

## Justice for PLHIV Workers: Islamic and National Legal Approaches to Protecting Labor Rights

Yoga Saputra<sup>1</sup>, Andi Agung Mallongi<sup>2</sup>, Mukhlisah Amin<sup>3</sup>

<sup>1,2</sup> Universitas Islam Negeri Alauddin Makassar, Indonesia

<sup>3</sup> University of Birmingham, United Kingdom

Email: [yogasnr78@gmail.com](mailto:yogasnr78@gmail.com), [andiagungmallongi@gmail.com](mailto:andiagungmallongi@gmail.com),  
[mx1691@student.bham.ac.uk](mailto:mx1691@student.bham.ac.uk)

### Abstract

Discrimination against individuals living with HIV/AIDS (PLHIV) in the workplace constitutes a grave violation of the principles of justice and non-discrimination upheld by both national and Islamic legal systems. This study aims to examine the legal protection of PLHIV's labor rights through the lens of national law and Islamic jurisprudence, while also evaluating the extent to which the principle of justice is reflected in employment practices across Indonesia. Employing a normative juridical approach, this research is grounded in a literature review of national regulations, human rights principles, and the objectives of Islamic law (*maqāṣid al-sharī'ah*). The findings reveal that despite legal safeguards, their implementation remains insufficient. Forms of discrimination persist in recruitment rejections, termination of employment, and restricted career advancement—conditions exacerbated by societal stigma and weak legal enforcement. From the perspective of Islamic law, the imperatives of *ḥifẓ al-naḥs* (protection of life) and *ḥifẓ al-'ird* (protection of dignity) underscore the necessity of equitable treatment for all individuals. The study advocates for an integrative approach that combines national and Islamic legal frameworks to ensure more comprehensive and just protections for PLHIV workers. Strengthening regulatory mechanisms, eliminating HIV-negative certification requirements in hiring processes, and conducting widespread public education are essential to fostering a more inclusive, stigma-free work environment.

**Keywords:** *Justice Protection, PLHIV, Islamic Law, National Law, Discrimination*

### Abstrak

Diskriminasi terhadap individu yang hidup dengan HIV/AIDS (PLHIV) di tempat kerja merupakan pelanggaran serius terhadap prinsip keadilan dan non-diskriminasi yang dijunjung tinggi oleh sistem hukum nasional maupun Islam. Penelitian ini bertujuan untuk mengkaji perlindungan hukum atas hak-hak ketenagakerjaan PLHIV melalui perspektif hukum nasional dan fiqih Islam, sekaligus mengevaluasi sejauh mana prinsip keadilan tercermin dalam praktik ketenagakerjaan di seluruh Indonesia. Menggunakan

pendekatan yuridis normatif, penelitian ini didasarkan pada tinjauan literatur terhadap peraturan nasional, prinsip-prinsip hak asasi manusia, dan tujuan hukum Islam (*maqāṣid al-sharī'ah*). Temuan menunjukkan bahwa meskipun terdapat jaminan hukum, implementasinya masih belum memadai. Bentuk-bentuk diskriminasi tetap terjadi dalam penolakan perekrutan, pemutusan hubungan kerja, dan pembatasan kemajuan karier—kondisi yang diperparah oleh stigma sosial dan penegakan hukum yang lemah. Dari perspektif hukum Islam, imperatif *ḥifẓ al-naḥs* (pelindungan nyawa) dan *ḥifẓ al-'ird* (pelindungan martabat) menekankan kebutuhan akan perlakuan yang adil bagi semua individu. Studi ini mengadvokasi pendekatan integratif yang menggabungkan kerangka hukum nasional dan Islam untuk memastikan perlindungan yang lebih komprehensif dan adil bagi pekerja PLHIV. Memperkuat mekanisme regulasi, menghilangkan persyaratan sertifikasi HIV negatif dalam proses perekrutan, dan melaksanakan pendidikan publik yang luas merupakan langkah-langkah penting menuju pembentukan lingkungan kerja yang lebih inklusif dan bebas stigma.

**Kata kunci:** Perlindungan Keadilan, Orang dengan HIV/AIDS (ODHA), Hukum Islam, Hukum Nasional, Diskriminasi

Istinbath: Jurnal Hukum

Website : <http://e-journal.metrouniv.ac.id/index.php/istinbath/index>

Received : 2025-12-29 | Published : 2025-06-30.



This is an open access article distributed under the terms of the [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/), which permits unrestricted use, distribution, and reproduction in any medium, provided the original work is properly cited.

## Introduction

Human Immunodeficiency Virus (HIV) remains a profound global public health challenge. According to an official WHO report (July 2024), by the end of 2023, there will be 39.9 million people living with HIV, with 1.3 million new infections and approximately 630,000 HIV-related deaths worldwide.<sup>1</sup> While advances in antiretroviral therapy have made HIV a controllable condition, the problems of HIV are not only medical.<sup>2</sup> In many countries, especially in developing regions such as Southeast Asia

<sup>1</sup>World Health Organization, "Global HIV Statistics 2023: Fact Sheet," Website World Health Organization, 2024.

<sup>2</sup> C. McGoldrick, "HIV and Employment," *Occupational Medicine* 62, no. 4 (2012): 242–53, <https://doi.org/10.1093/occmed/kqs051>.

and Africa, people living with HIV (PLHIV) still face stigma,<sup>3</sup> social exclusion,<sup>4</sup> and systemic discrimination, especially in the workforce.<sup>5</sup> People with HIV are usually referred to as PLHIV, which means people with HIV.<sup>6</sup> In Indonesia, PLHIV has now become one of the government's focuses in its prevention efforts due to the increasing number of PLHIV, and considering that, until now, there has been no drug found to treat HIV.<sup>7</sup> The Ministry of Health reports that HIV/AIDS cases are still high. The Ministry of Health predicts that there will be more than 500,000 HIV cases recorded by September 2023. Based on the estimated number of cases until September 2023, 515,455 people are living with HIV (PLHIV) in Indonesia. However, the high number of PLHIV cases has caused excessive concern and fear in most communities, resulting in discrimination against PLHIV, especially in the work environment.<sup>8</sup> Discrimination against PLHIV, such as ostracism, refusal to enter an institution, termination of employment, and dismissal, is an actions that violate rights.<sup>9</sup>

Therefore, it is necessary to protect the rights of all people, especially the protection of the right to work for PLHIV. Protecting the right to work for PLHIV is crucial in implementing a fair and discrimination-free system.<sup>10</sup> In line with this, as shown in a study by Titi Saparina et al. (2022) on the determinants of stigma against PLHIV, particularly in the working area of the Perumnas community health center, the

---

<sup>3</sup> Mohammad Taufiq Adiansyah, Andrei Ramani, and Ni'Mal Baroya, "Determinants of Stigma on People Living With Hiv and Aids in Indonesia (Evidence From 2017 Idhs Data)," *Indonesian Journal of Public Health* 18, no. 2 (2023): 291–301, <https://doi.org/10.20473/Ijph.v18i2.2023.291-301>.

<sup>4</sup> L. Sprague, S. Simon, and C. Sprague, "Employment Discrimination and HIV Stigma: Survey Results from Civil Society Organisations and People Living with HIV in Africa," *African Journal of AIDS Research* 10, no. SUPPL. 1 (2011): 311–24, <https://doi.org/10.2989/16085906.2011.637730>.

<sup>5</sup> Anisa Gita Aurelia and Rini Irianti Sunday, "Legal Protection for HIV/AIDS Workers: An Analysis of Minister of Manpower and Transmigration Regulation No. Kep. 68/Men/IV/2004 on HIV/AIDS Prevention and Control in the Workplace, in Conjunction with Law No. 13/2003," *Law Research Proceedings* 6 (2020): 98–102.

<sup>6</sup> Chandra Nugraha, *Resilience in People Living with HIV (ODHIV) Against Stigma and Discrimination in Depok City*, vol. 9 (2022).

<sup>7</sup> Adiansyah, Ramani, and Baroya, "Determinants of Stigma on People Living With Hiv and Aids in Indonesia (Evidence From 2017 Idhs Data)."

