and to wages or work-performance premiums for the work they perform. This provision is binding on all correctional institutions in Indonesia, including the Class III Penitentiary of Lhoknga.

The right to wages or premiums constitutes a fundamental entitlement inherent to every individual who performs work, even when serving a sentence. Such compensation is provided as recognition of the effort, skills, and contributions made by prisoners through their work activities. The provision of wages or premiums also forms part of the correctional development process, aimed at fostering independence, responsibility, and preparedness for reintegration into society.¹⁵

B TANJUNGBALAI," *Citra Justicia : Majalah Hukum Dan Dinamika Masyarakat* 25, no. 2 (August 21, 2024): 202–12, doi:10.36294/cj.v25i2.4485.

¹⁴ Budi Maryono, *Menerapkan Prosedur Keselamatan dan Kesehatan Kerja (K3) di Lingkungan Tempat Kerja*, Tiga Serangkai Pustaka Mandiri, Solo, 2013, hlm. 11.

¹⁵ Resha Dwi Windu Diarja and Umar Anwar, "PENERAPAN RAMBU KESELAMATAN DAN KESEHATAN KERJA (K3) SEBAGAI PEMENUHAN HAM NARAPIDANA," *TOPLAMA* 1, no. 2 (February 3, 2024): 73–81, doi:10.61397/ta.v1i2.64.

Table 1. Types of Work Performed by Prisoners at the Class III Penitentiary of Lhoknga

No.	Type of Work	Number of Prisoners Involved	Duration of Work Assignment	Receipt of Wages/Premiums
1	Cooking	6	3 months	No wages or premiums received
2	Agriculture	4	6 months	Wages or premiums received
3	Construction Work	1	2 months	No wages or premiums received
4	Barbershop Services	2	2 months	Wages or premiums received
5	Sanitation/Cleaning	2	6 months	No wages or premiums received
6	Welding	2	2 months	Wages or premiums received

Source: Class III Penitentiary of Lhoknga, Thursday, 31 July 2025

A variety of work activities are available at the Class III Penitentiary of Lhoknga, involving prisoners in both productive tasks and maintenance work that supports the institution's daily operations. These activities are not merely intended to occupy time during incarceration but also serve as a medium for developing skills that can be utilized as capital when prisoners return to society. Such work programs provide dual benefits: they enhance prisoners' capacities while fulfilling the correctional objective of promoting social reintegration.

Prisoners who participate in work activities should ideally receive fair compensation commensurate with their contributions and the nature of the tasks performed. This compensation constitutes a fundamental right affirmed in Law No. 22 of 2022. The practice of providing wages or premiums at the Class III Penitentiary of Lhoknga involves several interconnected stages that determine whether prisoners' rights to the proceeds of their work are fulfilled. These stages form the basis for distributing compensation in a fair manner and in accordance with the applicable regulations.

1. Calculation of Selling Prices and Inmate Wages or Work Premiums

The implementation of rehabilitation programs through work activities, both productive and maintenance-oriented, requires substantial financial support. These needs are met through budget allocations from the central government,

channeled through the Directorate General of Corrections under the Ministry of Law and Human Rights. The funds are designated to support all work-based rehabilitation processes at the Class III Penitentiary in Lhoknga, including the provision of work facilities, operational expenditures, and other technical requirements associated with production and maintenance activities.

Productive work activities require a more structured and systematic financial management framework. The allocated budget is used for procuring raw materials, providing and maintaining equipment, and meeting various additional needs that support the production process. The products generated from these activities possess commercial value and subsequently serve as a source of revenue for the work-training system. The selling value of these products directly influences the amount of wages or premiums received by inmates as compensation for their labor.

The calculation of selling prices is conducted monthly through a bookkeeping process that includes determining production costs, setting selling prices, and allocating wages or premiums for participating inmates. Production costs consist of expenditures for raw materials, inmate labor contributions, and operational expenses. The selling price is then established based on the total production cost and prevailing market conditions. A designated portion of the revenue from product sales is allocated as wages or premiums for inmates, proportionate to their respective involvement and contributions.¹⁶

The pricing of products is managed internally by the Class III Penitentiary in Lhoknga through the establishment of standardized price levels for goods and services produced within the institution. These pricing standards are formulated based on calculations of production costs, the availability of raw materials, operational expenses, and estimated market values of the respective products. The established price standards serve as the basis for determining the distribution of wages or work premiums for inmates. Transparent and cost-based pricing aims to ensure fairness in the allocation of work-based earnings so that compensation is proportionate to each inmate's actual contribution.

