

Health, Safety, and Environment in the Indonesian Film Industry

Ekky Imanjaya¹, Cynthia MF Pangabea²

¹Film Department, School of Design, Bina Nusantara University, Indonesia
Jl. Jalur Sutera Barat Kav. 21, Alam Sutera, Tangerang, Jakarta, 11480 Indonesia

²Independent scholar
Jakarta, Indonesia

ABSTRACT

Introduction: As stipulated in the Indonesian Labor Law, every worker is entitled to work safety and health protection, including the film industry. This research focuses on two articles in the Health, Safety, and Environment (HSE) regulations and the Law of Film Year 2009. However, the Indonesian film industry has not officially implemented these laws. There have been several cases of HSE, which caused death or fatal injuries to film workers, without applying the regulations. Other HSE issues include the cases where only a few film producers gave insurance to the film workers, applied proper risk assessment, or provided first aid kits. The paper will overview HSE in the Indonesian film industry by mapping out the problems and potential solutions. **Methods:** By having in-depth interviews with key persons in the field, such as the workers and film producers, this research aims to map out such issues and answering why and how the laws on work health and safety are not implemented in the Indonesian film industry. **Result:** This research has resulted in maps of problems and recommendations for policymakers, film workers, and related institutes concerning HSE and the rights of film workers, including of the lack awareness of film workers on HSE and HSE-related curriculum in film education, as well as the need for stronger film associations and union. **Conclusion:** HSE in the Indonesian film industry must be evaluated to be more effective. Some factors to be reviewed include law enforcement in contracts, health insurance, the collaboration of various parties, HSE-related knowledge in the curriculum in Indonesian film education, and the application of Work Competency Standards (SKKNI) to all film professional associations.

Keywords: film industry, film policies in Indonesia, health and safety environment, occupational safety and health

Corresponding Author:

Ekky Imanjaya
Email: eimanjaya@binus.edu
Telephone: +6221-53696919

INTRODUCTION

Sad news, a film crew named Adit died in an accident, falling from the scaffolding / steiger while installing a tracking point on the green screen at 3 am. (Satyani Adiwibowo Twitter account, @MissSatyani, 31 January 2020).

Work accident cases in the Indonesian film industry always occur. The tweet above was a case in 2020. The most recent case, at the end of August 2024, resulted in a film worker, Rifqi Novara, dying due to an accident, as a result of fatigue (Sindikasi, 2024)

Generally, the film industry is known as a field with “extended work days and nights, a wide

variety of tasks (nearly 60 different trades and positions), unstable employment, and highly variable production agendas, film locations, and work schedules” (Bourdouxhe and Toulouse, 2001; Small, 2020; Gawley and Dixon, 2021). These elements, directly and indirectly, have a significant impact on film workers' health and safety (Bourdouxhe and Toulouse, 2001). The potential risks include the involvement of electricity, chemicals, plants, machinery (Small, 2020), and even lasers (O'Hagan, 1998). Another term is “labor precarity” (De Peuter, 2011; Khaled and Ansar, 2024) and “precarious labor,” which include “income instability, lack of a safety net, an erratic work schedule, uncertainty about continuing employment, the blurring of work and nonwork time, and the absence of collective representation” (De Peuter, 2011; Morgan, Wood and Nelligan, 2013; Arditi, 2021; Larroulet, Daza and Bórquez, 2023).

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Therefore, professional filmmakers should be protected and prevented from harm. Film producers need to take HSE (Health and Safety Environment, also known as Kesehatan dan Keselamatan Kerja. (K3), or Occupational Safety and Health) very seriously. This is mainly handled by the Producer(s), who delegate the matter to the Production Manager, first Assistant Director, and any other film crew with a duty of care (Small, 2020).

The HSE policies also need to be updated due to the rapid changing of several issues, including climate change (Sørensen and Noonan, 2022). Nevertheless, in some research, it is indicated that film industries still lack of the implementation of HSE (Sørensen and Noonan, 2022)

In Indonesian contexts, the national film industry, as of the date this research was conducted, has yet to take real actions regarding the protection of film workers in terms of the Health and Safety Environment (HSE). The tweet from cinematographer Satyani Adiwibowo above is just an example of the lack of HSE action as the late Adit had an accident at 3.00 am in the morning, indicating that there is no strict rule on working hours, health insurance, and standard operating procedures (SOP) on HSE.