<sup>8</sup> Dhifa Iftanan Maitsa, Admiral Nelson Aritonang, and Helly Oktilia, "Discrimination Experienced by People Living with HIV/AIDS (ODHA) at Sehat Panghuripan Sukowati Foundation, Sragen Regency," *Indonesian Journal of Social Work* 4, no. 02 (2021): 127–45, <https://doi.org/10.31595/ijsw.v4i02.342>.

<sup>9</sup> Nanik Trishastuti and Pujiyono, "Reconstruction of Legal Protection and Human Rights Enforcement for Housewives's Against the Risk of HIV/AIDS Transmission from Their Husbands.," *Journal Legal Issues* 43, no. 4 (2014): 514–28, <https://doi.org/10.14710/mmh.43.4.2014.514-528>.

<sup>10</sup> M. Fisher and M. Henrickson, "Are Statutory Protections Sufficient to Protect People Living with HIV Who Are Employed in the Medical Workplace?," *International Journal of Healthcare Management* 12, no. 1 (2019): 75–80, <https://doi.org/10.1080/20479700.2017.1398387>.

frequency distribution of the total 90 respondents, according to community stigma against PLHIV, shows that the majority of respondents (83.3%) still have stigma against PLHIV, while only 16.7% of respondents show positive stigma. Furthermore, based on community perceptions, 55 respondents (61.1%) held negative perceptions of PLHIV, while only 35 (38.9%) held positive perceptions. This study reinforces the reality on the ground that stigma and negative perceptions by the community toward PLHIV remain highly prevalent, particularly in the workplace.<sup>11</sup>

Therefore, it is important to protect the rights of every person, especially the right to work for people living with HIV. Fulfilling this right is an integral part of creating a social system that is inclusive, fair, and free from discrimination. Various efforts have been made by various parties to overcome discrimination and stigma against PLHIV. Research conducted by Anisa and Sri (2025) identified that one such effort was made by Rumah Cemara, which focused its program on disseminating information and advocacy through various media, such as sports, social media, public spaces, and individual case management. Although this approach does not directly target the social environment of PLHIV, the results are considered effective in increasing public knowledge and promoting more inclusive attitudes toward PLHIV.<sup>12</sup>

In addition, peer support groups such as KDS Pakungwati in Cirebon City also play an important role in providing psychological counseling and social support. Through programs such as home visits and study clubs, KDS strives to reduce stigma and provide accurate information about HIV/AIDS, so that people living with HIV/AIDS feel more accepted in society. These efforts not only help PLWHA in facing health challenges but also contribute to improving their overall quality of life. With strong support from the community, it is hoped that negative stigma towards PLWHA can be minimized and they can live more independently and empowered.<sup>13</sup>

Some previous studies are relevant to this research. For example, Millah and Al-Dzikri (2023) focused their research on Indonesian migrant workers infected with HIV/AIDS. This study highlights the regulatory and social challenges PLHIV faces,

---

<sup>11</sup> Titi Saparina et al., "Determinan Stigma Terhadap Orang Dengan HIV/AIDS Di Wilayah Kerja Puskesmas Perumnas," *Jurnalkesehatan Masyarakat Celebes* 03, no. 01 (2022): 16–22.

<sup>12</sup> Anisa Safaat Faijah and Sri Sulastri, *Upaya Lembaga Pelayanan Sosial Dalam Menghapus Stigma Terhadap ODHIV/ODHA: Studi Kasus Di Rumah Cemara*, 14, no. 2 (2025): 88–103.

<sup>13</sup> Asriyanti Rosmalina and Dedi Kurnaedi, "Pendampingan Terhadap Orang Dengan HIV/AIDS Oleh Kelompok Dukungan Sebaya Pakungwati Kota Cirebon," *Dimasejati: Jurnal Pengabdian Kepada Masyarakat* 2, no. 1 (2020): 35, <https://doi.org/10.24235/dimasejati.v2i1.6650>.

especially regarding access to health services and protection from stigma. Another study by Lidia Febrianti et al. (2023) titled “Legal Protection of Contract Workers' Wages Viewed from Indonesian Labor Law and Islamic Law” significantly contributes to the discourse on protecting workers' rights. This research highlights the gap in wage protection for contract workers. It emphasizes the importance of applying the principles of justice in employment relations based on the dualism of the national and Islamic legal systems.<sup>14</sup> In a related context, Ananta and Ratna's (2021) research raised the issue of difficulties faced by people with disabilities in accessing employment in Semarang City. The study shows that vulnerable groups, such as people with disabilities, still face structural barriers in accessing their right to work, mainly due to weak policy implementation at the local level.<sup>15</sup> Although the subject of the study is different, namely persons with disabilities, the problems of structural discrimination and limited access that they experience have fundamental similarities with the challenges faced by PLHIV.<sup>16</sup>

Thus, this study offers novelty by integrating national law and Islamic law approaches to examine the protection of PLHIV labor rights. Unlike previous studies limited to specific groups or legal systems, this study emphasizes the principles of justice and non-discrimination and evaluates the effectiveness of coercive regulations. This approach broadens and deepens the understanding of legal protection for PLHIV while promoting the creation of an inclusive and fair work environment. It is important to review national regulations and human rights instruments that explicitly guarantee the principle of non-discrimination in employment to strengthen the normative basis of this integrative approach. Essentially, justice in the protection of workers' rights and the prohibition of discrimination are enshrined in Article 7 of the Universal Declaration of Human Rights (UDHR), Article 27(2) of the 1945 Constitution, Law No. 40 of 2008,

---

<sup>14</sup> Aimatul Millah and Mar'i Ghoni Al-Dzikri, "Implementation Of The Protection Of Indonesian Migrant Workers Infected With Human Immunodeficiency Virus And Acquired Immunodeficiency Syndrome," *Pulpit Of Yustitia: Journal of Law and Human Rights* 7, no. 2 (2023): 127–43.

<sup>15</sup> Lidia Febrianti et al., “Legal Protection of Contract Worker Wages Based on Indonesian Labor Law and Islamic Law,” *JCOSTING: Journal of Economic, Bussines and Accounting (COSTING)* 5, no. 2 (2022): 1755–64, <https://doi.org/10.31539/costing.v6i1.4120>.

<sup>16</sup> Ananta Refka Nanda and Ratna Herawati, “Challenges and Solutions for People with Disabilities in Semarang City in Accessing Employment,” *Indonesian Journal of Legal Development* 3, no. 3 (2021): 325–36, <https://doi.org/10.14710/jphi.v3i3.325-336>.

Ananta Refka Nanda and Ratna Herawati, “Kendala Dan Solusi Bagi Penyandang Disabilitas Kota Semarang Dalam Mengakses Pekerjaan,” *Jurnal Pembangunan Hukum Indonesia* 3, no. 3 (2021): 325–36, <https://doi.org/10.14710/jphi.v3i3.325-336>.

and the Labor Law No. 13 of 2003.<sup>17</sup> All these written regulations affirm the principle of non-discrimination as a fundamental human right, concluding that discrimination, especially against PLHIV, is completely unacceptable in any form. However, the majority of society still ignores these regulations and is more concerned with protecting themselves, despite not fully understanding the transmission of HIV.

Efforts to eliminate discrimination, especially against PLHIV, are in line with the words of Allah SWT in Q.S Al-Hujurat Verse 13, which, in essence, based on the interpretation, this verse emphasizes that all humans are equal before Allah and differences between humans whether from ethnicity, nation, race, even disorders are a gift given by Allah SWT so that we know each other. Thus, discrimination in no way reflects the noble nature that follows the teachings of Islam and is even very contrary to the joyful teachings of Islam. Muhammad Quraish Shihab asserts that differences between humans are a sign of the greatness of Allah SWT. This difference should be a reason to get to know each other and work together, not to demean or discriminate against each other. Based on the verses and opinions of experts, it shows that discrimination is against the teachings of Islam and Islamic Law.<sup>18</sup>

Discrimination against PLHIV is not only a violation of human rights, but also contradicts the principles of justice taught in Islam and guaranteed in the national legal system. This study aims to determine the legal protection of the employment rights of PLHIV through the Islamic and national legal approaches and to examine the extent to which the principles of justice and non-discrimination have been implemented in employment practices. This research is based on the assumption that discrimination against<sup>19</sup> PLHIV in the Workplace occurs due to a lack of understanding of the applicable legal norms and the suboptimal integration of justice values in Islamic law into the labor protection system in Indonesia. Based on this assumption, the hypothesis proposed in this study is that an integrative approach between Islamic law and national law can provide a more comprehensive and effective legal protection model in

---

<sup>17</sup> Aurelia and Sundry, "Legal Protection for HIV/AIDS Workers: An Analysis of Minister of Manpower and Transmigration Regulation No. Kep. 68/Men/IV/2004 on HIV/AIDS Prevention and Control in the Workplace, in Conjunction with Law No. 13/2003."

