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Topic: *Strengthening Legal Frameworks for Combating Human Trafficking and Enhancing Protection of Women and Children*

Reconstruction of Labor Regulation and Supervision to Prevent Practices of Forced Labor Disguised as Internships for Children

Nova Rismalina¹⁾ & Yasmirah Mandasari Saragih²⁾

¹⁾Faculty of Law, Universitas Islam Sultan Agung (UNISSULA) Semarang, Indonesia, E-mail: Rismalinanova@gmail.com

²⁾Faculty of Law, Universitas Islam Sultan Agung (UNISSULA) Semarang, Indonesia, E-mail: yasmirahmandasari@gmail.com

Abstract. *Internship practices or Field Work Practice (Praktik Kerja Lapangan/PKL) for vocational school students are essentially an educational means to bridge academic theory and industrial practice. However, realities in the field show the widespread misuse of this program as a means of exploitation and disguised forced labor by corporations. This study aims to examine gaps in labor regulations, analyze weaknesses in the supervisory system, and offer ideas for legal reconstruction centered on child protection. This Research Use a normative legal research method with statutory and conceptual approaches, this study finds that the ambiguity of time limits for internship activities in apprenticeship regulations, combined with sectoral ego between the Manpower Office and the Education Office, has created a jurisdictional vacuum. This condition is exploited by rogue companies to employ children as full-time workers without fulfilling their rights to wages, safety, or social security. As a solution, this study recommends radical regulatory reconstruction through three main steps: (1) establishing an Integrated Supervisory Team across agencies (Manpower Office, Education Office, and the Indonesian Child Protection Commission/KPAI); (2) strictly limiting physical internship hours to a maximum of 4–5 hours per day along with mandatory insurance; and (3) strict law enforcement by prosecuting violating corporations under the Criminal Act on Human Trafficking (TPPO Law) as well as civil liability instruments for restitution payments. This reconstruction is absolutely necessary to restore the dignity of vocational education and break the chain of modern-day slavery against the nation's youth.*

Keywords: *Apprenticeship; Corporate; Exploitation; Protection; Supervision.*

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1. Introduction

The state has an absolute and non-negotiable constitutional obligation to protect all its citizens, especially vulnerable groups such as children. Child protection is not merely a moral mandate but a fundamental foundation for safeguarding the future continuity of a nation. Within the framework of national development, the government continues to design an education system that is relevant to the demands of the times. School-aged children, particularly those in vocational tracks, are often directed to participate in educational programs that are practical in nature to prepare them for an increasingly competitive and dynamic world of work. This step is taken so that graduates of the national education system not only master theoretical knowledge but also possess technical skills ready to use amid rapid industrialization.

One of the most common, widespread, and mandatory vocational education methods in Indonesia is internship programs or Field Work Practice (PKL). Philosophically and pedagogically, internships are designed purely as a transformative educational tool. Within the real industrial ecosystem, children are expected to directly hone technical skills, learn professional ethics, and bridge the gap between theory learned in school and real-world workplace practice. At this crucial stage, law and educational ethics stipulate that children must absolutely be in the status of “students” who are learning. They are present in factories or offices to absorb knowledge, not as “workers” or laborers burdened with production targets to increase corporate financial profits.

Unfortunately, sociological and economic realities on the ground often contradict the noble ideals of vocational education. Amid tight global business competition and corporate obsession with minimizing operational costs, business morality is often set aside. A number of rogue companies very cleverly view this vocational internship program not as a means to educate the nation, but as an opportunity to obtain a very cheap, and often completely free, supply of labor. These students are positioned as substitutes for casual daily workers to fill manual job positions that have no educational relevance to their fields of study. Field practices show a systematic and structured pattern of exploitation. These children undergoing internships are often made to work extremely unreasonable hours, far beyond normal limits recommended for their age, and are even treated the same as adult work shifts. They are given heavy and dangerous physical workloads, are not provided adequate rest time, and their basic occupational safety rights are ignored. More concerning, companies use unequal power relations by threatening to give poor internship evaluations or to withhold completion certificates if participants dare to protest inhumane working conditions.

