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ANDALAS BORNEO JUSTICE

Original Article

Legal Policy on Labour Protection Following the Enactment of Law Number 27 of 2026: Between Labour Market Flexibility and Social Justice.

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Abstract

Developments in Indonesian labour policy reveal an interplay between the need for labour market flexibility and the fulfilment of the principle of social justice. The enactment of Law Number 27 of 2026 on Labour Protection marks an important moment in the restructuring of labour regulation, which had previously been oriented towards ease of doing business and job creation. This study aims to analyse the direction of legal policy on labour protection following the enactment of that law and to formulate a regulatory framework that balances labour market flexibility with the protection of workers' rights. It uses a normative legal method with statutory, conceptual, and historical approaches. The legal materials are analysed qualitatively through systematic and teleological interpretation. The findings show that the enactment of Law Number 27 of 2026 reflects a tendency for legal policy to shift towards stronger worker protection, achieved through limits on flexibility in employment relationships, expanded social security, and greater legal certainty. However, this strengthening of norms does not yet fully guarantee the realisation of social justice without effective supervision and law enforcement. The study proposes a legal policy framework based on the concept of flexicurity, which integrates labour market flexibility with the certainty of employment relationships, social protection, competency development, and social dialogue. It concludes that the balance between economic interests and social justice must be achieved through adaptive labour policy that is oriented towards protecting workers' constitutional rights and supported by sustained law enforcement mechanisms.

Keywords: Legal Policy; Labour Protection; Labour Market Flexibility; Social Justice; Flexicurity.

Introduction

Labour law is an important instrument for realising social justice and safeguarding workers' constitutional rights.[1][2] Article 27(2) and Article 28D(2) of the 1945 Constitution of the Republic of Indonesia affirm citizens' right to work, to a decent livelihood, and to fair treatment in employment relationships. However, economic development and competition for investment have driven labour

[1] A. Supiot, 'Labour is not a commodity: The content and meaning of work in the twenty-first century', *International Labour Review*, 160.1 (2021), 1–20 https://doi.org/10.1111/ilr.12205; R. Dukes dan W. Streeck, 'Labour law after neoliberalism?', *Journal of Law and Society*, 50.2 (2023), 165–184 https://doi.org/10.1111/jols.12423.

[2] Irkham Syahrul Rozikin dan Muhyiddin, 'Transformasi Pasar Kerja di Indonesia: Studi Kebijakan Ketenagakerjaan dalam UU Cipta Kerja', *Journal of Social Movements*, 2.1 (2025), 15–40 (hlm. 16–17) https://doi.org/10.62491/jsm.v2i1.2025.31.

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policy to become increasingly oriented towards labour market flexibility.[3] Such policy gives businesses room to improve efficiency and productivity, but it may also weaken the certainty of employment relationships and the protection of workers' rights.[4] Rozikin and Muhyiddin show that flexibility achieved through fixed-term employment agreements and outsourcing can help adjust labour requirements, but also raises problems concerning job security and workers' welfare.

This dynamic was reflected in the enactment of Law Number 6 of 2023 on Job Creation, which sparked debate over the balance between investment interests and labour protection.[5][6] In Constitutional Court Decision Number 168/PUU-XXI/2023, the Court affirmed the need to restructure labour regulation in a standalone statute in order to resolve disharmony among norms and legal uncertainty.[7] As a follow-up, the government and the House of Representatives (*Dewan Perwakilan Rakyat*, DPR) enacted Law Number 27 of 2026 on Labour Protection, which came into force on 28 October 2026. The law introduces several strengthened protections, including social security arrangements for informal-sector workers, a prohibition on the withholding of workers' diplomas, and limits on the duration of fixed-term employment agreements.[8] Nevertheless, this regulatory change still leaves open questions about the direction of legal policy (*politik hukum*) to be developed, particularly in positioning labour market flexibility and social justice as two interests that must be balanced.[9]

Rozikin and Muhyiddin have examined the relationship between labour market flexibility and worker protection through the regulation of fixed-term employment agreements, outsourcing, wages, and severance pay. Their study contributes to identifying the risks of income insecurity and limited

3 T. L. Caraway, 'Labor Standards and Labor Market Flexibility in East Asia', *Studies in Comparative International Development*, 45.2 (2010), 225–249 https://doi.org/10.1007/s12116-010-9061-0; M. R. Jazuli, M. M. Idris dan P. Yaguma, 'The importance of institutional quality: Reviewing the relevance of Indonesia's Omnibus Law on national competitiveness', *Humanities and Social Sciences Communications*, 9 (2022), art. 334 https://doi.org/10.1057/s41599-022-01343-w.