¹⁶ Akbar, Soewondo, and Azisa, "Pemenuhan Hak Narapidana Memperoleh Pelatihan Kerja Dan Upah Atas Pekerjaan Yang Layak."

Table 2. Types of Inmate Work and Standard Prices for Produced Goods/Services

No.	Type of Work	Selling Price of Goods/Services
1	Cooking	-
2	Agriculture	Mustard greens: IDR 6,000/kg; Water spinach: IDR 4,000/kg; Lettuce: IDR 25,000/kg; Pakcoy: IDR 20,000/kg; Eggplant: IDR 6,000/kg
3	Construction Work	-
4	Barber Services	IDR 10,000 per person
5	Sanitation	-
6	Welding	IDR 100,000-150,000 per meter

Source: *Class III Penitentiary Lhoknga, Thursday, 31 July 2025.*

The list of selling prices for goods and services established by the Class III Penitentiary of Lhoknga represents the outcome of a comprehensive calculation of all production costs incurred until a product is completed. The pricing framework is formulated by taking into account the costs of raw materials, operational expenses, and other technical requirements that arise during the production process. The selling price also incorporates the allocation for wages or work premiums, which constitute the inmates' entitlement as compensation for their participation in work activities. The percentage of wage or premium distribution is determined based on the final value of the product after deducting production costs, ensuring that inmates receive remuneration that is proportional to their contribution.

A different pattern is observed in maintenance-based work activities such as cooking, construction assistance, and sanitation. Inmates assigned to these categories do not receive wages or financial premiums. Instead, they are provided with consumption-related facilities such as food, beverages, or other daily necessities without any formal record or clear mechanism of compensation. This policy is grounded in the assumption that maintenance work does not generate marketable output and therefore does not contribute economic value to the institution. The absence of such marketable value is used as a justification by the penitentiary to refrain from providing financial compensation, even though, in principle, these tasks require labor, time, and involve risks that warrant proper recognition.

Mapping inmates' individual earnings is essential to assess the extent to which their right to wages or premiums has been fulfilled. Data collection was conducted through questionnaires and in-depth interviews with inmates participating in the various work programs. The results of this data collection are presented in Table 3, which outlines the amount of wages or premiums received by inmates according to the type of work they perform.

Table 3. Questionnaire and Interview Results on the Amount of Wages/Premiums Received by Inmates Based on Work Type

No.	Inmate Initials	Sentence Duration	Type of Work	Working Hours per Day	Amount of Wages or Type of Premium Received
1	I	5 years	Cooking	5 hours	-
2	Z	125 months	Agriculture	5 hours	IDR 200,000-400,000 per month
3	M	10 years	Construction Work	5 hours	Food, beverages, and cigarettes for each working session
4	S	8 years	Barbershop Services	5 hours	IDR 300,000-500,000 per month
5	I	5 years	Sanitation/Cleaning	5 hours	-

Based on the interview findings, several categories of work were identified in which inmates did not receive wages or premiums. Inmates assigned to kitchen duties, agriculture, construction work, and sanitation performed their tasks daily from 04:30 to 08:30 in the morning, and continued again from 15:00 to 17:00 in the afternoon. This work schedule demonstrates that inmates undertook intensive and repetitive workloads, yet these activities were not accompanied by any formal financial compensation.

Inmates reported that throughout their work, they only received basic provisions such as food, beverages, and cigarettes, with no formal payment of wages. They acknowledged that, normatively, every inmate is entitled to receive wages or premiums for the work they perform. However, they chose not to challenge the situation. Their participation in these activities was seen as a

voluntary effort and a preferred alternative to remaining idle in their cells. Engaging in work was perceived as a means of making their imprisonment more bearable while reducing psychological stress during their time in the correctional facility.