This poor HSE implementation condition calls for three questions regarding three respective elements: first, the legal instruments are in force. Second, with the rapid growth of the film industry, it is time for the parties concerned to deliberate in a holistic manner over work health, protection, and safety and implement the laws pertaining to labor as a form of appreciation to film workers while improving professionalism. Third, the Indonesian film industry has been progressing well and is now going global. Therefore, protection for the country's film workers is required to make it compatible with the world's film industry conditions.

Regarding the three points mentioned, a system and procedure for HSE are significantly needed. Statistics Indonesia Body (Badan Pusat Statistik, BPS) shows that the growth in film, animation, and video subsector has been increasing, from 3.42% in 2015 to 10.1% in 2016, and it is the second highest growth after television and radio. Moreover, 11% of production houses have garnered Rp2.5-50 billion in profit, which is the second most significant earnings in the creative economy sector after the advertisement subsector (Setyowati, 2018).

However, when the research commenced, the research team did not find discourse or real actions to

address the issues pertaining to the work protection and safety of the film workers. For instance, there is no risk assessment or health and life insurance; regulations pertaining to child actors, work hours, and death compensation are not in place.

It is important to note that the paper does not focus on financial risks as discussed by Rimscha (2011) or Pokorny and Sedgwick (2012) but rather on health and safety on-set and film production in general regarding film workers.

The Contexts of HSE in the Film Industry

Safety in the workplace pertains to personal concerns, apprehensions, and anxiety around potential physical and psychological violence, necessitating a negotiation with these dangers (Phadke, 2005; Centre for Occupational Safety, 2022; Anderson, 2024). This situation can also be applied to film production in Indonesian contexts.

More in-depth research and dependable and comprehensive data related to film workers, particularly film technicians, and their HSE situation, although they are in high occupational mobility (Bourdouxhe and Toulouse, 2001), must be undertaken. This has led to the need for more data on HSE-related issues. Among scholars who wrote academic research on the topic there are two papers on specific films produced in the USA and a paper on health protocol in the Indonesian film industry during the pandemic era (Gawley and Dixon, 2020, 2021; Imanjaya and Rosidah, 2022).

For global conditions, according to Block (2021), there has been some research on "...the precarity of the median worker's employment, the hand-to-mouth existence, the conditions of work, the isolation and the lack of diversity", and all the papers lead to one key term: mental health. Mental health training is needed in the film and TV industry to overcome employee absenteeism, performance ratings, equipment accidents, and work injuries.

In the Australian context, Kerrigan *et al.* (2011) highlight the importance of the understanding and the application of Occupational Risk Management (ORM) within a student environment in film and screen departments via curriculum, particularly "...requirements of general education in the area of screen production, the development of student self-assessment skills in ORM, and the implementation of ORM processes and systems". In a Finland context, the need to implement HSE for student film productions is discussed (Anderson, 2024).

However, there has been a global increase in awareness in creative industries, particularly film production to be more concerned with safety (OHS) (Oughton, 2011), particularly during the pandemic (2020-2022) (Imanjaya and Rosidah, 2022; Phillips *et al.*, 2022).

Laws On HSE

The Indonesian Government has put into effect several laws on employment, which stipulate that every worker has the right to work safely and with health protection. Law No. 13 Year 2003 (Indonesian Labor Law - Act 13 of 2003, 2003) on Employment regulates the work hours and overtime, breaks and leaves, and the rights of employees. This research focuses on two articles in the Law: Article 86 (the right to work protection in the form of health and work safety, morals and decency, and to be treated as a human with honor and dignity and religious values) and Article 99 (the rights to receive employment social security, in this case, National Health Insurance and National Employment Social Scheme). The National Employment Security Scheme covers work safety security, death compensation, and retirement.

Health, Safety, and Environment (HSE) is defined as "any forms of activities conducted to protect the workers and ensure their safety and health as an effort to prevent occupational accidents and illness" as indicated in Government Regulation No. 50 the Year 2012 (Government Regulation, 2012).

In Law No. 33 Year 2009 on Movies, the issues addressed in this research are already stipulated. Article 20 of the Law stipulates that:

(4) Film workers, as mentioned in clause (2) and clause (3), receive: a) legal protection; b) insurance protection for risky film production/enterprises; c) work safety and health security; d) social security.

(5) Legal protection for underage film workers must comply with the children's rights as stipulated in the laws.

(6) The legal protection mentioned in clauses (4) and (5) should be in writing and cover the rights and obligations of the parties concerned as stipulated in the laws.

