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Private Sector and the 1% Disability Quota: Legal Responsibilities in Indonesia

Dila Wahyu Agustin^{1*} & Ariawan Gunadi²

^{1,2}Universitas Tarumanagara,
Jakarta, Indonesia

Correspondence

Dila Wahyu Agustin, Universitas
Tarumanagara, Jakarta, Indonesia,
Jl. Letjen S. Parman No.1,
RT.6/RW.16, Tomang, Kec.
Grogol Petamburan, Kota Jakarta
Barat, Daerah Khusus Ibukota
Jakarta 11440, e-mail:
agustindilawahyu@gmail.com

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Original Article

Abstract

The background of this research is the challenge of fulfilling the 1% disability employment quota by private companies in Indonesia, in accordance with Law No. 8 of 2016 on Persons with Disabilities. Despite the regulations outlining this obligation, companies often face obstacles such as low legal awareness, social stigma, and a lack of disability-friendly infrastructure. This study employs a juridical-normative research method with statutory, conceptual, and analytical approaches to relevant regulations and their implementation practices. The findings show that although the government has made efforts to encourage companies to meet the disability quota through incentives and sanctions, consistent implementation remains limited. Strengthening oversight and increasing legal awareness are necessary to address these challenges. Additionally, applicable solutions include improving accessibility facilities and providing training programs for companies to better address the challenges of disability inclusion.

Keywords: 1% Quota; Persons with Disabilities; Private Companies; Labor Law.

Abstrak

Latar belakang penelitian ini adalah tantangan dalam pemenuhan kuota 1% pekerja penyandang disabilitas oleh perusahaan swasta di Indonesia sesuai dengan Undang-Undang No. 8 Tahun 2016 tentang Penyandang Disabilitas. Meskipun terdapat regulasi yang mengatur kewajiban tersebut, perusahaan sering menghadapi hambatan seperti kesadaran hukum yang rendah, stigma sosial, serta kurangnya infrastruktur yang ramah disabilitas. Penelitian ini menggunakan metode penelitian yuridis-normatif dengan pendekatan perundang-undangan, konseptual, dan analisis terhadap regulasi yang relevan serta praktik implementasinya. Hasil penelitian menunjukkan bahwa meskipun ada upaya dari pemerintah untuk mendorong perusahaan memenuhi kuota disabilitas melalui insentif dan sanksi, penerapan yang konsisten masih terbatas. Diperlukan penguatan pengawasan dan peningkatan kesadaran hukum untuk mengatasi tantangan tersebut. Selain itu, solusi yang dapat diterapkan antara lain peningkatan fasilitas aksesibilitas dan program pelatihan untuk perusahaan dalam menghadapi tantangan inklusi disabilitas.

Kata kunci: Kuota 1 %; Penyandang Disabilitas; Perusahaan Swasta; Ketenagakerjaan.

1. INTRODUCTION

Workers with disabilities in Indonesia face significant challenges in the labor market. In various sectors, they are still considered marginalized, both in terms of job opportunities and the protection of their basic rights as workers. Despite efforts to enhance inclusion, the reality on the ground shows that they often face discrimination. One form of this discrimination is the low participation rate of disabled workers in the workforce. Therefore, it is crucial to examine how Indonesian labor law provides protection for them, particularly through the disability employment quota.¹

In 2016, Indonesia passed Law No. 8 of 2016 on Persons with Disabilities, marking an important milestone in the fight for social inclusion. This law regulates various aspects related to the rights of persons with disabilities, including employment. One of the notable provisions is the obligation for each company to hire at least 1% of workers with disabilities in every workplace. However, the implementation of this policy still faces several challenges. Many companies are not fully aware of the importance of complying with this provision, either due to a lack of understanding or limited resources.

One of the main obstacles in meeting the 1% disability employment quota is the negative perception of their capabilities in the workplace. Many still doubt that workers with disabilities can contribute equally to non-disabled workers. However, numerous studies show that workers with disabilities possess skills and abilities that are on par with others. In this context, private companies play a critical role in creating an inclusive environment that supports equal employment opportunities. Indonesian labor law, through the Disability Law, provides a legal framework for companies to fulfill this obligation.