Inmates involved in productive work stated that wages or premiums were calculated in accordance with the policy of the Lhoknga Class III Correctional Facility, amounting to 15% of the total sales value of the products they produced. This percentage serves as the basis for determining the compensation received by inmates engaged in economically valuable activities. The regulation demonstrates that remuneration is only provided when the work generates commercial output that can be sold, resulting in inmates assigned to maintenance-based tasks being excluded from equivalent entitlements.

2. Payment of Wages as Determined for Inmates

In determining the amount of wages or premiums granted to inmates who participate in work activities, the Lhoknga Class III Correctional Facility does not rely on any legally binding standard. The absence of regulations specifically governing inmate remuneration has resulted in the lack of a national standard that could serve as a uniform guideline. Consequently, the determination of wage amounts is based entirely on the internal policy of the Head of the Lhoknga Class III Correctional Facility. Under this policy, inmates engaged in productive activities receive wages amounting to 15% of the total sales value of the products generated. This mechanism is implemented periodically every month in accordance with the volume of products successfully sold.

Several patterns of wage distribution are practiced within the facility. The first pattern involves direct disbursement in the form of cash, which inmates may manage independently for their personal needs, although such use remains under institutional supervision. The second pattern converts wages into daily necessities, such as coffee, cigarettes, or other items required by inmates during their sentence. The third pattern employs a savings system, whereby wages are retained by the facility and later disbursed to the inmate upon release, with the intention of supporting their reintegration into society.

These mechanisms indicate that the policy framework governing wage distribution for inmates is driven by administrative discretion rather than a

comprehensive legal basis. The absence of standardized norms creates the potential for unequal treatment among inmates, who should, in principle, be entitled to the same labor compensation rights as mandated by the Correctional Law.

Obstacles in Fulfilling Inmates' Rights to Occupational Safety Guarantees and Work Wages or Premiums

The fulfillment of inmates' rights to occupational safety guarantees and the provision of wages or work premiums at the Lhoknga Class III Correctional Facility faces several structural, administrative, and informational barriers. These challenges hinder the optimal implementation of vocational training programs and contribute to the unmet rights of inmates as mandated by correctional regulations. The findings indicate that these obstacles largely stem from regulatory gaps, limited marketing infrastructure, and inadequate knowledge among inmates regarding their entitlements.

The absence of detailed statutory regulations governing the mechanisms for providing occupational safety guarantees and wages for inmates constitutes a fundamental barrier. Correctional facilities across Indonesia rely primarily on the general provision in Article 9(j) of Law No. 22 of 2022, which affirms inmates' rights to occupational safety guarantees and work-related wages or premiums. However, this provision does not offer any formula, minimum threshold, nominal standard, or calculation guideline that facilities must follow. The vacuum of technical norms compels each correctional facility to develop its own policies based on institutional capacity and administrative considerations. This situation creates non-uniform practices across facilities, including in the provision of occupational safety. The lack of national standards on personal protective equipment (PPE), risk management procedures, and occupational safety supervision mechanisms results in inconsistent and often inadequate implementation of safety guarantees.

Another significant challenge relates to limited market access for the products generated through inmate work, which directly affects the facility's ability to pay wages. The Lhoknga Class III Correctional Facility does not maintain formal collaborations with third parties such as cooperatives, small and medium enterprises, or local distributors. As a result, product marketing

depends heavily on internal staff networks and the correctional facility's own kitchen needs. The inability to ensure steady product supply discourages potential partners. Agricultural products, welding outputs, and other small-scale items often cannot be marketed sustainably and accumulate before being sold. Since production is part of the rehabilitation program and cannot be halted, this leads to stalled capital turnover. Delays in product sales subsequently impede the distribution of wages, given that the wage system is based on a percentage of sales revenue. This marketing constraint reflects weak external support and the absence of a dedicated business unit responsible for product distribution, which is commonly established in larger correctional facilities.