Article 47 stipulates that:

Every film worker has the right to a) have a recreation, innovate, and create in the film sector; b) work health and safety assurance; c) social security; d) legal protection; e) become an equal partner with employers in the film industry; f) form a profession

organization with its conducts; g) have insurance in high-risk film production; h) be paid according to the competency standards; and i) receive payment and/or royalty as set out in the agreement (Law No. 33 Tahun 2009, 2009)

So far, production houses have yet to make a real effort to implement Articles 20 and 47 of the Law on Film, let alone pay attention to HSE and enforcing the Employment Law. The paper will investigate why such phenomenon happened. Also, taking into account the rapid growth of the film industry, the authors are confident to say that it is time for the stakeholders concerned to heed those matters, under the assumption that they will continue to collaborate with foreign film industries, whose systems are more established and the people are more professional.

This research focuses on mapping out the issues of film workers' protection in terms of Health, Safety, and Environment and investigates the following matters: The country has regulations on work safety, work hours, and other labor-related regulations in force. The Film Laws explicitly stimulated those matters. However, the country's film industry needs to improve in terms of implementation. Why does this happen? What are the causes that hinder the implementation of such regulations? How can one implement the Labor, HSE, and Film Law in the country's film industry? Have unions and professional associations considered the safety and well-being of employees? What are the roles of unions and professional associations in realizing employees' safety and well-being systems? Should a labor union for film workers be considered?

METHOD

To answer the research questions above, the researchers employed two qualitative research methods as follows: the first is an in-depth interview method with relevant stakeholders. With these interviews, the researchers are expected to map out the problems of the poor implementation of Law No. 33 on Film (2009) and the Labor Law. The interviews took place in 2019 in Jakarta. The outcomes of the interviews comprise the data for the analysis, allowing us to come up with the solutions and recommendations for the stakeholders concerned. The researchers managed to interview four resource persons.

First, Gunawan Paggaru, the Head of the Organisation and Network Department of the

Indonesian Film Council (Badan Perfilman Nasional, BPI), currently Chairperson of the Association of Film and Television Workers, and Assessor for Indonesian National Work Competency Standards. Second, Han Revo Joang (art director, SKKNI assessor). Third, Barli Fibradi (director of photography, SKKNI Assessor). And last but not least, Fauzan Zidni as a representative of the film producer, which served as the Chairperson of the Association of Film Producers/Aprofi for 2016-2019.

The semi-structured interviews were undertaken separately and individually with the four sources in order to collect data and get the big picture of the analyzed problems. The researchers designed a list of questions formulated on the base of the mapping of problems related to HSE in the Indonesian film industry, and confirm the interviewees who are experiencing them in the fields. The first interviewee was Paggaru, who was also one of the persons behind the formulation of SKKNI in the film field. Other interviewees were Zidni (a representative of the film producer) and Fibradi and Joang, who were representatives of film workers and assessors. All of them were asked the same questions, and the researchers developed the questions according to their respective professions. There is no ethical clearance since the in-depth interviews explore the experience and knowledge of the interviewees with no indication or impact toward ethical issues.

The outcomes of the interviews were analyzed to find patterns, trends, and anomalies in the issues. By doing this, the authors will be able to map out the problems.

The second method is policy studies, in which the researchers analyzed the existing regulations pertaining to HSE and the film industry and their technical implementation in the field. Both methods are intertwined and closely related.

The research outcomes are a map of problems and an attempt to provide alternative solutions or recommendations to policymakers. Other outcomes are a short documentary in which the interviews are recorded. In other words, it would be a paper presented in an audiovisual format.

It is important to note that the research was conducted in 2019, right before the pandemic started directly impacting Indonesia in March 2020. Therefore, the authors excluded the discussion on the COVID-19-related health protocol.

Before continuing on the discussion of the three topics, the authors would like to emphasize that

there has been no academic research conducted on this issue--until recently when SINDIKASI (Serikat Pekerja Media dan Industri Kreatif untuk Demokrasi, Union of Media and Creative Industries for Democracy) published two papers, both independently (Izzati *et al.*, 2021) and in collaboration with the Indonesian Cinematography Society (ICS) (Raharjo, 2022)-- making this research even more valuable to enrich the analysis of a more current situation

RESULT

Before elaborating on the findings, it is essential to note that there is no standard SOP of HSE implemented nationally. The HSE was implemented partially, unintegrated, and sporadically. Each producer applies the HSE SOP on the basis of personal initiatives based on the policies of their respective companies and the agreement between producers and film workers contained in their respective contracts (Zidni, 2019). This subchapter explores the problems faced by the film industry before the pandemic and which is still happening.