In addition to perceptual challenges, there are also issues related to infrastructure that is not yet disability-friendly. Many companies have not provided adequate facilities, such as physical accessibility at the workplace or assistive devices required by workers with disabilities. This undoubtedly adds to the burden on disabled workers to perform their tasks optimally.² In this regard, Indonesian labor law, particularly the Disability Law, mandates companies to provide necessary facilities. However, the implementation of these regulations varies significantly from one company to another.

On the other hand, despite the obligation to hire persons with disabilities, company compliance with this regulation remains low. According to reports from the Ministry of Manpower, many companies have not met the 1% disability quota. This is due to various factors, including a lack of understanding of the obligation and the

¹ Laura Caron, "Disability, Employment and Wages: Evidence from Indonesia," *International Journal of Manpower* 42, no. 5 (2021): 866–88, <https://doi.org/10.1108/IJM-01-2020-0022>.

² Qian Xue dan Bo Chen, "Quarantined Justice, Compromised Diversity: Barriers to Disability Inclusion in China's Public Sector Employment," *Solidarity in Diversity: Overcoming Marginalisation in Society* 13 (2025): 1–15, <https://doi.org/10.17645/si.9083>.

inability to provide the appropriate facilities. Although there are administrative sanctions that can be imposed on companies that fail to comply, law enforcement needs to be improved. By increasing legal awareness among employers, it is expected that the 1% quota can be better fulfilled.

Moreover, legal protection for disabled workers also needs to be strengthened to prevent discrimination in the recruitment process and compensation. In this regard, the Indonesian Manpower Law No. 13 of 2003 also provides a basis for the rights of disabled workers. For example, disabled workers are entitled to equal pay as non-disabled workers for equivalent work. Legal protection also includes health and safety rights at work, which are essential to ensure that disabled workers can work safely and comfortably. However, the implementation of this protection still faces several challenges, particularly in the private sector, which tends to focus more on profit.³

As a follow-up, stricter supervision is needed to ensure the implementation of the 1% disability worker quota. This supervision should not only be carried out by the government but also by society and labor organizations that can ensure the rights of persons with disabilities are met. Additionally, training for companies to create a more inclusive work environment is also critical. With tighter oversight and increased company capacity in terms of awareness of disability rights, it is hoped that the disability worker quota can be achieved. Indonesian labor law plays a significant role in this as a foundation for enforcing the rights of disabled workers.⁴

To meet the 1% disability worker quota by private companies in Indonesia is an important step towards social inclusion. However, achieving this goal requires not only compliance with existing regulations but also a shift in the mindset of employers. Legal protection and improved disability-friendly facilities are key factors supporting more effective implementation. Indonesian labor law, through various existing regulations, provides a framework that ensures the rights of disabled workers are protected and fulfilled by private companies. As a result, it is hoped that disabled workers will experience equal opportunities in the labor market.

2. RESEARCH METHODOLOGY

This research adopts a juridical-normative approach, which focuses on analyzing the legal norms, regulations, and legal frameworks that govern the employment of workers with disabilities in Indonesia, particularly in relation to the 1% disability employment quota in private companies. The statutory approach will be used to examine key legal

³ Laurensius Arliman S, Elfrida Ratnawati, dan Aida Abdul Razak, "Legal Guarantees for Persons with Disabilities to Secure Decent Work: A Human Rights Perspective from Indonesia," *Jurnal Wawasan Yuridika* 8, no. 2 (2024): 94–111, <https://doi.org/10.0.97.240/jwy.v8i2.4463>.

⁴ Fitore Hyseni et al., "Disability, Workplace Inclusion and Organizational Citizenship Behavior: An Exploratory Study of The Legal Profession," *Journal of Participation and Employee Ownership* 6, no. 1 (2023): 31–50, <https://doi.org/10.1108/JPEO-10-2022-0017>.

provisions, including Law No. 8 of 2016 on Persons with Disabilities and Law No. 13 of 2003 on Manpower, to assess the extent to which these laws mandate and regulate the inclusion of disabled workers in the workforce. This approach is essential to understanding how legal structures shape the obligations of private companies and the mechanisms that enforce compliance with the quota.