<sup>18</sup> Quraish Shihab Muhammad, *Tafsir Al-Mishbah: Pesan, Kesan Dan Keserasian al-Qur'an* (Jakarta: Lentera Hati, 2001).

<sup>19</sup> Deri Firmansyah and Asep Suryana, "The Concept of Moral Education: A Study of Tafsir Surah Al Hujurat Verses 11-13," " *Al-Mutharahah: Journal of Social and Religious Research and Studies* 19, no. 2 (2022): 58–82, <https://doi.org/10.46781/al-mutharahah.v19i2.538>.

guaranteeing the employment rights of PLHIV and eliminating discriminatory practices in the workplace.

### **Research Methodology**

This study uses a normative legal approach involving library research by examining primary and secondary legal materials. Primary legal materials include relevant legislation such as Law Number 11 of 2020 concerning Job Creation, Law Number 39 of 1999 concerning Human Rights, Law Number 5 of 2014 concerning the State Civil Apparatus, Regional Regulation Number 12 of 2018 on HIV and AIDS, and the Minister of Manpower and Transmigration Decree Number KEP.68/MEN/IV/2004 on the Prevention and Control of HIV and AIDS in the Workplace. Secondary legal materials include relevant literature such as books, scientific journals, and expert legal opinions supporting this study's analysis. This research also incorporates a doctrinal approach through the study of Islamic law by referring to primary sources such as the Qur'an, Hadith, and Ijma' to understand the concept of justice and the protection of the rights of PLHIV from the perspective of Islamic law.

Two main theories are used as the foundation. First, John Rawls' Theory of Justice, which emphasizes the importance of fair distribution of rights and protection for vulnerable groups. In this context, PLHIV are a group that often faces discrimination, and the Rawlsian approach demands a legal system that ensures equal treatment and access to their fundamental rights.<sup>20</sup> Second, the Theory of *maqāṣid al-sharī'ah* in Islamic law focuses on the five main objectives of Sharia: the protection of religion, life, intellect, lineage, and property. The protection of PLHIV can be analyzed within the framework of *ḥifẓ al-naḥs* (preservation of life) and *ḥifẓ al-'ird* (preservation of dignity), where Islam provides a strong foundation for respect, justice, and humane treatment of every individual, including those living with HIV/AIDS.<sup>21</sup>

### **Discussion**

#### **PLHIV in the Perspective of Human Rights and National Law**

People living with HIV/AIDS (PLHIV) are among the most vulnerable

---

<sup>20</sup> Laura Zavatta and Rocco Cantelmo, "If Justice Wins : Theoretical-Legal Reflections on Rawls and the Current Situation," *Journal of Law and Criminal Justice* 12, no. June (2024): 23–31, <https://doi.org/10.15640/jlcj.v12a3>.

<sup>21</sup> Paryadi, "Maqashid Syariah : Definisi Dan Pendapat Para Ulama," *Cross-Border* 4, no. 2 (2021): 201–16.

groups to stigma and discrimination.<sup>22</sup> As a vulnerable group, PLHIV is entitled to guarantees and protection of its fundamental rights.<sup>23</sup> In this context, human rights instruments and national law are essential in ensuring equal treatment. From a human rights perspective, the elimination of discrimination is emphasized in the International Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ratified by Law No. 7 of 1984, and further reinforced through Law No. 29 of 1999 and Law No. 40 of 2008 on the Elimination of Racial and Ethnic Discrimination.<sup>24</sup> Furthermore, Articles 2 and 9(3) of Law No. 39 of 1999 on Human Rights affirm that human rights are inherent to every individual and that everyone has the right to a good and healthy living environment. This includes the right of PLHIV to live a better and more dignified life.<sup>25</sup>

Based on these provisions, the state must protect and fulfill the rights of PLHIV in legal, political, educational, and employment contexts.<sup>26</sup> The spirit of eliminating discrimination aligns with the principle of the rule of law, which places the protection of human rights as a fundamental element. Indonesia has demonstrated its commitment to human rights through the amendments to the 1945 Constitution, especially Articles 28A–28J, which guarantee the constitutional rights of all citizens regardless of background. However, the implementation of human rights protections for PLHIV in Indonesia still faces challenges.<sup>27</sup> Stigma and discrimination remain major barriers to healthcare, education, and employment.<sup>28</sup>

According to the National Human Rights Commission (Komnas HAM), such discrimination not only violates human rights but also hinders national efforts to

---

<sup>22</sup> C.R. Nwanna, “Discrimination Against People With HIV and AIDS in the Workplace: A Lagos State Example,” in *Research Anthology on Cross-Industry Challenges of Industry 4.0* (2021), 3:1255–75, <https://doi.org/10.4018/978-1-6684-2405-6.ch064>.

<sup>23</sup> L. Gernholtz, “An Overview of Some of the Key Legal Developments in HIV/AIDS and the Law - 2003,” *Southern African Journal of HIV Medicine*, no. 14 (2004): 40–43, <https://doi.org/10.4102/sajhivmed.v5i1.571>.

<sup>24</sup> Gaghegang Agyta, “Discrimination Against HIV/AIDS Patients According to Human Rights,” *Lex et Societatis* 26, no. 4 (2013): 1–37.

<sup>25</sup> Sprague, Simon, and Sprague, “Employment Discrimination and HIV Stigma: Survey Results from Civil Society Organisations and People Living with HIV in Africa.”

<sup>26</sup> R. Brands, “New ILO Standard on HIV Rejects Discrimination against HIV-Positive Workers,” *HIV/AIDS Policy & Law Review / Canadian HIV/AIDS Legal Network* 15, no. 1 (2010): 58–59.

<sup>27</sup> Andi Muhammad Asrun, “Human Rights in the Framework of the Ideals of the State of Law,” *Journal of Legal Cipta* 4, no. 1 (2016): 133–54, <https://doi.org/10.15408/jch.v4i1.3200>.

<sup>28</sup> Sprague, Simon, and Sprague, “Employment Discrimination and HIV Stigma: Survey Results from Civil Society Organisations and People Living with HIV in Africa.”



combat HIV/AIDS. Legally, Article 28D (1) of the 1945 Constitution guarantees every citizen's fair treatment and legal certainty, while Article 28H (1) affirms the right to physical and mental well-being, adequate housing, and healthcare without discrimination.<sup>29</sup> The phrase “every person” in these provisions includes vulnerable groups such as PLHIV.<sup>30</sup>

Table 1. Correlation between the 1945 Constitution and PLHIV Rights

| No | Article of the 1945 Constitution   | PLHIV Rights   |
|----|--|--|
| 1. | <b>Article 28 A:</b> Stipulates that everyone has the right to life, the right to defend their life and livelihood   | PLHIV have the right to live and maintain their lives. The fulfillment of this right can be obtained through the fulfillment of health rights, education rights, employment rights, and so on.   |
| 2. | <b>Article 28 B paragraphs (1), (2), (3), and (4)</b> stipulate that every person has the right to form a family through legal marriage, the right to survival, growth, and development, and the right to protection from violence and discrimination. | PLHIV have the right to form a family and have offspring, with the note that the fulfillment of these rights needs attention by the government and health workers to prevent the spread of HIV/AIDS transmission. PLHIV also have the right to protection from any action that may cause violence and discrimination through the establishment of a special institution by the government, established to protect PLHIV. |

<sup>29</sup> Komnas HAM, “Pemenuhan Hak Asasi Manusia Bagi Orang Dengan HIV Dan Populasi Kunci,” Website Resmi Komnas HAM RI, 2024.

