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Education on Social Security Protection Law for Fishermen (Case Study of Fishermen in Cilacap Regency)

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Abstract: This article discusses the education of legal protection regarding the social security rights of fishermen in Indonesia, particularly related to BPJS Employment participation. A case study was conducted in Cilacap Regency to examine the disputes faced by fishermen in accessing social security benefits. The research results show that the lack of socialization, administrative obstacles, and limited access are the main factors hindering social security protection for fishermen. The government and BPJS Employment need to enhance education, coordination, socialization, and simplification of procedures so that legal protection can run effectively and sustainably. This article provides knowledge about legal education on a policy aimed at strengthening social security protection for fishermen to enhance their welfare and social security.

Keywords: Education on Legal Protection, Social Security, Fishermen, BPJS Employment.

Citation: Zahara D., Eryke H. Education on Social Security Protection Law for Fishermen (Case Study of Fishermen in Cilacap Regency). International Journal on Integrated Education (IJIE) 2026, 9(2), 138-146.

Received: 07th Feb 2026Revised: 12th Mar 2026Accepted: 17th Apr 2026Published: 14th May 2026

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1. Introduction

Fishermen are part of Indonesian society who are also entitled to legal protection. In this case, fishermen have received legal support in carrying out their activities, as regulated by Law Number 7 of 2016 on the Protection and Empowerment of Fishermen, Cultivators, and Salt Farmers, Law Number 27 of 2004 on the Management of Coastal Areas and Small Islands, and Law Number 45 of 2009 which is an amendment to Law Number 31 of 2004 concerning Fisheries.

The legal assistance provided has not yet reached many individuals or groups living in poverty, making it difficult for them to obtain justice due to limitations in realizing their constitutional rights. The law seems to be owned only by a handful of people who have financial means and access to justice. Fishermen, most of whom are in impoverished conditions and lack access to justice, can only resign themselves to their fate when facing the legal issues they encounter. Fishermen are one of the informal worker groups that play an important role in the fisheries sector in Indonesia [1]. Fishermen can be categorized as workers who often face high risks at sea, such as work accidents, extreme weather, and income uncertainty, making them in great need of social security protection [1]. However, their dispersed presence and inclusion in the informal sector often limit their access to social security.

BPJS Employment is present as a state institution responsible for providing employment social security protection for all workers in Indonesia [2], including fishermen. BPJS Employment programs such as work accident insurance, death insurance, and old-age insurance are very important to provide a sense of security and financial protection for fishermen. However, many fishermen face difficulties in accessing the benefits of social security. Various problems arise, ranging from a lack of socialization,

complicated administrative procedures, to membership disputes that result in fishermen not receiving optimal protection. One concrete example occurred in Cilacap Regency in 2023, where local fishermen complained about obstacles in participating in BPJS Employment due to a lack of information and complicated administration.

This article will examine several key issues as follows: What is the condition of legal protection for social security for fishermen in Indonesia? What obstacles do fishermen face in accessing BPJS Employment benefits? What solutions can be pursued to improve legal protection and access to social security for fishermen? This article will analyze the condition of legal protection and social security for fishermen in Indonesia. Conducting an in-depth study of the BPJS Employment participation dispute case that occurred in Cilacap Regency. Providing policy recommendations that can improve the social security protection for fishermen to be more effective and equitable.

2. Materials and Methods

This research uses a qualitative approach with a case study method to delve into the issues of legal protection for social security for fishermen [3], particularly related to BPJS Employment participation. The research location was chosen in Cilacap Regency, a coastal area that is a center of fishing activities and faces significant obstacles in accessing social security. The research subjects consist of fishermen who face issues with BPJS membership, as well as related parties such as BPJS Employment officers and the local fisheries department.

Data were collected thru in-depth interviews with fishermen and relevant stakeholders to explore the experiences, challenges, and solutions encountered in the field [3]. In addition, documentation of membership dispute cases is also reviewed to strengthen the empirical data. Data analysis was conducted descriptively and interpretively, with the aim of deeply understanding social phenomena and providing a comprehensive picture of the legal protection and social security conditions of fishermen in Cilacap Regency.