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This extremely distressing and degrading condition has fundamentally deviated far from the purpose of education. What these students experience is no longer a learning process or knowledge transfer, but has definitively entered the realm of forced labor and child exploitation. This economic crime becomes particularly dangerous because it is neatly wrapped and concealed under the label of a “formal internship program” that appears to be legitimized by the state and educational institutions. This legal veneer is what allows this form of modern slavery to continue quietly, normalizing child suffering under the banner of vocational school curricula. The growth of this exploitation disguised as internships is inseparable from fundamental weaknesses and structural gaps in Indonesia’s labor regulatory system. Existing labor laws essentially carry a protective spirit by strictly prohibiting employers from employing underage children. However, these laws must accommodate educational needs, thus providing exceptions for light work or internship activities for education and training purposes. Ironically, the law and its derivative regulations fail to provide parameters, rigid time ratios, and clear definitions distinguishing “internship activities” from “employment as laborers.” This ambiguity gap is fully exploited by corporate actors.

Shielded by this regulatory ambiguity, companies feel free from all legal obligations that normally bind them in formal employment relationships. Because these children are classified as interns, companies feel they have no civil obligation to pay minimum wages, no obligation to provide overtime pay, and no obligation to enroll them in employment social security schemes. Legally, conventional labor law instruments become ineffective because formally there is no employer-employee relationship. As a result, this exploitation of children’s physical labor proceeds without any enforceable labor sanctions.

This problem is further complicated by the dysfunction of government labor inspection systems in the field. Labor inspectors from the Manpower Office generally operate with a very legalistic and rigid paradigm. They focus their oversight only on adult workers bound by formal employment contracts. When inspectors find school children wearing uniforms working on production lines, they tend to be passive. Child interns are often considered a gray area outside the jurisdiction of the Manpower Office and are instead regarded as the full responsibility of schools or the local Education Office. This institutional tendency to shift responsibility or sectoral ego creates a jurisdictional vacuum that is highly detrimental to children. On one hand, the Manpower Office is reluctant to take action due to the “student” status, while on the other hand, teachers and the Education Office lack the legal authority, capacity, and enforcement instruments to audit or sanction violating corporations. As a result, interns are completely excluded from the government’s labor protection and supervision system. Children are left

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alone to face a predatory corporate capitalist system without any state safety net to protect their safety and future.

Given this emergency situation that severely harms the future of the nation's next generation, allowing regulatory weaknesses and supervisory dysfunction cannot be justified. The state must not continue to turn a blind eye when business and industrial institutions misuse educational institutions as factories producing disguised forced labor under the guise of internships. Therefore, a critical academic review is needed to uncover these legal gaps and propose a comprehensive new framework. This article is specifically designed to address the urgency and formulate steps for reconstructing a strong, integrated cross-agency labor supervision regulation system capable of imposing decisive sanctions on rogue corporations. This legal overhaul represents a concrete commitment by the state to ensure that internship programs are returned to their noble original purpose, namely educating children with dignity without depriving them of their human rights.

2. Research Methods

The method used in this study is normative legal research, often referred to in academic tradition as doctrinal research. This method focuses on examining legal principles, synchronization between written regulations, identification of legal loopholes, and analysis of legal literature. To analyze the issue in depth, two main approaches are applied in this study: Legislative Approach (Statute Approach): This approach is used to examine, analyze, and identify inconsistencies within the hierarchy of national regulations related to labor and child apprenticeship systems. Conceptual Approach: This approach is used to clarify theoretical boundaries in legal science in order to clearly distinguish between the concepts of vocational education, economic exploitation, and forced labor. The data used in this study is entirely secondary data obtained through library research. These sources are classified into several levels of legal materials, as follows: 1) Primary Legal Materials: 2) Primary legal materials are authoritative, official, and legally binding regulations. The legal instruments examined in this study include: The 1945 Constitution of the Republic of Indonesia, especially Article 28B paragraph (2), which guarantees every child's right to survival, growth, and development, as well as protection from violence and discrimination. Law Number 13 of 2003 concerning Manpower, specifically Chapter V on Job Training and Apprenticeship (Articles 21–30), and Chapter X on Protection, Wages, and Welfare, which contains prohibitions on employing children (Articles 68–75). Law Number 23 of 2002 concerning Child Protection and its amendments (Law No. 35 of 2014 and Law No. 17 of 2016), focused on prohibitions against involving children in work that endangers safety and economic exploitation. Law Number 21 of

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2007 concerning the Eradication of the Crime of Human Trafficking (TPPO), used to connect criminal sanctions for corporations exploiting children under the guise of internships. Minister of Manpower Regulation Number 6 of 2020 concerning the Implementation of Domestic Apprenticeship, examined to identify weaknesses in regulating rights, obligations, and duration of interns' work. 2. Secondary Legal Materials: Secondary legal materials are used to provide explanation, interpretation, and reinforcement of primary legal materials. These include labor law textbooks, national and international scientific journals, previous research findings, expert doctrines, and other academic documents relevant to the discourse on child protection and labor supervision. All collected legal data are then inventoried, systematized, and analyzed descriptively and qualitatively. This analysis does not use numerical or statistical formulas but instead interprets legal texts to formulate prescriptions. The aim is to present a logical, sharp, comprehensive, and understandable legal reconstruction argument to close regulatory gaps in child apprenticeship practices in Indonesia.