In addition to the statutory approach, the research will also utilize a conceptual approach to explore the broader legal and social concepts of disability inclusion and the role of private companies in promoting equal employment opportunities. By analyzing the theoretical foundations of disability rights and employment law, this research aims to understand the underlying principles that guide disability inclusion policies. Furthermore, the analytical approach will be employed to critically assess the impact and effectiveness of these legal provisions in practice, identifying both strengths and weaknesses in their implementation within the private sector. This will involve evaluating challenges faced by companies in meeting the 1% disability quota and discussing any legal or procedural gaps that may hinder full compliance.

The research will rely on both primary and secondary data sources. Primary sources will include Law No. 8 of 2016, Law No. 13 of 2003, as well as other related government regulations and official documents. These legal texts will provide the foundation for analyzing the rights and obligations set forth by Indonesian labor law. Secondary sources will consist of books, academic journals, and scholarly articles that discuss the intersection of labor law, disability rights, and legal compliance in the workforce. By integrating both types of data, the research will offer a comprehensive understanding of how disability employment quotas are enforced and the challenges surrounding their implementation. The analysis will employ a descriptive approach to explain how legal provisions are applied and to highlight the practical challenges that both employers and disabled workers face in realizing inclusive employment practices.

3. RESEARCH RESULT AND DISCUSSION

3.1. Regulation and Implementation of 1 % Quota for Workers with Disabilities in Private Companies

Workers with disabilities in Indonesia continue to face significant challenges in entering the workforce. While regulations exist to protect their rights, their implementation remains far from ideal. Law No. 8 of 2016 on Persons with Disabilities mandates private companies to hire at least 1% disabled workers. However, many companies have yet to fully comply with this provision. This indicates that despite the regulations, their practical realization is still hindered.

The legal responsibility of private companies towards disabled workers is reflected in the obligation to meet the 1% quota, as stated in Article 53 of Law No. 8 of 2016.

This law emphasizes the empowerment of disabled persons through employment opportunities suitable to their abilities. Moreover, Law No. 13 of 2003 on Manpower guarantees equal treatment in employment for all workers, including persons with disabilities. This demonstrates that the legal framework offers protection to ensure equal employment opportunities.⁵

Implementing this quota is not always straightforward in practice. Many companies consider employing disabled workers an additional burden, both in terms of cost and required infrastructure. Legally, this can be seen as a form of indirect discrimination, which may violate the principle of equality enshrined in the Constitution and international human rights laws. From a labor law perspective, companies have a legal obligation to remove any barriers that prevent disabled workers from participating fully in the workforce.⁶

From a legal theory perspective, the obligation of private companies is based on the principle of social justice. This principle requires the state and the private sector to provide equal opportunities for all individuals, including persons with disabilities. Law should encourage the provision of equal access for all to participate in the labor market. Therefore, it is not only a matter of fulfilling quotas but also creating an inclusive environment for disabled workers.

Private companies that fail to meet the 1% disability quota may face administrative sanctions as stipulated in applicable regulations. However, the enforcement of these laws is often hindered by inadequate monitoring by the government. Moreover, a lack of legal awareness among employers leads many companies to overlook these obligations. Therefore, increasing the capacity of the government in monitoring and enforcing these laws is crucial to ensure compliance.

A major obstacle faced by companies in meeting the quota is the lack of disability-friendly facilities in the workplace. Many companies do not have the necessary infrastructure, such as physical accessibility and assistive devices, to support disabled workers. This becomes an important issue in labor law implementation, which mandates the creation of a safe and appropriate work environment for all employees. Legally, companies are obligated to provide the facilities necessary for disabled employees to work productively.

In addition to infrastructure, there are challenges related to the negative attitudes or perceptions held by many employers towards disabled workers. Some employers doubt the ability of disabled workers to perform tasks equivalent to non-disabled workers. Legally, such discrimination goes against the principle of equal opportunity as

⁵ Ida Bagus Surya Manuaba, Agstina Shinta Hartati, dan Eve Emaliana, "Benefits for Companies by Hiring Workers with Disabilities," *Indonesian Journal of Disability Studies* 9, no. 1 (2022): 115–22, <https://doi.org/10.21776/ub.ijds.2022.009.01.09>.