3. Results

Cilacap Regency, as a coastal area in Central Java, has a significant population of fishermen. There are around 8,000 fishermen who are part of eight fishermen groups in this area. They mostly work as traditional fishermen with simple equipment and operate in the southern Java Sea. Their work is highly dependent on weather conditions and fish catch, making their income uncertain and vulnerable to work-related risks.

The Cilacap Branch of BPJS Employment has been striving to increase the participation of fishermen in the employment social security program. Through the Non-Wage Earners (BPU) sector program, fishermen can become participants with relatively low contributions, starting from Rp16,800 per month, which includes Work Accident Insurance (JKK) and Death Insurance (JKM). The registration process is also quite easy, only requiring an ID card as an administrative requirement. Although the registration procedure is relatively simple, many fishermen face obstacles in continuing to make contributions independently. Several factors that influence this include the low level of awareness about the importance of social security, income uncertainty that makes them reluctant to commit to regular payments, and limited access to banking facilities for making payments.

The Cilacap Regency Government, along with the Cilacap Branch of BPJS Employment, continues to strive to increase awareness and participation of fishermen in the social security program. One of the steps taken is through socialization and education about the benefits of the program to fishermen and fishing groups in the area. In addition, premium incentive assistance is also provided to lighten the burden on fishermen in

paying their contributions. For fishermen who are already registered as participants in the BPJS Employment program, this initiative protects against work-related accidents and death. This provides a sense of security and certainty for fishermen and their families, allowing them to work more calmly and focus on improving their catch.

The implementation of education and the social security program for fishermen still faces challenges. In addition to administrative and financial constraints, there are also challenges in terms of coordination between local governments, BPJS Employment, and fishing groups. There needs to be better synergy so that this program can run effectively and achieve the desired targets. To increase the participation of fishermen in the BPJS Employment program, it is recommended to adopt a more personal and community-based approach. Intensive socialization, simplification of administrative procedures, and the provision of incentives or premium assistance can be strategic steps. In addition, training and mentoring are necessary so that fishermen understand the importance of social security and how to access the available services.

The Concept of Social Security and Legal Protection.

Social security is a protection system provided by the state or certain institutions to guarantee the basic needs of society in facing social and economic risks, such as work accidents, illness, retirement, and death. The main objective of social security is to provide safety and welfare for workers and their families through various preventive and curative programs. In the context of the fisheries sector, social security is very important considering that fishermen face high work risks and uncertain income.

Legal protection of social security is a crucial aspect that ensures the rights of workers, including fishermen, are protected legally and administratively. This legal protection regulates the obligations of the government and social security administrators to provide services that are transparent, fair, and easily accessible to participants. In addition, legal protection also includes the resolution of disputes that may arise due to inconsistencies or ambiguities in the implementation of social security programs.

In the context of Indonesia, regulations governing social security and legal protection for informal workers, such as fishermen, continue to evolve. BPJS Employment, as the administering agency, plays an important role in implementing social security programs in accordance with the Labor Law and other government regulations. However, challenges such as limited socialization, complicated administrative procedures, and participants' lack of knowledge become obstacles in optimizing legal protection and access to social security in the fisheries sector.

Regulations and Social Security Policies for Fishermen in Indonesia.

The Indonesian government has established various regulations and policies aimed at providing social security protection for workers, including fishermen who fall within the informal sector. This social security is designed to protect workers from social and economic risks such as work accidents, illness, retirement, and death. However, the implementation of these policies faces its own challenges due to the characteristics of the fishing sector, which often tends to be informal, dispersed along coastal areas, and has limited access to information. Therefore, regulations must be able to effectively and adaptively reach fishing groups according to their conditions.

Law Number 13 of 2003 on Manpower has become one of the main legal frameworks regulating workers' rights in Indonesia, including the employer's obligation to provide social protection. However, this law tends to focus more on formal workers and has not fully accommodated informal sector workers, such as fishermen. Therefore, additional regulations and special policies are needed to address the protection needs of fishermen who are vulnerable to work risks and uncertain economic conditions. In addition, Law Number 31 of 2004 on Fisheries also regulates the management and protection of fishery resources, including the empowerment and welfare of fishermen. This law mandates the

improvement of fishermen's welfare through various programs, one of which is the provision of social security as a form of protection against work risks at sea. This regulation serves as a foundation for local governments and related institutions to support the implementation of social security targeting fishermen.