3. Results and Discussion

3.1. Legal Loopholes in Current Child Apprenticeship Regulations

The root of the problem behind the widespread practice of forced labor disguised under apprenticeship programs stems from structural legal loopholes within our national labor regulations. Law Number 13 of 2003 concerning Manpower has essentially formulated a basic protection by explicitly prohibiting employers from hiring underage children. The spirit of this law is to ensure the fundamental rights of children so they can grow, develop, and receive proper education without having to bear an economic burden that destroys their future. However, the law is also required to be realistic toward the needs of vocational education, so it provides a specific exception for children working as part of an educational curriculum or vocational training.

This exception, which was originally intended to nobly educate the younger generation, in practice has been further regulated through various derivative regulations, such as Minister of Manpower Regulations on the national apprenticeship system. Unfortunately, these technical regulations fail to translate the spirit of child protection precisely into operational terms. The definition and boundary between what is purely called "apprenticeship for learning purposes" and "working as production labor" are very blurred and lack clear measurable parameters. This lack of parameters creates a vast grey area within our labor law system, ultimately triggering interpretations that consistently disadvantage the weaker party.

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The most fatal weakness of current apprenticeship regulations is the absence of strict rules that define a ratio or percentage limit regarding the division of apprentices' time. The law does not rigidly regulate how much theoretical learning time must be provided by companies to children compared to "practical work" time that requires them to stand on production lines. The absence of this ratio allows companies to freely interpret "practical work" as full physical involvement in factories throughout the day. As a result, these vocational students are often forced to meet companies' daily production targets in full, just like adult workers, without any meaningful knowledge transfer process. This legal ambiguity instantly turns into an "golden loophole" that is consciously and systematically exploited by bad-faith companies. By hiding behind the status of children as "apprentices" or "vocational school internship (PKL) students," companies feel free from binding labor law obligations. They believe they are legally exempt from paying city/regency minimum wages (UMK), not required to enroll these children in BPJS Employment social security, and not obligated to provide overtime compensation even when the children are made to work until exhausted at night.

As compensation for the sweat and labor extracted from these children, companies often only provide what they call a "pocket money" or minimal "transport allowance." The amount of this allowance is far below a decent living standard, often not even enough to cover lunch and transportation costs for an entire month. Legally and formally, this situation is confusing because the legal relationship formed between the child and the company is not an employment relationship based on an employment contract, but purely an apprenticeship relationship that is not subject to normal wage regulations. As a result of this imbalanced legal construction, conventional labor law instruments become highly ineffective. When children are required to work 8 to 10 hours a day with physically demanding workloads that endanger their health like adult workers, authorities cannot simply prosecute companies for minimum wage violations or labor exploitation. Legally and formally, these children are considered "not working," but "learning." It is this manipulation of legal status that allows physical exploitation of children to proceed freely without enforceable labor sanctions to stop such corporate wrongdoing.

More seriously, current regulations do not require companies to prepare curricula, apprenticeship syllabi, or competency achievement indicators approved by the government before they are allowed to accept vocational high school (SMK) apprentices. The absence of such industrial curriculum standards causes apprenticeship processes to run without clear educational direction. Companies are free to place apprentices in any department experiencing labor shortages, such as packaging sections, factory cleaning, or heavy material handling, which have no relevance to the students' educational competencies. Ultimately, apprenticeship agreements often only occur informally between schools and companies in a relationship that

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sacrifices students. Schools desperately need placement sites so their students can meet graduation requirements, while companies desperately need free labor to reduce operational costs. The absence of strict regulations that force companies to act purely as “educators” transforms apprenticeship programs into a field of economic exploitation that is administratively legal on paper, but morally flawed and in violation of human rights in essence.