<sup>30</sup> Trishastuti and Pujiyono, “Reconstruction of Legal Protection and Human Rights Enforcement for Housewives’s Against the Risk of HIV/AIDS Transmission from Their Husbands.”

|    |   |   |
|----|---|---|
| 3. | <b>Article 28 C paragraphs (1), (2), (3), and (4)</b> stipulate that everyone has the right to self-development, education to improve their quality of life, the right to obtain from science and technology, and the right to advance themselves collectively to build their society, nation, and country.   | PLHIV have the right to participate in programs to help them develop themselves and improve their quality of life. They can also continue their education without discrimination and benefit from science and technology. |
| 4. | <b>Article 28 D paragraphs (1), (2), (3) and (4):</b> Stipulates that everyone has the right to fair recognition, guarantees, protection and legal certainty as well as equal treatment before the law, the right to work and get fair and decent compensation and treatment in labor relations, the right to equal opportunities in government and citizenship status. | PLHIV have the right to legal recognition, including equal opportunity, access to public facilities, legal assistance, employment based on ability regardless of disease status, and employment in government agencies.   |
| 5. | <b>Article 28 G paragraphs (1), (2), and (3)</b> stipulate that everyone has the right to protection of personal and family honor and dignity, the right to security and protection from threats of fear to do or not do something, and the right to be free from torture and degrading treatment.  | PLHIV have the right to personal protection in the event of threats or acts of violence that can deprive them of honor and dignity, the right to security and protection from threats of fear from irresponsible parties. |
| 6. | <b>Article 28 H paragraphs (1), (2) (3), (4), (5) and (6):</b> Stipulates that  | PLHIV have the right to prosper physically and mentally   |

|  |   |  |
|--|---|--|
|  | every person has the right to live in physical and mental prosperity, the right to live, the right to a good and healthy environment, the right to obtain health services, the right to obtain convenience and special treatment and the right to obtain social security. | including all forms of access they need, the right to a good living environment not to be isolated or marginalized in the community because of their disease status, the right to obtain health services, especially access to information about HIV/AIDS, access to good services and not discrimination, access to cheap and easy drugs and the provision of social security to meet the needs of PLHIV. |
|--|---|--|

In addition to constitutional guarantees, specific regulations such as the Minister of Health Regulation No. 21 of 2013 on HIV/AIDS Prevention and Control, and Law No. 36 of 2009 on Health, reinforce the principle of non-discrimination and the right of PLHIV to healthcare services. Despite the existence of a strong legal framework, discriminatory practices against PLHIV, especially in the workplace, still occur frequently.<sup>31</sup> In Islam, Justice is a fundamental principle that demands equal treatment and respect for the rights and obligations of every individual. All people are considered equal before God. Islam emphasizes fairness, the fulfillment of obligations, and the prohibition of taking others' rights unjustly.<sup>32</sup>

In this context, discrimination against the employment rights of PLHIV is contrary to the principle of Justice in Islam. Every individual has the same right to employment opportunities without stigma and unfair treatment, as emphasized in *maqāṣid al-sharī'ah*, which emphasizes the importance of protecting the soul (*ḥifẓ al-nafs*) and property (*ḥifẓ-mal*).<sup>33</sup> In addition, the concept of Justice in Islam has

---

<sup>31</sup> S. Kisting et al., "Improving Health Workers' Access to HIV and TB Prevention, Treatment, Care and Support Services.," *World Hospitals and Health Services: The Official Journal of the International Hospital Federation* 46, no. 4 (2010): 34–35.

<sup>32</sup> Muhammad A. Khan, "Justice in Economics: An Islamic Perspective," in *Islamic Economics and Human Well-Being*, no. 2 (2024), 1:66–108, <https://doi.org/10.4337/9781035333691.00012>.

<sup>33</sup> Jalili Ahmad, "Maqashid Theory In Islamic Law," *Journal Of Sharia and Law* 3, no. 1 (2021):

also been affirmed by Allah swt in his word QS. Verse 8 of the Qur'an says:

يَا أَيُّهَا الَّذِينَ آمَنُوا كُونُوا قَوَّامِينَ لِلَّهِ شُهَدَاءَ بِالْقِسْطِ وَلَا يَجْرِمَنَّكُمْ شَنَا نُ قَوْمٍ عَلَىٰ أَلَّا تَعْدِلُوا ۗ اعْدِلُوا ۖ هُوَ أَقْرَبُ لِلتَّقْوَىٰ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ خَبِيرٌ بِمَا تَعْمَلُونَ

Translation:

“O you who have believed, be steadfast in the cause of Allah and the witnesses with justice. Let not hatred of a people drive you to injustice. Be, for that is nearer to piety. Fear Allah. Indeed, Allah is aware of what you do.”

The principle of justice is also a core value in the Indonesian legal system. As part of Pancasila, Justice is reflected in Articles 27 and 28 of the 1945 Constitution and Law No. 39 of 1999 on Human Rights. The state is also responsible for protecting vulnerable groups, including women, children, persons with disabilities, and individuals with infectious diseases.<sup>34</sup> In practice, however, justice is not always experienced equally. In the workforce, for example, PLHIV often face discriminatory treatment or are unjustly dismissed.<sup>35</sup> Therefore, the state must strengthen the national legal system to ensure that the principle of justice is effectively upheld, especially in protecting vulnerable populations.<sup>36</sup> By enforcing laws fairly and without discrimination, the state can realize comprehensive justice and safeguard the fundamental rights of all its citizens, including PLHIV.<sup>37</sup>

### Discrimination Against PLHIV in The World of Work

Discrimination refers to the unequal treatment of individuals or groups based on race, ethnicity, religion, or social status. Discrimination against PLHIV often occurs unconsciously and is even considered normal by some in society.<sup>38</sup> However, such actions contradict moral principles and democratic values. Politics also frequently

---

1–14, <http://ejournal.stainkepri.ac.id/index.php/teraju>.

<sup>34</sup> Sumarta Sumarta, Burhandin Burhanudin, and Tenda Budiyo, “Maqasid Al-Shariah Promotes Justice and Balance in Islamic Law,” *Journal Khulasah Islamic Studies* 6, no. 1 (2024): 16–31, <https://doi.org/10.55656/kisj.v6i1.120>.

<sup>35</sup> Suheri Ana, “Realizing Justice In Society From The Perspective Of National Law,” *Journal Morality* 4, no. 1 (2018).

<sup>36</sup> H.M. Idiong et al., “An Assessment of the Implementation of the HIV Workplace Policy in Akwa Ibom State: A Cross-Sectional Descriptive Study,” *BMC Health Services Research* 25, no. 1 (2025), <https://doi.org/10.1186/s12913-025-12586-z>.

<sup>37</sup> Nurtresna Robby, *The Role Of Law In Achieving Social Justice In Society*, 4, no. 2 (2019): 1581–96, <https://doi.org/10.53363/bureau.v4i2.429>.

<sup>38</sup> R. Elliott and J. Gold, “Protection against Discrimination Based on HIV/AIDS Status in Canada: The Legal Framework,” *HIV/AIDS Policy & Law Review / Canadian HIV/AIDS Legal Network* 10, no. 1 (2005): 20–31.

influences the substance of laws, reinforcing systemic discrimination and hindering the realization of justice.<sup>39</sup> According to Theodson and Doob, discrimination is a form of domination by the majority against minority groups perceived as weaker, often restricting their access to resources through legal or social means. In the context of PLHIV, discrimination is fueled by deeply rooted stigma, largely due to a lack of understanding about HIV.<sup>40</sup>

PLHIV are often associated with sexual minorities, even though HIV can also be transmitted through blood transfusions, needle sharing, or from mother to child during pregnancy, childbirth, or breastfeeding.<sup>41</sup> This stigma discourages many from getting tested, disclosing their status, or seeking treatment—ultimately worsening the spread of the virus. The main sources of stigma toward PLHIV include:<sup>42</sup>

1. Fear and Misconceptions

A lack of education leads to misunderstandings about how HIV is transmitted.