The role of BPJS Employment as the institution administering employment social security is very strategic in providing protection to all workers, including those in the informal sector, such as fishermen. BPJS offers various social security programs such as work accident insurance, death insurance, old-age insurance, and pension insurance. Through this program, fishermen can obtain important financial protection to reduce the impact of work-related risks and improve their families' welfare. However, reaching fishermen as participants in BPJS Employment is not without challenges. Many fishermen do not yet understand their rights related to social security and how to register as participants. This is exacerbated by the complicated administrative procedures and the lack of socialization from the organizers. This condition has resulted in many fishermen not being optimally protected by the BPJS Employment program.

BPJS Employment has made efforts to implement various innovations, such as the self-participation program and the ease of premium payments through a digital system. These programs aim to expand access and increase fishermen's participation in social security. Nevertheless, the effectiveness of these programs highly depends on coordination with local governments and the active involvement of fishing communities in each region. Regulations and social security policies for fishermen in Indonesia continue to evolve to adapt to the unique characteristics of the fishing sector. The role of BPJS Employment as the organizer of social security is very important in realizing legal and social protection for fishermen. However, synergy between regulations, implementing agencies, local governments, and the fishing community is needed to overcome existing obstacles and ensure that the benefits of social security can be felt evenly.

4. Discussion

Education on the Concept of Social Security and Legal Protection for Fishermen

One of the main issues found in the protection of social security for fishermen is the lack of socialization and education regarding the social security programs provided by BPJS Employment [2]. Many fishermen have not received adequate information regarding their rights as workers and the benefits they can obtain from being participants in BPJS. As a result, awareness of the importance of social security is still very low, so the participation of fishermen in this program is also limited [4]. The lack of an effective and sustainable communication approach makes it difficult for fishermen to understand the registration procedures and their obligations [5]. Additionally, administrative and bureaucratic obstacles pose significant barriers that hinder fishermen's access to social security [6]. The registration process, which is considered complicated, unclear document requirements, and lengthy verification procedures, makes fishermen reluctant or even unable to continue their participation [7]. This layered bureaucracy also creates uncertainty and discomfort for fishermen who are more accustomed to informal systems. This condition creates a gap between the intention to be protected and the realization of active participation.

Limited access to facilities and technology also poses another significant barrier. Many fishermen live in remote areas with minimal infrastructure, making access to BPJS offices or payment facilities difficult [8]. In addition, the fishermen's understanding of the digital technology used in the registration and payment system is still low. This causes fishermen to rely on third parties who are sometimes less transparent in managing their administration. Limited understanding of the benefits of social security also exacerbates the low participation of fishermen. Many fishermen are not yet aware that the social security program not only provides protection in case of work accidents but also

guarantees other rights such as death benefits, old age benefits, and pensions [5]. This ignorance makes them reluctant to allocate regular funds for BPJS contributions, especially when their income is irregular and depends on the season or natural conditions.

Social stigma and distrust toward formal institutions also influence fishermen's decisions to participate in social security programs [9]. Some fishermen feel skeptical about the real benefits they will receive, considering their previous experiences with aid programs that did not run optimally or the bureaucracy that complicated claims. This distrust becomes one of the psychological factors that need to be considered in designing socialization strategies.

The government and the Employment BPJS, the lack of coordination with fishing communities and local organizations, have become hindering factors [6]. Without the active involvement of community leaders and fishermen groups, the socialization and education of the program struggle to reach all layers of fishermen. A top-down approach without involving the community base makes the program feel distant and less relevant to the actual needs of fishermen on the ground. Regulations that are less specific and adaptive to the characteristics of the informal sector also pose a problem. The existing regulations tend to be general and do not take into account the difficulties faced by fishermen, such as income uncertainty and high mobility. This makes the implementation of social security programs less effective because they cannot be easily accessed or fulfilled by fishermen. Furthermore, issues with participant data management also pose challenges. The fishermen's data, which has not been well integrated, causes difficulties in re-registration, membership validation, and benefit distribution. These irregularities prolong the claims process and reduce fishermen's trust in the system.

These interrelated obstacles pose a significant challenge in realizing effective social security protection for fishermen. Therefore, an integrated solution is needed that includes enhancing socialization, simplifying bureaucracy, strengthening access to technology, and developing responsive and inclusive regulations for the informal sector, such as fishermen.