⁶ Imas Diana Aprilia dan Prima Dea Pangestu, "Work Systems of Persons with Disabilities in The Company," *Jurnal Penelitian Pendidikan Indonesia* 7, no. 2 (2021): 349–56, <https://doi.org/10.29210/020211259>.

established in labor laws. Therefore, the law provides a foundation for disabled workers to receive fair treatment regardless of their physical or mental conditions.

As part of creating an inclusive work environment, companies need to engage in awareness training for employees and management about the rights of disabled workers. This is not only to fulfill the quota but also to reduce workplace stigma. The legal perspective on inclusion in employment teaches that workplace diversity brings many benefits, including higher productivity and better innovation. Therefore, private companies must commit to supporting inclusive policies.

Indonesian labor law provides a strong foundation for the empowerment of disabled persons through the disability employment quota. However, frequent violations of this quota suggest that the existing regulations are not fully effective. One step that can be taken is to increase sanctions for companies that do not meet the quota. Furthermore, raising legal awareness among employers and employees about the rights of disabled workers is crucial to bringing about real change in the workforce.⁷

Based on the review of regulations and field practices, there appears to be a gap between ideal regulations and actual implementation. The government needs to strengthen its role in monitoring the application of the 1% quota, involving relevant stakeholders such as disability organizations and the general public. This is important so that the existing laws are not just on paper but are effectively implemented in the workplace. Here, strong and consistent legal oversight plays a crucial role.

In an effort to improve implementation, private companies can also take advantage of incentives provided by the government. Incentives such as subsidies or training programs can help companies more easily meet their obligations. With these incentives, companies will be more motivated to change their internal policies and improve the necessary facilities. This can also be a win-win solution between the government and the private sector in creating inclusive employment opportunities.⁸

It is important to note that non-compliance with the 1% disability employment quota not only harms disabled individuals but also harms the companies themselves. Companies that do not meet the quota may miss out on the benefits of workforce diversity.⁹ Legally, failure to comply with this regulation may result in sanctions that harm the company's reputation and financial position. Moreover, companies that successfully employ disabled workers can experience long-term benefits such as a positive public image and increased customer loyalty. In a legal context, this reflects the importance of corporate social responsibility, which encourages companies to support policies that bring social benefits, one of which is employing disabled persons.

⁷ Dumilah Ayuningtyas et al., "Inclusivity of Persons With Disabilities in the Work Sector During the Covid-19 Pandemic in Indonesia," *Frontiers in Public Health* 10 (2022): 1–11, <https://doi.org/10.3389/fpubh.2022.835552>.

⁸ Iman Pasu Purba et al., "Fulfillment employment rights for individuals with disabilities in Surabaya," *Jurnal Civics Media Kajian Kewarganegaraan* 20, no. 2 (2023): 280–91, <https://doi.org/10.21831/jc.v20i2.55144>.

⁹ Manuaba, Hartati, dan Emaliana, "Benefits for Companies by Hiring Workers with Disabilities."

Companies can also develop special training and development programs for disabled workers, enabling them to further develop skills relevant to their jobs. This aligns with the principles of labor law,¹⁰ which encourages equal opportunities in training and career development for all workers. Thus, disabled workers are not only given the opportunity to work but also to progress in their careers. Monitoring and law enforcement are key factors in the success of implementing this quota. The government needs to increase its role in conducting stricter monitoring of private companies. Additionally, there should be a clear and transparent reporting mechanism so that violations of this quota can be detected early and appropriate sanctions can be imposed.¹¹

Overall, while existing regulations provide a strong legal foundation, their application in practice requires a concerted effort from the government, society, and the private sector. The government must ensure that these regulations are effectively interpreted and implemented by companies. On the other hand, companies must show their commitment to creating a disability-friendly workplace. With a collaborative approach, the 1% quota can be optimally achieved. Given the importance of social inclusion, the implementation of the 1% disability employment quota is not just a legal obligation but also a critical step toward a fairer and more equitable society.¹² Therefore, both the government and private companies must continue to work together to create an inclusive work environment for persons with disabilities. The government should provide technical and financial support, while companies must demonstrate a willingness to adapt to inclusive policies.