2. Moral Judgments

HIV is often linked to deviant behavior, reinforcing negative stereotypes.

3. Lack of Accurate Information

Limited education perpetuates myths, even among healthcare workers.

4. Lack of Positive Representation

Success stories of PLHIV are rarely publicized, reinforcing negative views.

<sup>43</sup>

Factors contributing to workplace discrimination include lack of information, low education levels, societal influence, and poor economic conditions.<sup>44</sup> Data shows that the number of PLHIV in Indonesia remains high. As of June 2024, 503,201 people

---

<sup>39</sup> S.R. Christie, “Aids, Employment, and the Direct Threat Defense: The Burden of Proof and the Circuit Court Split,” *Fordham Law Review* 76, no. 1 (2007): 235–82.

<sup>40</sup> Salma Aisha and Malika Baby Natasha, “Legal Protection Analysis For Discrimination Victims In Indonesia,” *Journal Of Multidisciplinary Technology and Architecture* 2, no. 1 (2024): 409–17, <https://doi.org/10.57235/motekar.v2i1.2334>.

<sup>41</sup> Anita Dhewy, “Stigma and Discriminatory Regional Regulations Hinder People Living with HIV/AIDS (PLWHA) from Accessing Healthcare Services,” INFID International NGO Forum on Indonesian Development, 2024.

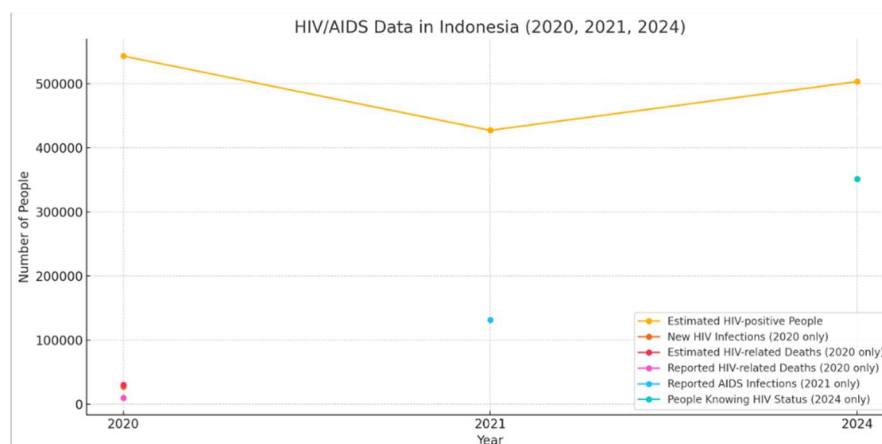
<sup>42</sup> Dr. Pittara, “Causes of HIV and AIDS,” Alodokter, 2024.

<sup>43</sup> Muhammad Sultan, “HIV/AIDS and Its Impact on Productivity in Indonesian Workplaces,” *Journal of Health* 14, no. 2 (2021): 83–89, <https://doi.org/10.32763/juke.v14i2.272>.

<sup>44</sup> Fatma Afrianty Gobel, “Stigma and Discrimination Against People Living with HIV/AIDS: Whose Duty and Responsibility?,” *Indonesia’s AIDS Policy*, 2014.

were living with HIV, but only 351,378 were aware of their status—highlighting ongoing gaps in information and access to healthcare. Forms of Workplace Discrimination.<sup>45</sup> Discrimination against PLHIV in the Workplace is a serious violation of human rights. Creating an inclusive work environment requires collaborating with the government, companies, and society. Education alone is not enough—strong policies, consistent enforcement, and real legal protections are essential to uphold the rights of PLHIV.<sup>46</sup>

PLHIV worldwide is 39 million people by the end of 2022 (WHO,2023). The data on the number of HIV infections in Indonesian in recent years, starting from 2020 to 2024, was still relatively high. The following is an abbreviation of the information from the available data:



- Year 2020: there are an estimated 543,100 HIV-positive people in Indonesia, an estimated 27,580 people are infected with HIV, and as many as 30,100 HIV-positive people are estimated to have died, of which 10,103 cases of death have been reported.
- Year 2021: as of March 2021, the total number of reported HIV infections was 427,201, of which 131,417 were AIDS infections.<sup>47</sup>
- Year 2024: It is estimated that the number of people living with HIV will reach 503,201 people. As of June 2024, there are still 351,378 HIV-positive people

<sup>45</sup> Hreeloita Dharma Shanti, “The Ministry Of Health Estimates That The Number Of People Living With HIV In Indonesia Has Reached 543,100 Individuals,” ANTARA Indonesian News Agency, 2021.

<sup>46</sup> C. Vézina, “AIDS in the Workplace: A Program That’s Still Relevant.,” *Canadian HIV/AIDS Policy & Law Review / Canadian HIV/AIDS Legal Network* 9, no. 1 (2004): 24–26.

<sup>47</sup> Shanti, “The Ministry Of Health Estimates That The Number Of People Living With HIV In Indonesia Has Reached 543,100 Individuals.”

who know their HIV status.<sup>48</sup>

The strong stigma and discrimination against PLHIV need to be overcome with ethical training, be it ethics in medical or ethics in proper treatment. Indonesian National Commission on Women's Rights Retty Ratnawati stressed the importance of a universal human rights-based approach in the handling and Prevention of HIV/AIDS, stating that “HIV and people with HIV should be treated following HIV should be treated following universal human rights. You have the right to life, the right to information, and the right to services provided by the state”. Retty also added that no one should prevent PLHIV from getting their rights. People with HIV are also human and should be cared for, not abandoned or ignored when sick.<sup>49</sup> This is important in terms of awareness and the importance of education against HIV/AIDS. The various forms of stigma and discrimination that occur in the workplace include:

Table 2: Types of Discrimination

| No | Forms of Discrimination         | Brief Description   |
|----|---------------------------------|---|
| 1  | Rejection in Job Recruitment    | Individuals with HIV status often experience exclusion in the job recruitment process due to stigma and misconceptions about disease transmission.                      |
| 2  | Termination of Employment (PHK) | Companies often dismiss workers identified as PLHIV without objective medical grounds, but rather because of prejudice.   |
| 3  | Career Restrictions             | People living with HIV are often denied opportunities for promotion or further training because they are considered incapable of working productively in the long term. |

### 1. Rejection in Job Recruitment

People living with HIV (PLHIV) are often rejected when applying for jobs due to the negative stigma surrounding HIV. Some companies even require an HIV-free

<sup>48</sup> “Commitment Gathering Meeting for Achieving the 2024 HIV Viral Load Target,” “Provincial Health Office of Lampung,” 2024.

<sup>49</sup> Dhewy, “Stigma and Discriminatory Regional Regulations Hinder People Living with HIV/AIDS (PLWHA) from Accessing Healthcare Services.”

certificate, although HIV status does not affect a person's work capability. A 2024 study in Manado revealed that some companies still require an HIV-free certificate as a job requirement. A young man named Renaldi (25 years old) was rejected after a test showed he was HIV positive. This violates the Decree of the Minister of Manpower and Transmigration of the Republic of Indonesia No. Kep.68/Men/IV/2004, which prohibits the use of HIV tests as a requirement for recruitment or continued employment. Adiansyah et al. (2023) also found that stigma often stems from limited public knowledge about HIV.<sup>50</sup> Blake et al. (2025) emphasized that educational approaches alone are ineffective without formal policy support. This kind of discrimination hampers HIV control programs and limits access to healthcare and decent employment for PLHIV. Therefore, collaboration between the government, companies, and society is essential to build an inclusive, stigma-free work environment.<sup>51</sup>

## **2. Termination of Employment (Layoffs)**

Many PLHIV are dismissed due to their health status, even though there are no legal or medical grounds prohibiting them from working. If HIV testing is conducted, the results are confidential and should not be disclosed.<sup>52</sup> In Manado, 11 out of 50 respondents in a study reported being dismissed after being found HIV positive. Frederika (35), an employee at a clothing store, was dismissed after her employer and colleagues found out about her HIV status.<sup>53</sup> Despite explaining how HIV is transmitted, the company refused to tolerate her condition. This violates Article 38 of Law No. 39 of 1999 on Human Rights, which guarantees every citizen the right to decent work. The dismissal of PLHIV is not only a human rights violation but also contributes to structural poverty, which is difficult to resolve without fair and inclusive policies.<sup>54</sup>

---

<sup>50</sup> Adiansyah, Ramani, and Baroya, "Determinants of Stigma on People Living With Hiv and Aids in Indonesia (Evidence From 2017 Idhs Data)."