Analysis of Education on BPJS Employment Participation Disputes

Disputes over BPJS Employment membership among fishermen in Cilacap Regency are issues that frequently arise due to various factors, ranging from administrative errors to a lack of understanding among participants regarding procedures and their rights. Many fishermen complain that although they have registered and paid their contributions, they have difficulty accessing social security benefits, especially when filing claims for work accident or death benefits [3]. This has caused dissatisfaction and suspicion toward the management of the BPJS program.

Disputes experienced by fishermen are usually related to inaccurate membership data, delayed premium payments that cause participants' status to become inactive, and claim procedures that are considered convoluted. Fishermen who experience accidents while working at sea often face obstacles in the claims verification process, causing the assistance they should receive to be delayed or even not disbursed. In addition, the lack of clear communication from BPJS adds to the confusion and frustration of the participants. The social impact of this dispute is deeply felt by the fishing community, as social security is one of the main sources of protection for them and their families in facing high work risks. When claims are not processed smoothly, the families of fishermen who are victims of accidents or who pass away face significant economic difficulties. This also leads to a lack of trust in state institutions and social security programs, thereby reducing the level of participation of fishermen in the BPJS Employment program. Economically, the dispute over BPJS membership has financial repercussions that are not only felt by individual fishermen but also by the wider community. When social security benefits cannot be disbursed on time, fishermen and their families have to bear the costs of medical treatment or daily living expenses without the support they should have received. This condition

increases their economic vulnerability and has the potential to worsen poverty among fishermen.

Another underlying cause of this dispute is the data collection system that is not yet fully integrated and accurate. The inconsistency in participant data causes a mismatch between BPJS records and the actual conditions on the ground, leading to claim rejections or unclear membership statuses. This indicates the need for improvements in the information system and data collection.

Socialization and education from BPJS and local governments further exacerbate the dispute conditions. Fishermen often lack adequate information regarding their rights and obligations, including the correct claims procedure [5]. This ignorance leads to errors in claim submissions, which then result in disputes and rejections from the organizers. In facing this problem, some fishermen choose to report their cases to the supervisory agency or mediate with BPJS. However, the dispute resolution process often takes a long time and incurs additional costs, which becomes an extra burden for fishermen who are already in a difficult situation. This highlights the importance of a dispute resolution mechanism that is quick, transparent, and easily accessible to participants. The analysis of BPJS Employment membership disputes in the fisheries sector reveals the need for improvements in administration, communication, and data management systems. A more responsive and participatory approach from the organizers is essential to build fishermen's trust and ensure that social security protection runs effectively and sustainably.

The Role of the Government and BPJS in Resolving Disputes

The government, both at the central and regional levels, plays an important role in resolving membership disputes of the BPJS Employment experienced by fishermen. The government functions as a regulator and facilitator that ensures social security protection can be accessed fairly and equitably [6]. In Cilacap Regency, the local government actively coordinates with BPJS Employment to address complaints and obstacles faced by fishermen in accessing social security programs.

BPJS Employment, as the social security organizer, has a direct responsibility in resolving administrative disputes and claims. This institution has established a special unit for complaint services and dispute mediation, aimed at providing quick and accurate solutions for participants. Through this service, fishermen who encounter problems can submit objections or complaints directly, making the dispute resolution process more transparent and structured. In addition, BPJS Employment, together with the local government, is also actively conducting socialization and education regarding the rights and obligations of participants. This program is designed to enhance fishermen's understanding of the registration procedures, contribution payments, and benefit claim mechanisms. With a better understanding, it is hoped that the number of disputes can be minimized because participants can go through the administrative process correctly.

Efforts to simplify bureaucracy have also become a strategic step in resolving disputes. The local government and BPJS are striving to simplify the registration and claim processes by reducing unnecessary administrative requirements and speeding up processing times. This is done so that fishermen no longer feel burdened by convoluted procedures and can optimally benefit from social security.