A further crucial obstacle lies in inmates' limited knowledge regarding their rights to wages and occupational safety guarantees. Although inmates generally understand that they will receive compensation for work performed, they lack awareness of the minimum amounts they should receive, the wage calculation method, and the applicable administrative processes. Minimal socialization and insufficient transparency from correctional authorities weaken inmates' bargaining position to inquire about their rights. Interviews reveal that inmates only recognize the approximate percentage of wages but do not understand the basis of calculation, the cost of production, or the determination of operational expenses. This lack of understanding leads them to accept low wage amounts without objection and to perceive their work primarily as a way to pass the time rather than as labor with economic value.¹⁷

In addition to the three primary factors, this study also identifies further barriers, including the limited availability of personal protective equipment for specific types of work, insufficient operational budgets to support work-based rehabilitation programs, and the absence of periodic evaluations of these programs. Budget constraints have resulted in rehabilitation priorities being directed toward basic needs, while occupational safety standards have not been fully implemented. The lack of community and private-sector involvement in work-training initiatives further restricts marketing opportunities and reduces

¹⁷ Luh Saniastini and I Nyoman Surata, "PELAKSANAAN PEMBINAAN KETERAMPILAN KERJA NARAPIDANA BERDASARKAN UNDANG-UNDANG NOMOR 12 TAHUN 1995 DI LEMBAGA PEMASYARAKATAN KELAS IIB SINGARAJA," *Kertha Widya* 6, no. 2 (April 10, 2019), doi:10.37637/kw.v6i2.300.

the likelihood that incarcerated individuals will receive fair compensation for their labor.

These cumulative obstacles demonstrate that the fulfillment of prisoners' rights to occupational safety and to receive wages or work-based incentives has not yet been realized effectively. The inconsistency in implementation, the absence of detailed technical regulations, and the lack of transparency collectively undermine the broader rehabilitative objective of developing skilled, productive inmates who are adequately prepared for reintegration into society.

Efforts to Address the Challenges in Fulfilling Prisoners' Rights to Occupational Safety and the Payment of Wages or Work-Based Incentives

The absence of detailed regulations concerning prisoners' rights to occupational safety and standardized wage criteria has created significant difficulties for the Lhoknga Class III Correctional Facility in determining appropriate protection measures and fair compensation levels. Without specific guidelines, the institution relies solely on internal policies established by the Head of the Correctional Facility. Under this policy, prisoners involved in productive work activities receive wages amounting to 15 percent of the selling price of the products successfully marketed. The calculation is conducted monthly based on the number of items sold.

Efforts to ensure occupational safety are undertaken through the provision of personal protective equipment for each type of work. The facility also offers medical services through an internal clinic to address minor workplace injuries, while more serious cases are referred to nearby healthcare facilities. These wage policies and safety mechanisms are jointly agreed upon by the Head of the Correctional Facility and the Head of the Rehabilitation Section, ensuring clear administrative grounding despite the absence of more detailed national regulations.

1. Efforts to Overcome Difficulties in Marketing Prisoner-Produced Goods

Marketing constraints are a primary factor contributing to delays in wage payments for prisoners. Products often take considerable time to sell, which prevents the immediate realization of revenue used as the basis for wage calculations. The correctional facility addresses this challenge by promoting

products through various social media platforms. This strategy aims to expand market reach and increase public awareness of items produced by prisoners.

The institution also adopts more competitive pricing strategies to attract consumers while still maintaining sufficient economic incentives for prisoners. Efforts to build partnerships with external stakeholders are continuously made to establish more stable distribution channels. When demand increases, production capacity is expanded, and prisoners receive basic training to improve product quality so that goods meet market standards. These measures are expected to support sustainable production and accelerate sales turnover, which in turn expedites wage disbursement for prisoners.

2. Efforts to Address Prisoners' Limited Knowledge of Their Right to Receive Wages

The lack of information among prisoners regarding their rights—particularly concerning wage percentages and distribution mechanisms—often leads to misunderstandings. The Correctional Facility provides transparent explanations about the wage system, including the 15 percent scheme, the sales process, and the distribution of proceeds. These explanations are delivered through rehabilitation activities and work-unit orientations to ensure that prisoners understand the relationship between production activities, sales outcomes, and the receipt of incentives.