<sup>51</sup> Holly Blake et al., "Voluntary HIV Testing and Counselling Initiatives in Occupational Settings: A Scoping Review," *International Journal of Environmental Research and Public Health* 22, no. 2 (2025): 1–23, <https://doi.org/10.3390/ijerph22020263>.

<sup>52</sup> Fisher and Henrickson, "Are Statutory Protections Sufficient to Protect People Living with HIV Who Are Employed in the Medical Workplace?"

<sup>53</sup> Iftanan Maita, Aritonang, and Oktilia, "Discrimination Experienced by People Living with HIV/AIDS (ODHA) at Sehat Panghuripan Sukowati Foundation, Sragen Regency."

<sup>54</sup> Vania Grace Sianturi, M. Syafii, and Ahmad Albar Tanjung, "Analisis Determinasi Kemiskinan Di Indonesia Studi Kasus (2016-2019)," *Jurnal Samudra Ekonomika* 5, no. 2 (2021): 125–33, <https://doi.org/10.33059/jse.v5i2.4270>.



### 3. Career Restrictions

PLHIV often face obstacles in career advancement due to stigma. In the Philippines—where HIV is spreading fastest in the Asia-Pacific—legal protections exist, but enforcement remains weak.<sup>55</sup> Kevin (36), a call center employee in Cagayan de Oro, was diagnosed with HIV in March 2025.<sup>56</sup> Despite his good performance, he was forced to resign due to his health status. He lost his job, benefits, and promotion opportunities, which affected his self-esteem and prospects. A similar case involved Dion (born 1993), who worked for a marketing company in Jakarta. In 2018, he failed to become a permanent employee after a medical test revealed he was HIV positive, despite his excellent performance. He lost the chance to be promoted and to secure a permanent position.<sup>57</sup>

### The Impact of Negative Discrimination on The Lives of People With HIV and The Work Environment

#### 1. Mental Health Disruption

Stigma and discrimination in the workplace make people living with HIV (PLHIV) vulnerable to stress and mental health disorders. According to Prof. Tjhin Wiguna (University of Indonesia), social pressure and lack of support lead to social isolation and depression. Many PLHIV feel anxious about losing their jobs or being unable to work due to their condition. A U.S. study of 2,800 PLHIV found that 36% experienced major depression and 15.8% had generalized anxiety disorders. In Indonesia, as of June 2024, there were 503,201 PLHIV, but only 217,482 were receiving antiretroviral (ARV) treatment.<sup>58</sup> A survey by Jaringan Indonesia Positif found that 19.2% of PLHIV discontinued ARV treatment due to stigma, and 15.9% experienced discrimination from healthcare workers in non-HIV facilities.<sup>59</sup>

#### 2. Decreased Work Productivity PLHIV often experience reduced productivity.

Due to frequent absences caused by illness or psychological stress. Disclosing

---

<sup>55</sup> Elliott and Gold, “Protection against Discrimination Based on HIV/AIDS Status in Canada: The Legal Framework.”

<sup>56</sup> “Philippines: Discrimination Against Workers with HIV,” *Human Rights Watch*, 2018.

<sup>57</sup> “Fired For HIV-AIDS,” Cemara House, 2018.

<sup>58</sup> Deonisia Arlinta, “Stigma Against Workers with HIV/AIDS Triggers Mental Health Issues,” 2019.

<sup>59</sup> “Backfire and a Total Disaster-Should People With HIV Have to Disclose Their Status When Visiting The Dentist?,” BBC News Indonesia, 2024.

HIV status can increase stress due to fear of discrimination. Without support from companies—such as flexible work hours and health programs—the quality of human resources declines, and the work environment becomes unfavorable.<sup>60</sup> This results in economic losses, increased healthcare costs, and threatens business sustainability.<sup>61</sup> However, due to privacy concerns, companies rarely publish data on HIV-positive employees, making it difficult to document cases, though discriminatory practices are evident.<sup>62</sup>

### **3. Non-Inclusive Work Environment**

An exclusive work environment worsens the situation for PLHIV. Social stigma discourages them from disclosing their HIV status, leading to anxiety and distress. Weak corporate policies exacerbate the situation, making PLHIV feel unsafe and unappreciated.<sup>63</sup>

#### **a) Social Stigma**

Research by Tristanto et al. (2022) found that social and internal stigma significantly increase anxiety and reduce work effectiveness.<sup>64</sup> A study by Korkmaz et al. (2023) in Turkey revealed that many PLHIV conceal their status due to an unsafe work environment, showing that stigma is not only personal but structurally embedded in workplace culture.<sup>65</sup>

#### **b) Weak Corporate Policies**

An ILO-Gallup survey (2022–2023) showed that 60% of respondents supported mandatory HIV testing, and 40% were unwilling to work with PLHIV.<sup>66</sup> Few companies provide training or legal protection. This leads to

---

<sup>60</sup> Sultan, “HIV/AIDS and Its Impact on Productivity in Indonesian Workplaces.”

<sup>61</sup> S. Bott et al., “Rewards and Challenges of Providing HIV Testing and Counselling Services: Health Worker Perspectives from Burkina Faso, Kenya and Uganda,” *Health Policy and Planning* 30, no. 8 (2015): 964–75, <https://doi.org/10.1093/heapol/czu100>.

<sup>62</sup> Haerul Anwar, “Understanding Work Productivity Among HIV-Positive Employees: An Exploration of Productivity in the Workplace,” *Journal Creative Dynamics in Strategic Management* 06, no. 4 (2024): 55–60, <https://journalpedia.com/1/inde.php/dkms/index>.

<sup>63</sup> Fitra Yani, Fatma Sylvana, and Anto J. Hadi, “Stigma Masyarakat Terhadap Orang Dengan HIV/AIDS (ODHA) Di Kabupaten Aceh Utara,” *Media Publikasi Promosi Kesehatan Indonesia (MPPKI)* 3, no. 1 (2020): 56–62, <https://doi.org/10.56338/mppki.v3i1.1028>.

<sup>64</sup> Titiek Djannatun et al., *Vulnerability of Young Workers to the Risk of HIV Infection and Access to Social Protection*, ed. Purwa Kurnia Sucahaya (Jakarta: International Labour Organization, 2023).

<sup>65</sup> Nevin KORKMAZ, Servet ÖZTÜRK, and Haydar SUR, “HIV-AIDS Stigma in the Workplace: A Qualitative Study in Türkiye,” *Journal of Health Systems and Policies* 5, no. 2 (2023): 121–34, <https://doi.org/10.52675/jhesp.1355273>.

<sup>66</sup> Anita Johan et al., *Prevention and Control of HIV/AIDS in the Workplace*, ed. dr. Anita Johan

chronic stress and reduces the work performance of PLHIV. Government regulation and strong company commitment are needed to protect PLHIV rights.<sup>67</sup>

c) Harassment (Abuse)

PLHIV often face offensive comments and humiliating treatment. A study by Stefanovic et al. (2025) in the Indonesian Journal of Health Promotion found that stigma and harassment are strongly linked to increased depression and lower quality of life.<sup>68</sup> The more frequently harassment occurs, the greater the psychological impact and decline in workplace productivity.<sup>69</sup>

## Conclusion

This study reveals that legal protections for the labor rights of people living with HIV/AIDS (PLHIV) in Indonesia remain largely formalistic and have yet to address the substantive dimensions of justice fully. Although national regulations and international human rights instruments explicitly guarantee the right to work and prohibit discrimination, real-world practices show that PLHIV are still frequently subjected to employment rejection, termination, and career limitations solely due to their health status. These challenges are further compounded by widespread societal ignorance about HIV and the weak enforcement of existing legal frameworks.