Fibradi from the camera department, for example, explains that accidents potentially can happen anytime, due to the nature of the jobs. He mentions:

"In the camera department, we must tick all the boxes for HSE. For instance, anything related to strong electricity current. The same goes for heavy machinery. Sometimes, we use cars or other heavy machinery. It is not uncommon to see one accidentally sewn his hand or got hit by a huge tripod." (Fibradi, 2019)

Moreover, Fibradi also explains the mindset of pre-pandemic filmmakers toward HSE: "Back in the 90s, you would rather fall than the camera. This doesn't seem right. Then, I once worked with my seniors; the situation has now changed: if you fell, who would replace you? You could easily replace the camera. I think people started to become aware." (Fibradi, 2019). However, the discussion will exclude an analysis of health protocols and other pandemic-related situations applied to HSE.

As mentioned earlier, the aim of the discussion is to map out the problems surrounding HSE issues. The interviews with the four resource persons resulted in the following findings, as shown in the table 1.

As shown in Table 1, many things need to be reviewed regarding the implementation of HSE in

the Indonesian film industry. These include the need for multi-institution collaboration.

DISCUSSION

The juxtaposition of global and Indonesian contexts on Health, Safety, and Environment in the film business reveals notable parallels and disparities. The inadequate enforcement of HSE laws

in both instances has resulted in perilous working conditions. The global film industry has been well-documented for difficulties like prolonged working hours, unstable employment, and insufficient safety precautions (Bourdouxhe and Toulouse, 2001; Small, 2020). In Indonesia, film workers encounter considerable hazards owing to the lack of regulated health, safety, and environmental regulations and enforcement methods (Zidni, 2019).

Discussions with Indonesian industry workers and a representative of a film producer association further validate these conclusions. Han Revo observes that extended working hours and the absence of health insurance continue to be significant problems for film workers in Indonesia, with certain projects functioning under conditions that contravene international labor norms (Joang, 2019). Moreover, Joang (2019) observed that freelance workers face difficulties in obtaining equitable compensation and legal safeguards, a predicament similarly identified in worldwide film sectors characterized by precarious employment. Paggaru (2019) emphasizes that, although international co-productions must adhere to global safety standards, numerous local productions still lack adequate HSE training, rendering Indonesian sets more perilous than their Western equivalents. Zidni (2019) highlights that Indonesia's absence of a centralized regulating authority for film safety subjects workers to heightened hazards compared to those in highly regulated sectors. A significant concern is the absence of adequate health insurance and risk assessment systems. Countries such as Australia and the UK have implemented Health, Safety, and Environment rules, which encompass obligatory risk assessment protocols for film productions (Kerrigan *et al.*, 2011); conversely, Indonesia does not possess a cohesive framework to guarantee worker safety. The lack of a regulating authority for HSE oversight in the Indonesian film industry has led to inconsistent safety measure implementation, rendering workers susceptible to accidents (Paggaru, 2019). A significant difference between global and Indonesian contexts is the function of professional groups and labor unions. In nations such as the United States and the United Kingdom, film industry unions are crucial in championing workers' rights and upholding safety standards (Small, 2020). In Indonesia, there is a notable deficiency in organized labor representation, hindering film workers' ability to advocate for improved working conditions (Sindikasi, 2024). The formation of professional

Table 1. Mapping of Problems of HSE in Indonesian Film Industry

Factor	Elaboration
Awareness of the importance of HSE procedures	Lack of awareness.
Standard Operational Procedures (SOP)	Lack of SOP for HSE implementation.
HSE-related Law Enforcement	Poor law enforcement.
Health insurance system	No proper health insurance schemes were established.
Working hour	Working hours have not been nationally agreed.
The roles of professional associations	Not optimized to fight for the rights of their members.
The roles in the film union	No film union, HSE-related advisor, and information center
Socialization of HSE procedures	To establish a certification system or National Work Competency Standards (SKKNI).
Tripartite agreements	The need for undertaking tripartite agreements on work hours and having inter-institutional coordination and synergy to regulate health insurance, exceptional scheme of BPJS adjusted for film workers.
Institutions collaboration	The need for a Collective Labor Agreement (PKB) between the trade union and the association of film entrepreneurs, as well as the need for The Ministry of Manpower and The Ministry of Education and Culture and Tourism and Creative Industry to act more actively toward facilitating the making of Multi-Company Collective Bargaining Agreements for the film sector.
HSE-related Film Curriculum	The need for curriculum development and socialization regarding the importance and implementation of HSE in the film sector should be improved and undertaken (Raharjo 2022).

groups and collective bargaining agreements may serve as a viable solution to these difficulties (Joang, 2019). Furthermore, worldwide partnerships in filmmaking frequently need adherence to global safety regulations. Indonesian filmmakers aspiring to engage in co-productions with overseas firms are progressively mandated to exhibit HSE certification (Paggaru, 2019). This has resulted in an increasing recognition of the necessity for standardized training and certification programs, such as those implemented in Western film industries (Morawetz *et al.*, 2007).