According to the author's analysis, while the existing regulations provide a solid legal foundation, their implementation requires stricter monitoring and capacity building among companies to meet their obligations. Collaboration between the government, private sector, and society is key to achieving better employment inclusion outcomes for persons with disabilities in Indonesia.

3.2. Challenges and Solutions in the Fulfillment of the 1% Disability Employment Quota by Private Companies

One of the significant challenges faced by private companies in fulfilling the 1% disability employment quota is the lack of awareness and understanding of the legal

¹⁰ M. Ángeles Jurado-Caraballo dan Cristina Quintana-García, "Disability inclusion in workplaces, firm performance, and reputation," *European Management Journal* 43, no. 5 (2025): 752–63, <https://doi.org/10.1016/j.emj.2024.08.001>.

¹¹ Bagus Oktafian Abrianto dan Hezron Sabar Rotua Tinambunan, "Challenging the 'Half-Hearted' Fulfillment of the Rights of Workers with Disabilities," *Disable: Law Review* 1, no. 1 (2025): 103–16, <https://doi.org/10.26740/dlr.v1i1.45076>.

¹² Jeremia Gom Gom Parulian Simanjuntak, "Policy on Fulfilling the Rights of Persons with Disabilities in Indonesia: Quo Vadis?," *Indonesian Journal of Disability Studies* 8, no. 1 (2021): 211–77, <https://doi.org/10.21776/ub.ijds.2021.008.01.16>.

requirements. Many companies are either unaware of the specific provisions in Law No. 8 of 2016 on Persons with Disabilities or fail to comprehend the full scope of their obligations. Article 53 of this law mandates that companies with more than 100 employees must hire at least 1% of workers with disabilities. The lack of clarity or legal guidance on how to implement this can lead to non-compliance. Moreover, some companies wrongly assume that fulfilling this quota would be overly burdensome and costly. This lack of legal literacy hinders the progress toward inclusive hiring practices.¹³

Another challenge is the perception that employees with disabilities are less productive or incapable of performing the same tasks as non-disabled employees. This misconception, deeply rooted in discriminatory attitudes, undermines efforts to integrate people with disabilities into the workforce. Article 5 of Law No. 13 of 2003 on Manpower, which guarantees equal opportunities and fair treatment, has not been fully realized due to these prevailing stereotypes. The failure to recognize the diverse abilities and strengths that disabled workers bring to the workplace results in reluctance among employers to hire them. Discriminatory practices against people with disabilities can also result in legal violations, but changing attitudes takes time. Overcoming these prejudices is crucial to fulfilling the quota.

Infrastructure is another significant hurdle for private companies. Law No. 8 of 2016, particularly Article 53(2), requires companies to provide disability-friendly facilities and accommodations to ensure that workers with disabilities can perform their tasks effectively. However, many companies do not have accessible buildings, workplaces, or technologies that accommodate disabled employees. Lack of accessibility can range from physical barriers such as stairs, to the absence of assistive technology needed by workers with visual or hearing impairments. The costs associated with retrofitting workplaces or investing in assistive technologies are seen as prohibitive by many employers. Without the proper infrastructure, even well-meaning companies struggle to meet their obligations under the law.

The legal enforcement of the 1% disability employment quota is often inconsistent. Article 56 of Law No. 8 of 2016 requires that companies be subject to sanctions if they fail to meet the quota, but the application of these penalties has been weak. Many companies continue to ignore the quota without facing significant repercussions, mainly due to inadequate monitoring. The absence of a structured and consistent enforcement mechanism means that there are few incentives for companies to comply. Without stronger legal enforcement, companies may feel little pressure to adjust their hiring practices. This underlines the need for more robust oversight from relevant authorities.

¹³ Imma Indra Dewi W, "Anti-Discrimination In Emploment Regulation For Persons With Disabilites In Indonesia," *Yustisia Jurnal Hukum* 8, no. 1 (2019): 133–48, <https://doi.org/10.20961/yustisia.v8i1.28016>.