From an Islamic legal perspective, such discriminatory treatment contradicts the principles of justice (*'adālah*) and the protection of life (*hifz al-nafs*), both of which are foundational to the objectives of Islamic law (*maqāṣid al-sharī'ah*). Islam upholds equality and human dignity, regardless of an individual's health condition. Accordingly, an integrative approach that harmonizes national legal norms with Islamic ethical values is essential to establishing a protection framework that is not only legally sound but also morally transformative.

The primary contribution of this research lies in its proposal of a holistic model for protecting PLHIV's labor rights, grounded in the concept of substantive justice. This

---

(Jakarta: International Labour Organization, 2022).

<sup>67</sup> International Labour Organization (ILO), *HIV and AIDS in the Workplace: A Survey of Attitudes, Perceptions and Practices in Indonesia* (2023).

<sup>68</sup> Sasmitaningtyas Prihasti, "World AIDS Day: Rampant Discrimination Against ODHA In The World Of Work," Never Okey, 2022.

<sup>69</sup> Claudio Stefanovic, Ika Febianti Buntoro, and Dickson Alan Legoh, "Quality of Life, Perceived Stigma, and Depression Among People Living with HIV / AIDS," *Jurnal Promosi Kesehatan Indonesia* 20, no. 2 (2025): 102–6, <https://doi.org/10.14710/jpki.20.2.102-108>.

model holds strong relevance for the development of inclusive labor policies. Its implications include the need for the state to reinforce anti-discrimination regulations, promote widespread public education to dismantle stigma, and embed Islamic justice values within organizational cultures. Moreover, this study sets the stage for future empirical research to support normative arguments with field-based data.

### **Bibliography**

- Adiansyah, Mohammad Taufiq, Andrei Ramani, and Ni'Mal Baroya. "Determinants of Stigma on People Living With Hiv and Aids in Indonesia (Evidence From 2017 Idhs Data)." *Indonesian Journal of Public Health* 18, no. 2 (2023): 291–301. <https://doi.org/10.20473/Ijph.v18i2.2023.291-301>.
- Agyta, Gaghenggang. "Discrimination Against HIV/AIDS Patients According to Human Rights." *Lex et Societatis* 26, no. 4 (2013): 1–37.
- Ahmad, Jalili. "Maqashid Theory In Islamic Law." *Journal Of Sharia and Law* 3, no. 1 (2021): 1–14. <http://ejournal.stainkepri.ac.id/index.php/teraju>.
- Aisha, Salma, and Malika Baby Natasha. "Legal Protection Analysis For Discrimination Victims In Indonesia." *Journal Of Multidisciplinary Technology and Architecture* 2, no. 1 (2024): 409–17. <https://doi.org/10.57235/motekar.v2i1.2334>.
- Ana, Suheri. "Realizing Justice In Society From The Perspective Of National Law." *Journal Morality* 4, no. 1 (2018).
- Anwar, Haerul. "Understanding Work Productivity Among HIV-Positive Employees: An Exploration of Productivity in the Workplace." *Journal Creative Dynamics in Strategic Management* 06, no. 4 (2024): 55–60. <https://journalpedia.com/1/inde.php/dkms/index>.
- Arlinta, Deonisia. "Stigma Against Workers with HIV/AIDS Triggers Mental Health Issues." 2019.
- Asrun, Andi Muhammad. "Human Rights in the Framework of the Ideals of the State of Law." *Journal of Legal Cipta* 4, no. 1 (2016): 133–54. <https://doi.org/10.15408/jch.v4i1.3200>.
- Aurelia, Anisa Gita, and Rini Irianti Sundry. "Legal Protection for HIV/AIDS Workers: An Analysis of Minister of Manpower and Transmigration Regulation

- No. Kep. 68/Men/IV/2004 on HIV/AIDS Prevention and Control in the workplace, in Conjunction with Law No. 13/2003.” *Law Research Proceedings* 6 (2020): 98–102.
- BBC News Indonesia. “Backfire and a Total Disaster-Should People With HIV Have to Disclose Their Status When Visting The Dentist?” 2024.
- Blake, Holly, Mehmet Yildirim, Stephanie J. Lax, and Catrin Evans. “Voluntary HIV Testing and Counselling Initiatives in Occupational Settings: A Scoping Review.” *International Journal of Environmental Research and Public Health* 22, no. 2 (2025): 1–23. <https://doi.org/10.3390/ijerph22020263>.
- Bott, S., M. Neuman, S. Helleringer, A. Desclaux, K.E. Asmar, and C.M. Obermeyer. “Rewards and Challenges of Providing HIV Testing and Counselling Services: Health Worker Perspectives from Burkina Faso, Kenya and Uganda.” *Health Policy and Planning* 30, no. 8 (2015): 964–75. <https://doi.org/10.1093/heapol/czu100>.
- Brands, R. “New ILO Standard on HIV Rejects Discrimination against HIV-Positive Workers.” *HIV/AIDS Policy & Law Review / Canadian HIV/AIDS Legal Network* 15, no. 1 (2010): 58–59.
- Cemara House. “Fired For HIV-AIDS.” 2018.
- Christie, S.R. “Aids, Employment, and the Direct Threat Defense: The Burden of Proof and the Circuit Court Split.” *Fordham Law Review* 76, no. 1 (2007): 235–82.
- Dhewy, Anita. “Stigma and Discriminatory Regional Regulations Hinder People Living with HIV/AIDS (PLWHA) from Accessing Healthcare Services.” INFID International NGO Forum on Indonesian Development, 2024.
- Djannatun, Titiek, Maya Trisiswat, Siti Maulidya Sari, and Eri Dian Maharsi. *Vulnerability of Young Workers to the Risk of HIV Infection and Access to Social Protection*. Edited by Purwa Kurnia Sucahaya. Jakarta: International Labour Organization, 2023.
- Elliott, R., and J. Gold. “Protection against Discrimination Based on HIV/AIDS Status in Canada: The Legal Framework.” *HIV/AIDS Policy & Law Review / Canadian HIV/AIDS Legal Network* 10, no. 1 (2005): 20–31.
- Faijah, Anisa Safaat, and Sri Sulastri. *Upaya Lembaga Pelayanan Sosial Dalam Menghapus Stigma Terhadap ODHIV/ODHA: Studi Kasus Di Rumah Cemara*.

- 14, no. 2 (2025): 88–103.
- Febrianti, Lidia, Rosyidi Hamzah, Febrina Andarina Zaharnika, and Puti Mayang Seruni. “Legal Protection of Contract Worker Wages Based on Indonesian Labor Law and Islamic Law.” *JCOSTING: Journal of Economic, Bussines and Accounting (COSTING)* 5, no. 2 (2022): 1755–64. <https://doi.org/10.31539/costing.v6i1.4120>.
- Firmansyah, Deri, and Asep Suryana. “The Concept of Moral Education: A Study of Tafsir Surah Al Hujurat Verses 11-13.” *Al-Mutharahah: Journal of Social and Religious Research and Studies* 19, no. 2 (2022): 58–82. <https://doi.org/10.46781/al-mutharahah.v19i2.538>.
- Fisher, M., and M. Henrickson. “Are Statutory Protections Sufficient to Protect People Living with HIV Who Are Employed in the Medical Workplace?” *International Journal of Healthcare Management* 12, no. 1 (2019): 75–80. <https://doi.org/10.1080/20479700.2017.1398387>.
- Gertholtz, L. “An Overview of Some of the Key Legal Developments in HIV/AIDS and the Law - 2003.” *Southern African Journal of HIV Medicine*, no. 14 (2004): 40–43. <https://doi.org/10.4102/sajhivmed.v5i1.571>.
- Gobel, Fatma Afrianty. “Stigma and Discrimination Against People Living with HIV/AIDS: Whose Duty and Responsibility?” *Indonesia’s AIDS Policy*.
- HAM, Komnas. “Pemenuhan Hak Asasi Manusia Bagi Orang Dengan HIV Dan Populasi Kunci.” Website Resmi Komnas HAM RI, 2024.
- Idiong, H.M., A.M. Ekanem, E. Nwanja, P.E. Idiong, and E.A. Udofia. “An Assessment of the Implementation of the HIV Workplace Policy in Akwa Ibom State: A Cross-Sectional Descriptive Study.” *BMC Health Services Research* 25, no. 1 (2025). <https://doi.org/10.1186/s12913-025-12586-z>.
- Iftanan Maitsa, Dhifa, Admiral Nelson Aritonang, and Helly Oketilia. “Discrimination Experienced by People Living with HIV/AIDS (ODHA) at Sehat Panghuripan Sukowati Foundation, Sragen Regency.” *Indonesian Journal of Social Work* 4, no. 02 (2021): 127–45. <https://doi.org/10.31595/ijsw.v4i02.342>.
- (ILO), International Labour Organization. *HIV and AIDS in the Workplace: A Survey of Attitudes, Perceptions and Practices in Indonesia*. 2023.
- Johan, Anita, Jovita Krisita, Heli Rosa Gunadi, Eddy, Nisrina Fariha, Bayu Suryo Aji,