In the field implementation, local governments also activated the roles of village officials and community leaders as intermediaries between fishermen and BPJS. This community-based approach has proven effective in bridging communication, collecting membership data, and helping fishermen understand the administrative process. The role of local leaders is very important in building trust and increasing fishermen's participation in the social security program [3]. The government has also taken the initiative to provide premium subsidy assistance for less fortunate fishermen so that they are not burdened with membership fees. This assistance aims to ensure that economic aspects do not become an obstacle for fishermen to obtain social security protection [7]. This subsidy program also

supports efforts to increase participation and reduce the risk of disputes due to delayed premium payments. Although various efforts have been made, challenges in resolving disputes still persist, especially related to limited resources and service capacity. Therefore, it is necessary to enhance the capacity of human resources at BPJS and local governments to handle dispute cases efficiently and responsively. In addition, the development of an integrated information technology system is also key to accelerating the process of data validation and participant claims.

Implications of Legal Protection for Fishermen's Social Security Rights

Legal protection of fishermen's social security rights has very significant implications for the welfare and social security of workers in the fisheries sector [8]. With strong legal protection, fishermen can feel more at ease and protected in carrying out their activities amidst high work risks. This encourages them to focus more on increasing productivity without worrying about the negative impacts if an accident or other risks occur. One of the main implications of this legal protection is the increased access for fishermen to social security programs organized by BPJS Employment. When their rights are legally recognized and clearly protected, fishermen find it easier to register as participants and obtain the benefits they are entitled to, such as work accident insurance, death insurance, and old-age insurance.

Legal protection also provides a strong foundation for resolving disputes that may arise between fishermen and social security organizers [8]. With a clear legal mechanism, fishermen can formally raise objections and assert their rights, thereby minimizing the potential for abuse or injustice in the implementation of the program [3]. This simultaneously increases public trust in the social security system. However, the implementation of effective legal protection requires adequate regulatory support and consistent law enforcement. Strong regulations must be able to accommodate the characteristics of the informal sector, such as fishermen who often face administrative hurdles and income uncertainty. Strict law enforcement is also important to ensure that the rights of fishermen are not neglected by interested parties. In addition, good legal protection encourages the government and BPJS Employment to improve transparency and accountability in the management of social security. Fishermen as participants have the right to receive clear information regarding the registration procedures, payment of contributions, and the process for claiming benefits. This transparency is important so that the rights of fishermen are not just a formality, but can truly be enjoyed in reality [10].

Another equally important implication is that legal protection helps reduce the economic vulnerability of fishermen. With legally protected social security, fishermen and their families receive financial protection in the event of an accident or death, preventing them from falling into poverty due to work-related risks. This contributes to poverty reduction and improved quality of life in fishing communities. Furthermore, legal protection for fishermen's social security also contributes to the overall improvement of social welfare [4]. With the certainty of protection, fishermen can participate more actively in the development of a sustainable fisheries sector. The increased welfare of fishermen also has a positive impact on the local and national economy through increased productivity and social stability. However, to realize all these positive implications, there needs to be synergy among various stakeholders, including the central and regional governments, the Employment BPJS, and the fishing community itself. This synergy must be realized through inclusive policies, responsive program implementation, and strict oversight so that legal protection can truly become a tangible guaranty for fishermen. Legal protection of fishermen's social security rights is not just about formal regulations, but is an important foundation for the creation of an effective and just social security system. This protection ensures that the rights of fishermen are met, provides a sense of security, and encourages the development of a sustainable and competitive fisheries sector [11], [12], [13], [14], [15].

5. Conclusion and Suggestions

Legal protection education for fishermen's social security rights in Indonesia, particularly regarding BPJS Employment participation, still faces various obstacles such as lack of socialization, administrative hurdles, and limited access. The membership disputes experienced by fishermen in Cilacap Regency highlight the need for improvements in the data collection system, a more transparent claims process, and enhanced coordination between the government, BPJS, and the fishing community. Strong legal protection is key to ensuring that fishermen obtain social security rights effectively and equitably, while also providing guarantees of safety and welfare in facing work-related risks.

The government and BPJS Employment must be able to increase the intensity of socialization and education for fishermen with a more personal and community-based approach. Simplification of administrative procedures and contribution payments needs to be carried out to facilitate fishermen's access to social security programs. In addition, strengthening the synergy between local governments, BPJS, and fishermen's organizations, as well as developing an integrated information technology system, will expedite dispute resolution and enhance participant trust. These measures are expected to realize fair, transparent, and sustainable social security protection for fishermen in Indonesia.

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