In conclusion, although the issues confronting the Indonesian film industry regarding HSE are not unprecedented, the lack of stringent regulatory enforcement, uniform training initiatives, and labor representation intensifies the hazards for film workers. By assimilating worldwide best practices and implementing a more systematic approach to HSE, Indonesia may establish a safer and more sustainable working environment for its film industry workers.

To make a bigger picture, as per the elaboration of the analysis above, the author will map out four main factors of the HSE application in the film industry within Indonesian contexts, as follows:

Obstacles Impeding the Enforcement of HSE-related Legislation in the Film Industry

A principal challenge in enforcing HSE-related legislation within the Indonesian film industry is the absence of rigorous enforcement measures. Fibriadi emphasizes that although legal frameworks are established, their enforcement is undermined by bureaucratic inefficiencies and a lack of awareness among filmmakers (Fibriadi, 2019). This scenario differs from nations such as the United Kingdom, where regulatory agencies diligently oversee and enforce adherence to health and safety regulations (Kerrigan *et al.*, 2011). Moreover, Joang (2019) observes that numerous film makers in Indonesia prioritize cost reduction over adherence to safety regulations, a pattern similarly noted in other developing film industries.

Obstacles Pertaining to Working Hours and Health Insurance

The problem of prolonged working hours and insufficient health insurance continues to be a major worry for Indonesian film workers. According to Revo (2022), numerous manufacturing staff operate for over 16 hours daily, frequently without adequate

breaks, resulting in significant health hazards. In contrast to worldwide standards, exemplified by unions like IATSE in Hollywood, Indonesia lacks formal labor agreements to safeguard workers from exploitation (Small, 2020). Fibriadi (2022) asserts that the lack of employer-sponsored health insurance intensifies precarious circumstances, compelling numerous workers to incur out-of-pocket medical expenses, which deters them from pursuing necessary medical care.

Indonesian National Work Competency Standard as a Viable Alternative

To address these difficulties, the Indonesian National Work Competency Standard (SKKNI) has been suggested as a viable method for professionalizing the industry. Paggaru (2019) contends that the implementation of SKKNI will create standardized credentials for film professionals, guaranteeing that all staff fulfill fundamental safety and competency criteria prior to engaging on set. Fibriadi (2022) endorses this approach, proposing that obligatory training programs under SKKNI could address the knowledge deficit about HSE practices, akin to certification systems employed in the Australian and European film industries (Morawetz *et al.*, 2007).

The Significant Functions of Professional Associations and Labor Unions

Professional associations and labor unions are essential in promoting enhanced working conditions in the film industry. Nonetheless, as observed by Joang (2019), Indonesia is deficient in robust film unions that may negotiate improved salaries and safety measures. Conversely, nations such as the United States possess well-established unions that guarantee adherence to industry-wide health, safety, and environmental regulations (Small, 2020). Fibriadi (2022) asserts that fortifying professional groups, such as the Indonesian Film Workers Association, may facilitate the establishment of a collective bargaining framework to advocate for equitable labor policies and the implementation of health, safety, and environmental regulations.

CONCLUSION

To improve, HSE in the Indonesian film industry must be reviewed from multiple angles. It is shown that film workers are unaware of HSE and that stronger film associations and unions are needed.

Law enforcement in contracts, health insurance, partner collaboration, HSE-related information in Indonesian film education, and SKKNI application to all film professional associations should be evaluated.

All parties in film industry should discuss about the regulation and regulation regarding law enforcement implementing HSE in contracts, including health insurance. Another crucial step is for all parties to work together to implement HSE and include HSE information in Indonesian film education. The SKKNI approach provides film workers with applied HSE knowledge through their professional associations.

CONFLICT OF INTEREST

No significant competing financial, professional, or personal interests might have affected the performance.

AUTHORS' CONTRIBUTION

EI: Decided on the topic together, wrote the Introduction, Literature Review, Methodology, Results and Analysis, proofreading. CF: Initiated the idea, decided on the topic together, discussed and analyzed, shot and recorded the interviews, managed English translation.

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