Another challenge lies in the insufficient training and education available for employers about the benefits and importance of an inclusive workforce. While the law mandates the hiring of disabled workers, there is little emphasis on training for managers and HR personnel to handle the specific needs of workers with disabilities. Law No. 8 of 2016, along with Law No. 13 of 2003, stresses equal treatment and fair access to opportunities, but often fails to provide clear guidelines on accommodating disabled workers in the workplace. Many companies lack knowledge on how to adapt their recruitment, training, and management practices to integrate disabled workers effectively. This lack of proper training often leads to misunderstandings or inefficiencies in managing disability-inclusive teams. Developing training programs on disability inclusion is key to addressing this issue.

A further challenge is the negative financial impact that many companies perceive in meeting the disability employment quota. Some employers argue that employing disabled workers requires additional resources, such as creating special accommodations or providing additional support services. These perceived costs often overshadow the potential long-term benefits of a more inclusive workforce, such as increased diversity and a broader talent pool. Article 56 of Law No. 8 of 2016 suggests that companies should receive incentives for hiring disabled workers, yet the perception of increased costs remains a significant barrier.¹⁴ This economic mindset often prevents companies from seeing the social and financial value of disability inclusion. Overcoming this perception requires addressing the financial concerns of employers through clear communication of the benefits and available support.

The stigma surrounding disability, even in modern workplaces, remains a significant challenge to meeting the 1% disability employment quota. Law No. 8 of 2016 emphasizes the importance of eradicating discriminatory practices, but societal biases still influence how people with disabilities are viewed in the job market. Many employers fear that hiring disabled workers will lead to workplace disruption or loss of productivity. These misconceptions create an invisible barrier to employment for persons with disabilities. Despite legal protections, discrimination persists, often making it difficult for companies to adopt more inclusive hiring practices. Addressing societal attitudes toward disability in the workplace is a critical issue in fulfilling the employment quota.

Moreover, there is a significant gap in the availability of qualified disabled candidates. Companies often find it difficult to identify and recruit workers with disabilities who are qualified for the roles they need to fill. While Law No. 8 of 2016 requires companies to hire disabled workers, there is no significant push to ensure that

¹⁴ Rosalika Dika Agustanti, Bambang Waluyo, dan Dwi Aryanti Ramadhani, "Upaya Peningkatan Pengetahuan dan Pemahaman Hak-Hak Penyandang Disabilitas di Bidang Ketenagakerjaan Atas Dasar Persamaan Hak," *Jurnal Masyarakat Mandiri Universitas Muhammadiyah Mataram* 6, no. 5 (2022): 3776–89, <https://doi.org/10.31764/jmm.v6i5.10237>.

these workers are adequately trained or qualified. This lack of a skilled workforce may discourage companies from meeting the quota. Many companies prefer hiring non-disabled workers who are perceived as more qualified and readily available. Creating a pipeline of skilled disabled workers through training and development programs is essential to overcoming this challenge.

Additionally, private companies often lack a clear policy framework for disability inclusion. Although the law mandates the hiring of disabled workers, many companies do not have formalized policies or procedures in place to ensure that this quota is met. Article 53 of Law No. 8 of 2016 stresses the importance of ensuring equal treatment, yet without a formal policy, companies are left to figure out how to implement the law in their specific contexts. Many companies have no designated disability inclusion officer or a clear process for recruiting, training, and accommodating disabled workers. The absence of these policies contributes to the failure to meet legal obligations and undermines efforts to create an inclusive work culture. Establishing formal policies would make it easier for companies to fulfill their legal obligations.¹⁵

In some sectors, the nature of the work itself presents a challenge. Certain industries, especially those with manual or physical labor requirements, may struggle to meet the disability employment quota. For example, construction, manufacturing, or logistics often require physical tasks that disabled workers may find difficult or unsafe. Article 53(2) of Law No. 8 of 2016 requires companies to provide accessible work environments, but certain industries may not be able to accommodate all types of disabilities. Companies in such sectors may feel they are being forced to hire individuals who are unable to meet the physical demands of the job. This raises the issue of how to balance the legal obligation with the nature of specific jobs in certain industries.