Information on items that have been sold and those still in the marketing process is communicated regularly to prisoners involved in work programs. This measure aims to build trust and reduce potential conflicts or complaints related to wage delays. The facility also promotes a more disciplined work culture by emphasizing that higher product quality increases the likelihood of successful sales and, consequently, higher incentive earnings for prisoners.

Comprehensive Analysis of the Fulfillment of Prisoners' Rights within the Framework of Correctional Regulations and Human Rights Principles

The fulfillment of prisoners' rights within Indonesia's correctional system reaches a critical juncture when assessed against the realities of implementation inside correctional facilities. The governing legal framework, particularly Law No. 22 of 2022 on Corrections, formally provides broad protections that guarantee prisoners' fundamental rights, including occupational safety, wages

or work incentives, access to healthcare, and humane treatment. However, the findings of this study indicate that many correctional institutions continue to face structural obstacles that hinder the effective and consistent realization of these regulatory mandates.¹⁸

The fulfillment of prisoners' rights is significantly influenced by the quality of internal management within correctional institutions.¹⁹ Interviews with correctional officers reveal that heavy workloads and limited staffing contribute substantially to the inadequate supervision of prisoners' work activities. Insufficient oversight increases the risk of workplace accidents and leads to inconsistent recording of working hours, which in turn affects the amount of wages or incentives that prisoners are entitled to receive.

The implementation of prisoners' right to occupational safety is also hindered by the limited availability of protective equipment in several work units. Prisoners assigned to carpentry, agriculture, or craft workshops often work without adequate personal protective equipment. These findings highlight a clear gap between regulatory mandates and actual practice, particularly regarding the provision of safe and proper working facilities as required under human rights principles on security and protection from occupational risks.

The issue of wages or work incentives similarly presents recurring challenges. In several cases, prisoners receive incentive amounts that do not align with the established standards of remuneration. This problem stems from weak mechanisms for recording and reporting work outcomes. Moreover, prisoners frequently experience delays in receiving their incentives, thereby diminishing the intended function of work activities as a form of appreciation and motivation within the rehabilitation process.

The findings also reveal that many prisoners lack sufficient understanding of the rights to which they are entitled. Limited dissemination of information

¹⁸ Valerian Debita Spisy, M. Nanda Setiawan, and Chindi Oeliga Yensi Afita, "UPAYA PEMENUHAN HAK NARAPIDANA DI LEMBAGA PEMASYARAKATAN KELAS II B MUARA BUNGO," *DATIN LAW JURNAL* 6, no. 1 (February 14, 2025): 1-25, doi:10.36355/dlj.v6i1.1702.

¹⁹ Eva Dwi Dayati et al., "URGENSI PERLINDUNGAN HAK NARAPIDANA ATAS KESEHATAN DAN MAKANAN DALAM PEMBAHARUAN SISTEM PEMASYARAKATAN INDONESIA," *Journal Presumption of Law* 7, no. 2 (October 10, 2025): 184-202, doi:10.31949/jpl.v7i2.15372.

and inadequate communication regarding correctional rights place prisoners in a passive position, making them less able to assert their entitlements. This situation is inconsistent with human rights principles, which emphasize the importance of access to information to ensure that fundamental rights are neither overlooked nor violated.

Although correctional regulations provide a relatively comprehensive legal framework, implementation is often impeded by the absence of harmonization between internal institutional policies and universal human rights principles. This disconnect results in fragmented application of standards for fulfilling prisoners' rights, particularly when correctional staff continue to prioritize security measures without adequately balancing them with a rehabilitative approach.²⁰

Budgetary constraints also play a significant role in hindering the fulfillment of prisoners' rights. Several work-unit supervisors acknowledged that not all prisoner work programs are supported by adequate funding for facilities, wages, or proper occupational protection. The imbalance between the legal obligations that must be carried out and the limited resources available creates a chronic operational dilemma within the correctional system.²¹

The human rights approach emphasizes that the fulfillment of prisoners' rights is a non-negotiable obligation of the state, even when individuals are serving criminal sentences. Prisoners retain their inherent human dignity and are entitled to protection from all forms of exploitation and degrading treatment. The findings indicate that when human rights principles are placed at the core of correctional guidance, the relationship between officers and prisoners improves, consequently enhancing the quality of work-training programs.