- Nathanael, Lusiana Sanjaya, and Rafael Nanda Raudranisala. *Prevention and Control of HIV/AIDS in the Workplace*. Edited by dr. Anita Johan. Jakarta: International Labour Organization, 2022.
- Khan, Muhammad A. “Justice in Economics: An Islamic Perspective.” In *Islamic Economics and Human Well-Being*, 1:66–108. no. 2. 2024. <https://doi.org/10.4337/9781035333691.00012>.
- Kisting, S., S. Wilburn, M. Protsiv, and L.N. Hsu. “Improving Health Workers’ Access to HIV and TB Prevention, Treatment, Care and Support Services.” *World Hospitals and Health Services: The Official Journal of the International Hospital Federation* 46, no. 4 (2010): 34–35.
- KORKMAZ, Nevin, Servet ÖZTÜRK, and Haydar SUR. “HIV-AIDS Stigma in the Workplace: A Qualitative Study in Türkiye.” *Journal of Health Systems and Policies* 5, no. 2 (2023): 121–34. <https://doi.org/10.52675/jhesp.1355273>.
- McGoldrick, C. “HIV and Employment.” *Occupational Medicine* 62, no. 4 (2012): 242–53. <https://doi.org/10.1093/occmed/kqs051>.
- Muhammad, Quraish Shihab. *Tafsir Al-Mishbah: Pesan, Kesan Dan Keserasian al-Qur’an*. Jakarta: Lentera Hati, 2001.
- Nanda, Ananta Refka, and Ratna Herawati. “Kendala Dan Solusi Bagi Penyandang Disabilitas Kota Semarang Dalam Mengakses Pekerjaan.” *Jurnal Pembangunan Hukum Indonesia* 3, no. 3 (2021): 325–36. <https://doi.org/10.14710/jphi.v3i3.325-336>.
- Nugraha, Chandra. *Resilience in People Living with HIV (ODHIV) Against Stigma and Discrimination in Depok City*. Vol. 9. 2022.
- Nwanna, C.R. “Discrimination Against People With HIV and AIDS in the Workplace: A Lagos State Example.” In *Research Anthology on Cross-Industry Challenges of Industry 4.0*, 3:1255–75. 2021. <https://doi.org/10.4018/978-1-6684-2405-6.ch064>.
- Organization, World Health. “Global HIV Statistics 2023: Fact Sheet.” Website World Health Organization, 2024.
- Paryadi. “Maqashid Syariah : Definisi Dan Pendapat Para Ulama.” *Cross-Border* 4, no. 2 (2021): 201–16.
- “Philippines: Discrimination Against Workers with HIV.” *Human Rights Watch*, 2018.

- Pittara, Dr. "Causes of HIV and AIDS." Alodokter, 2024.
- Prihasti, Sasmithaningtyas. "World AIDS Day: Rampant Discrimination Against ODHA In The World Of Work." Never Okey, 2022.
- "Provincial Health Office of Lampung." "Commitment Gathering Meeting for Achieving the 2024 HIV Viral Load Target." 2024.
- Robby, Nurtresna. *The Role Of Law In Achieving Social Justice In Society*. 4, no. 2 (2019): 1581–96. <https://doi.org/10.53363/bureau.v4i2.429>.
- Rosmalina, Asriyanti, and Dedi Kurnaedi. "Pendampingan Terhadap Orang Dengan HIV/AIDS Oleh Kelompok Dukungan Sebaya Pakungwati Kota Cirebon." *Dimasejati: Jurnal Pengabdian Kepada Masyarakat* 2, no. 1 (2020): 35. <https://doi.org/10.24235/dimasejati.v2i1.6650>.
- Saparina, Titi, Firmansyah, MUhammad Ikhsan Akbar, and Abdul Rahim Sya Ban. "Determinan Stigma Terhadap Orang Dengan HIV/AIDS Di Wilayah Kerja Puskesmas Perumnas." *Jurnalkesehatan Masyarakat Celebes* 03, no. 01 (2022): 16–22.
- Shanti, Hreeloita Dharma. "The Ministry Of Health Estimates That The Number Of People Living With HIV In Indonesia Has Reached 543,100 Individuals." ANTARA Indonesian News Agency, 2021.
- Sprague, L., S. Simon, and C. Sprague. "Employment Discrimination and HIV Stigma: Survey Results from Civil Society Organisations and People Living with HIV in Africa." *African Journal of AIDS Research* 10, no. SUPPL. 1 (2011): 311–24. <https://doi.org/10.2989/16085906.2011.637730>.
- Stefanovic, Claudio, Ika Febianti Buntoro, and Dickson Alan Legoh. "Quality of Life, Perceived Stigma, and Depression Among People Living with HIV / AIDS." *Jurnal Promosi Kesehatan Indonesia* 20, no. 2 (2025): 102–6. <https://doi.org/10.14710/jpki.20.2.102-108>.
- Sultan, Muhammad. "HIV/AIDS and Its Impact on Productivity in Indonesian Workplaces." *Journal of Health* 14, no. 2 (2021): 83–89. <https://doi.org/10.32763/juke.v14i2.272>.
- Sumarta, Sumarta, Burhandin Burhanudin, and Tenda Budiyo. "Maqasid Al-Shariah Promotes Justice and Balance in Islamic Law." *Journal Khulasah Islamic Studies* 6, no. 1 (2024): 16–31. <https://doi.org/10.55656/kisj.v6i1.120>.



- Trishastuti, Nanik, and Pujiyono. "Reconstruction of Legal Protection and Human Rights Enforcement for Housewives's Against the Risk of HIV/AIDS Transmission from Their Husbands." *Journal Legal Issues* 43, no. 4 (2014): 514–28. <https://doi.org/10.14710/mmh.43.4.2014.514-528>.
- Vania Grace Sianturi, M. Syafii, and Ahmad Albar Tanjung. "Analisis Determinasi Kemiskinan Di Indonesia Studi Kasus (2016-2019)." *Jurnal Samudra Ekonomika* 5, no. 2 (2021): 125–33. <https://doi.org/10.33059/jse.v5i2.4270>.
- Vézina, C. "AIDS in the Workplace: A Program That's Still Relevant." *Canadian HIV/AIDS Policy & Law Review / Canadian HIV/AIDS Legal Network* 9, no. 1 (2004): 24–26.
- Yani, Fitra, Fatma Sylvana, and Anto J. Hadi. "Stigma Masyarakat Terhadap Orang Dengan HIV/AIDS (ODHA) Di Kabupaten Aceh Utara." *Media Publikasi Promosi Kesehatan Indonesia (MPPKI)* 3, no. 1 (2020): 56–62. <https://doi.org/10.56338/mppki.v3i1.1028>.
- Zavatta, Laura, and Rocco Cantelmo. "If Justice Wins : Theoretical-Legal Reflections on Rawls and the Current Situation." *Journal of Law and Criminal Justice* 12, no. June (2024): 23–31. <https://doi.org/10.15640/jlcj.v12a3>.