There is also the challenge of inadequate support systems for disabled workers once they are employed. Many companies fail to provide adequate support, such as mentoring, accessible technology, or reasonable workplace adjustments. Law No. 8 of 2016 mandates that companies should ensure disabled workers can work productively, yet the lack of support systems often makes it difficult for these employees to thrive. Without proper mentoring or reasonable accommodations, disabled workers may find themselves at a disadvantage compared to their non-disabled counterparts. Employers need to recognize their legal responsibility to support disabled workers fully, not only in hiring them but also in ensuring their success within the organization.¹⁶

A key solution to the challenges companies face is improving legal awareness and education regarding disability inclusion. The government can play a pivotal role by

¹⁵ Imma Indra Dewi W, "Employment Arrangement for Person with Disabilities in Indonesia in Post-New Order Era," *Indonesian Comparative Law Review* 1, no. 2 (2019): 69–81, <https://doi.org/10.18196/iclr.1207>.

¹⁶ Arie Arizandi Kurnianto et al., "Managing disabled workers due to occupational accidents in Indonesia: a case study on return to work program," *BMC Public Health* 23, no. 943 (2023): 1–10, <https://doi.org/10.1186/s12889-023-15930-2>.

offering educational programs and campaigns to inform employers about their obligations under Law No. 8 of 2016 and Law No. 13 of 2003. These programs should focus on explaining the legal consequences of non-compliance and providing practical steps for integrating disabled workers. Clearer communication of the legal requirements will help reduce confusion and encourage more companies to meet the 1% quota. Furthermore, the government should work with organizations representing persons with disabilities to ensure that employers have access to the necessary resources. Educating employers about their legal responsibilities will lay the foundation for better compliance.

To address discriminatory perceptions, companies must initiate awareness and sensitivity training for all employees, especially those in HR and management. Law No. 8 of 2016 stresses that people with disabilities must not be discriminated against in the workforce, and education is key to changing mindsets. This training should focus on the skills and contributions that disabled workers bring to the workplace, emphasizing that their capabilities often exceed common stereotypes. When employees and managers are better educated on the benefits of a diverse workforce, the stigma against disabled workers will diminish. By fostering a culture of inclusion, companies can not only meet the legal quota but also improve overall workplace morale. Addressing these prejudices directly through training is an essential step in creating an inclusive work environment.

To overcome infrastructure challenges, companies can explore government subsidies or incentives for providing disability-friendly facilities. Article 56 of Law No. 8 of 2016 allows for the provision of financial incentives to businesses that make accommodations for disabled workers. Companies should take advantage of these incentives to minimize the financial burden of creating accessible workplaces. The government can also facilitate partnerships with organizations that specialize in accessible technology or building modifications.¹⁷ Through these initiatives, the cost of retrofitting offices or investing in assistive technologies can be significantly reduced. Incentivizing companies to invest in accessibility will help create a more inclusive work environment.

Stronger enforcement mechanisms are needed to ensure companies comply with the 1% disability employment quota. The government should increase penalties for non-compliance and make the inspection and reporting process more transparent. Article 56 of Law No. 8 of 2016 provides for administrative sanctions, but these should be enforced more consistently. Increased oversight and stricter penalties would create greater pressure on companies to meet their obligations. Alongside enforcement, the government should also facilitate a feedback mechanism where workers with disabilities

¹⁷ Emmilia Rusdiana, Arinto Nugroho, dan Nurnilam Sari, "The Corporate Management Strategies as Empowering Persons with Disabilities Through Equal Opportunity and Access to Employment in Indonesia," *Indonesian Journal of Disability Studies* 9, no. 1 (2022): 75–88, <https://doi.org/10.21776/ub.ijds.2022.009.01.06>.

can report any violations of their rights. This two-pronged approach would ensure both compliance and accountability.

Training programs for employers should focus on disability inclusion in all aspects of human resources management, including recruitment, training, and accommodations. These programs can be developed in partnership with disability advocacy organizations to ensure their relevance and effectiveness. Companies should also be encouraged to develop specific inclusion policies that outline clear processes for recruiting and integrating disabled workers into the workforce. These policies should be reviewed regularly to ensure compliance with evolving legal standards. By providing clear guidelines for employers, these policies will help them implement the law more effectively. A well-structured policy framework will promote long-term sustainability in disability inclusion efforts.