Strengthening internal regulations emerges as one of the key solutions recommended by the field findings. More detailed and applicable standard

²⁰ Fajar Putra Prastina R., "Jaminan Hak Asasi Manusia Narapidana Dalam Pembinaan Narapidana Di Lembaga Pemasyarakatan," *Jurist-Diction* 4, no. 1 (January 6, 2021): 111, doi:10.20473/jd.v4i1.24295.

²¹ Donny Michael Situmorang, "Penerapan Hak-Hak Narapidana Di Lembaga Pemasyarakatan Klas I A Tanjung Gusta, Sumatera Utara Ditinjau Dari Perspektif Hak Asasi Manusia," *Jurnal Penelitian Hukum De Jure* 17, no. 2 (June 15, 2017): 249-63, doi:10.30641/dejure.2017.V17.249-263.

operating procedures are needed regarding occupational safety, premium payment mechanisms, and monitoring of work-training programs. These internal regulations must be aligned with human rights principles to ensure that operational policies not only comply with positive law but also uphold internationally recognized humanitarian values.

Collaborative efforts with external stakeholders—such as local governments, human rights advocacy groups, civil society organizations, and business actors—are also crucial. Such collaborations can support improved work facilities, promote the adoption of occupational safety certification, and foster a more professional rehabilitation ecosystem. The study reveals that correctional institutions engaged in external partnerships tend to demonstrate better fulfillment of prisoners' rights compared to those operating independently.

Enhancing the capacity of correctional officers is another strategic measure. Officers who fully understand human rights principles and correctional regulations are better equipped to view prisoners as subjects of rehabilitation rather than mere objects of supervision. Education and training for officers therefore constitute an essential component in shifting correctional practices toward a rights-based rehabilitative model.²²

Conclusion

The fulfillment of prisoners' rights to occupational safety and the payment of wages or work premiums at Lhoknga Class III Correctional Institution has not been implemented in accordance with Article 9(j) of Law No. 22 of 2022 on Corrections. The current mechanisms do not provide adequate safety guarantees and fail to ensure timely payment of wages or premiums. Although prisoners produce goods with market value, the institution lacks effective marketing capacity, resulting in delays in wage disbursement. Safety equipment remains minimal and is not accompanied by structured safety training, while the determination of wage percentages is carried out internally by the institution, which does not reflect an ideal protection standard.

²² Misranto Misranto and M Taufik, "KESELAMATAN TENAGA KERJA DALAM PERSPEKTIF HAK ASASI MANUSIA (Perspektif Islam, UDHR, Dan Hukum Positif)," *Yurispruden* 1, no. 2 (June 30, 2018): 194, doi:10.33474/yur.v1i2.1021.

The primary challenges stem from the absence of technical regulations governing occupational safety and wage standards for prisoners, limited marketing capacity, and insufficient institutional ability to provide structured safety instruments. These constraints collectively hinder the optimal provision of wages or work premiums for prisoners who have engaged in productive activities.

The efforts undertaken by Lhoknga Class III Correctional Institution demonstrate a commitment to improvement through the provision of personal protective equipment, basic health services, and the promotion of prisoners' products via social media to expand market reach. The institution also establishes internal wage percentages as a temporary measure. While these initiatives help mitigate certain obstacles, they do not address the structural issues rooted in weaknesses in the national regulatory framework.

This study is limited to a single correctional institution and therefore does not enable comparative analysis across multiple facilities. Access to data regarding wage percentage determination and the management of production outputs depended on the availability of information provided by the institution. Moreover, the research has not assessed the long-term effectiveness of the improvement efforts implemented.

The government needs to formulate technical regulations that specifically govern occupational safety standards, vocational training, wage-determination mechanisms, and marketing systems for prisoners' products. Correctional institutions should strengthen their marketing capacity through collaboration with MSMEs, cooperatives, and digital marketplaces to prevent delays in wage payments. Structured safety-training programs must also be prioritized to reduce the risk of workplace accidents. Future research should expand to multiple correctional institutions with varying characteristics and evaluate the long-term effectiveness of policies to provide a more comprehensive understanding of the fulfillment of prisoners' labor rights within Indonesia's correctional system.

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