3.2. Weakness of Labor Supervision Systems in Practice

In addition to facing flawed and ambiguous regulations, the protection of children from apprenticeship exploitation is also confronted with a government labor inspection system suffering from acute dysfunction in the field. Labor inspectors under local Manpower Offices (Disnaker) often operate with a very narrow and legalistic paradigm. They adhere strictly to the doctrine that the object of their supervision, protection, and intervention is only formal workers bound by Fixed-Term Employment Agreements (PKWT) or Indefinite-Term Employment Agreements (PKWTT). This rigid paradigm is the root cause of the paralysis of state supervisory functions.

This incapacity is clearly reflected in the role of school teachers who are supposed to be the frontline protectors of students. Supervising teachers assigned to apprenticeship programs often lose their function and only appear at the beginning to place students and at the end to collect evaluation forms. When students report complaints—such as being forced to work overtime without pay, lifting heavy loads, or being verbally abused like laborers—schools often remain passive and unable to sanction or reprimand company management.

This passive attitude from schools is driven by fear that companies will terminate cooperation, making it difficult for schools to place students in the following years. As a result, schools often only ask students to “be patient,” “endure it,” and “obey superiors” in order to obtain an apprenticeship certificate required for graduation. This extremely unequal power relationship—between large corporations, schools dependent on placements, and students afraid of failing graduation—is heavily exploited by companies to maximize labor extraction. This breakdown in supervision is further worsened by the reality of the very limited number of labor inspectors in Indonesia. The ratio between inspectors and companies is severely imbalanced. With tens of thousands of factories and service companies in each province, it is mathematically impossible for the very limited number of inspectors to conduct regular inspections across all sites. Budgetary and staffing constraints tie the hands of inspectors in taking proactive preventive action in the field. As a result, the labor supervision system currently operates in a highly reactive and passive manner. The Manpower Office typically only forms investigation teams after cases go viral on social media or when official complaints are submitted by civil society

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organizations. Without external triggers or public pressure, exploitation behind factory walls continues to be treated as insignificant. This reliance on virality demonstrates how fragile the social safety net provided by the state is for its most vulnerable citizens.

For children in their teens who are still inexperienced and naïve, reporting corporate wrongdoing at their apprenticeship workplace to government agencies is a terrifying and nearly impossible step. They do not understand legal procedures, fear retaliation from companies, and fear being blamed by schools for “causing trouble.” This psychological fear and institutional dysfunction is what allows the chain of forced labor disguised as apprenticeship to continue smoothly in silence.

3.3. Ideas for Regulatory Reconstruction of Child Protection-Based Supervision

Considering the bureaucratic chaos, regulatory vacuum, and silent suffering experienced by vocational high school students, labor law must no longer remain silent. A radical, comprehensive, and progressive regulatory reconstruction is necessary to humanize the younger generation and save their future. The first essential idea that must be urgently implemented by the state is the issuance of new legislation—either in the form of a Government Regulation or a revision of the Law—that explicitly integrates apprenticeship supervision into a unified legal framework without grey areas. This new regulation must aggressively dismantle sectoral ego boundaries that separate the jurisdiction of the Manpower Office and the Education Office. The law must mandate the formation of an Integrated Supervisory Team at the regional level consisting of cross-institutional collaboration: labor inspectors, education inspectors, and representatives from the Indonesian Child Protection Commission (KPAI). With this integrated system, labor inspectors would be granted full legal authority to enter, audit, and directly sanction companies proven to abuse child apprenticeship status without being hindered by the argument of “student status.” The second reconstruction idea is the necessity of redefining the technical boundaries of apprenticeship for school-age children in a very rigid manner. The law must include clauses that specifically limit the duration of “industrial practice” or physical activity for children to no more than 4 to a maximum of 5 hours per day. This limitation serves as the primary safeguard to prevent children from being turned into free production labor and to ensure their labor is not exploited for corporate commercial interests.

The remaining working time at the company must be allocated purely for observation, theoretical learning in classroom spaces provided at the workplace, or in-depth discussions with industrial mentors. In addition, regulations must require apprenticeship host companies to register and provide occupational safety and health insurance for every apprentice. The state must no longer tolerate practices where children work in high-risk industrial environments

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without adequate accident insurance protection. Furthermore, apprenticeship agreements must no longer be treated as mere informal documents between schools and companies. These agreements must be restructured into legally binding documents with pro-justitia status, which must be officially registered and recorded by the state. These documents must contain detailed competencies to be taught, working hour protections, and fair allowance rights. Any violation or deviation from these agreements by corporations can be used as a legal basis for prosecution.