Developing a skilled disabled workforce is essential for companies to meet the 1% quota. This can be achieved through targeted educational and vocational training programs designed to equip disabled individuals with the skills required in the workforce. Government initiatives or partnerships with private companies can provide the necessary funding and resources for such programs. These programs should focus on sectors where there is a higher demand for skilled workers, ensuring that disabled candidates are prepared for relevant roles. By investing in education and training, companies will be able to hire qualified disabled workers who can contribute effectively to their teams. Ensuring that disabled individuals have access to skills development is key to breaking down barriers in the job market.¹⁸

Additionally, companies can work with specialized recruitment agencies that focus on sourcing and placing disabled workers. These agencies can bridge the gap between employers and qualified disabled candidates, providing matching services tailored to the specific needs of both parties. The government can provide support to these agencies by creating incentives for companies to use their services. This would facilitate smoother recruitment processes for disabled workers, ultimately making it easier for companies to fulfill the 1% quota. Specialized recruitment agencies can also assist companies in finding suitable candidates who may otherwise be overlooked. By utilizing these services, companies can more easily meet their legal obligations while benefiting from a diverse and skilled workforce.

To address the perceived financial burden of employing disabled workers, the government can offer tax incentives or subsidies to businesses that make the necessary accommodations. These financial incentives could include tax deductions for companies that invest in accessible facilities or hire disabled employees. By reducing the economic

¹⁸ Fitri Dwi Arini dan Nurul Hayati, "A Systematic Review: Community Support in Employment Skill Development of Intellectual Disabilities People," in *Proceeding of Non-Formal Education International Seminar 2021* (Yogyakarta: Digital Press Social Sciences and Humanities, 2021), 1–7, <https://doi.org/10.29037/digitalpress.47395>.

burden, the government can encourage more companies to embrace disability inclusion. This financial support will make it more financially feasible for companies, particularly smaller businesses, to meet the 1% quota. Alongside these incentives, businesses can also be provided with tools and resources to help them calculate the return on investment of inclusive hiring practices. By focusing on the economic advantages of disability inclusion, companies will be more likely to adopt inclusive practices.

In conclusion, achieving full implementation of the 1% disability employment quota requires a multi-faceted approach that addresses both the legal and practical challenges faced by private companies. By improving legal awareness, combating discriminatory attitudes, enhancing infrastructure, and providing targeted support for employers, the government can facilitate the creation of an inclusive workforce. With stronger enforcement mechanisms, better training programs, and financial incentives, companies will be more equipped to comply with the law and create a more inclusive and diverse workplace. Ultimately, by addressing these challenges in a comprehensive manner, Indonesia can create a more inclusive labor market that benefits both workers with disabilities and society as a whole.

4. CONCLUSION

The implementation of the 1% disability employment quota in private companies in Indonesia faces various challenges, both legally and practically. Although Law No. 8 of 2016 on Persons with Disabilities and Law No. 13 of 2003 on Manpower clearly establish the obligation for companies to hire disabled workers, challenges such as low legal awareness, social stigma, inadequate infrastructure, and lack of training support remain major barriers. Additionally, weak enforcement and inconsistent application of sanctions have resulted in many companies not fully meeting their obligations. Nonetheless, solutions such as increased legal awareness, stronger oversight, provision of incentives, and further training for employers can help address these barriers.

It is important to note that, despite the significant challenges, steps have been taken to improve the integration of disabled workers into the workforce. The government has provided a strong legal foundation and incentives to support disability inclusion policies, but the success of their implementation depends heavily on the commitment and seriousness of companies in complying with these regulations. With improvements in the monitoring system, provision of disability-friendly facilities, and the development of targeted training programs for both workers and employers, the 1% quota can be effectively realized. If implemented consistently, this will accelerate the achievement of a more inclusive and equitable society for all.

As a concrete step, it is recommended that the government optimize its oversight of the implementation of the 1% disability employment quota by increasing the frequency of inspections and introducing a more transparent and accessible reporting

system for the public. Additionally, more intensive education programs for employers about their legal obligations and the social and economic benefits of disability inclusion should be implemented. The government could also introduce additional fiscal incentives for companies that successfully meet the quota, while ensuring that disabled individuals have access to relevant workforce training. These measures will encourage more companies to engage in creating a more inclusive labor force.

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