The final reconstruction idea, which serves as the most essential coercive element, is the total overhaul of the legal sanction system. Currently, sanctions for companies exploiting apprentices are only administrative, such as written warnings or revocation of apprenticeship status. Such mild penalties have no deterrent effect, as companies can easily find other sources of cheap labor. Law must have sharp teeth to protect the weakest parties in the industrial chain. Therefore, new apprenticeship regulations must boldly include specific criminal provisions and civil liability mechanisms. If a corporation is proven to exploit apprentices in ways resembling forced labor—such as threats, document retention, lack of fair wages, and excessive working hours—law enforcement must be allowed to prosecute company directors under the Law on the Eradication of Human Trafficking (TPPO). Applying this extraordinary criminal offense will make it clear to the public and business actors that exploitation of child apprentices is a serious crime amounting to modern slavery. Alongside heavy criminal threats, corporations found guilty must also be required to pay substantial material fines to the state. In civil terms, they must bear full responsibility for compensating victims, calculated based on minimum wage standards plus immaterial damages. Through this legal reconstruction that combines cross-sector supervision, strict work limits, and decisive sanctions, the state can ensure that apprenticeship programs return to their rightful purpose as a place for skill development, not a field of economic exploitation.

4. Conclusion

Forced labor practices hidden behind the guise of child apprenticeship programs are a humanitarian crime that tarnishes the education and labor systems of Indonesia. Legal loopholes in the definition of apprenticeship and weak supervision due to sectoral ego between the Manpower Office and the Education Office have turned school children into victims of corporate exploitation hungry for free labor. Therefore, regulatory reconstruction of labor supervision is an absolute necessity. The state must reform its regulations by establishing a responsive cross-sector supervisory system, clarifying time limits and insurance protection for apprentices, and imposing severe criminal and civil penalties on rogue companies. Only through

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comprehensive legal reform can apprenticeship programs be restored to their rightful path, namely as a forge for educating the nation's youth, not a factory of modern slavery.

5. References

Journals:

- Eddyono, Supriyadi Widodo. "Tantangan Pemenuhan Hak Restitusi dan Sinergitas Kelembagaan bagi Korban Eksploitasi di Indonesia." *Jurnal Hukum Ius Quia Iustum*, Vol. 26, No. 2 (2019): 245-267.
- Fajar, Mukti. "Efektivitas Pengawasan Ketenagakerjaan dalam Mencegah Eksploitasi Anak pada Praktik Kerja Industri." *Arena Hukum*, Vol. 13, No. 1 (2020): 88-105.
- Gosita, Arif. "Urgensi Perlindungan Hak Anak dari Ancaman Perbudakan Modern di Sektor Ketenagakerjaan." *Jurnal Hukum dan Pembangunan*, Vol. 41, No. 2 (2011): 190-210.
- Putri, Rika Saraswati. "Kendala Birokrasi dalam Pemberantasan Tindak Pidana Perdagangan Orang Berkedok Program Magang." *Jurnal Konstitusi*, Vol. 19, No. 4 (2022): 845-867.
- Susanto, Eko Hadi. "Implementasi Kebijakan Perlindungan Anak Menghadapi Celah Hukum Undang-Undang Ketenagakerjaan." *Jurnal Kajian Hukum dan Keadilan*, Vol. 5, No. 3 (2022): 312-328.

Books:

- Arief, Barda Nawawi. *Bunga Rampai Kebijakan Hukum Pidana: Perkembangan Penyusunan Konsep KUHP Baru*. Jakarta: Kencana, 2024.
- Atmasasmita, Romli. *Sistem Peradilan Pidana Kontemporer dan Reformasi KUHP*. Jakarta: Kencana, 2023.
- Husni, Lalu. *Pengantar Hukum Ketenagakerjaan Indonesia*. Jakarta: RajaGrafindo Persada, 2003.
- Marzuki, Peter Mahmud. *Penelitian Hukum*. Jakarta: Kencana, 2017.
- Rahardjo, Satjipto. *Hukum Progresif: Sebuah Sintesa Hukum Indonesia*. Yogyakarta: Genta Publishing, 2009.

Regulation:

- The 1945 Constitution of the Republic of Indonesia.
- Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower.
- Law of the Republic of Indonesia Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.
- Law of the Republic of Indonesia Number 21 of 2007 concerning the Eradication of the Crime of Trafficking in Persons.
- Law of the Republic of Indonesia Number 39 of 1999 concerning Human Rights.

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