4 B. H. Juliawan, 'Extracting Labor from Its Owner: Private Employment Agencies and Labor Market Flexibility in Indonesia', *Critical Asian Studies*, 42.1 (2010), 25–52 https://doi.org/10.1080/14672710903537464; A. L. Kalleberg, 'Precarious Work, Insecure Workers: Employment Relations in Transition', *American Sociological Review*, 74.1 (2009), 1–22 https://doi.org/10.1177/000312240907400101.

5 N. R. Izzati, 'Deregulation in Job Creation Law: The Future of Indonesian Labor Law', *Padjadjaran Journal of Law*, 9.2 (2022) https://doi.org/10.22304/pjih.v9n2.a3; A. Sanders dkk., 'The Omnibus Law on Job Creation and its potential implications for rural youth and future farming in Indonesia', *Asia Pacific Viewpoint*, (2024) https://doi.org/10.1111/apv.12408; A. Kususiyanah dkk., 'Trends and Landscape of Omnibus Law Research: A Bibliometric Analysis', *Volksgeist*, 7.2 (2024) https://doi.org/10.24090/volksgeist.v7i2.9633.

6 Mahkamah Konstitusi Republik Indonesia, Putusan Nomor 168/PUU-XXI/2023, 31 Oktober 2024, bagian pertimbangan hukum mengenai pembentukan undang-undang ketenagakerjaan tersendiri.

7 P. Mahy, 'Indonesia's Omnibus Law on Job Creation: Legal Hierarchy and Responses to Judicial Review in the Labour Cluster of Amendments', *Asian Journal of Comparative Law*, 17.1 (2022), 51–75 https://doi.org/10.1017/asjcl.2022.7; A. Irawan dan M. Hamka, 'Finality of Constitutional Court Judicial Decisions and the Validity of the Elected President's Office in Indonesia: Finalitas Putusan Peradilan Mahkamah Konstitusi dan Keabsahan Jabatan Presiden Terpilih di Indonesia', *Judge Journal of Judicial Studies*, 1.1 (2026), 198–223.

8 Republik Indonesia, Undang-Undang Nomor 27 Tahun 2026 tentang Pelindungan Ketenagakerjaan, Lembaran Negara Republik Indonesia Tahun 2026 Nomor 179, Tambahan Lembaran Negara Republik Indonesia Nomor 7222, khususnya ketentuan mengenai jaminan sosial, dokumen pribadi pekerja, dan perjanjian kerja waktu tertentu.

9 S. P. Hadi, R. S. Hamdani dan A. Roziqin, 'A sustainability review on the Indonesian job creation law', *Heliyon*, 9.2 (2023), e13431 https://doi.org/10.1016/j.heliyon.2023.e13431; M. N. K. Dewi dan A. Basir, 'Indonesia's Omnibus Law and Protection of Labor Rights', *Amsir Law Journal*, 5.1 (2023) https://doi.org/10.36746/alj.v5i1.309; A. Irawan, 'Hukum Islam dalam Kerangka Pembaruan Hukum Pidana di Indonesia, Dilihat dari Perspektif Teori Hukum Pembangunan Mochtar Kusumaatmadja', *Al-Hurriyah: Jurnal Hukum Islam*, 4.2 (2019), 98–110 https://doi.org/10.30983/alhurriyah.v4i2.1571.

social protection in non-standard employment relationships.[10][11] However, their analysis remains focused on labour regulation prior to the enactment of Law Number 27 of 2026. The novelty of the present study therefore lies in its analysis of the shift in legal policy on labour after the enactment of the new law, using the principle of social justice and the protection of workers' constitutional rights as the basis for assessing the legitimacy of labour market flexibility policy.

This study is needed to assess whether the enactment of Law Number 27 of 2026 reflects stronger worker protection or merely a rearrangement of labour norms without a fundamental change in policy orientation. It aims to analyse the direction of legal policy on labour protection and to formulate a regulatory framework that can balance labour market flexibility with social justice. On this basis, the research problems are formulated as follows: (1) What is the direction of legal policy on labour protection following the enactment of Law Number 27 of 2026? (2) What legal policy framework for labour can ensure a balance between labour market flexibility and social justice?

Method

This study is normative legal research oriented towards the analysis of legal norms and the direction of legislative policy in labour regulation in Indonesia. It adopts a statute approach, a conceptual approach, and a historical approach. The statute approach is used to examine changes in labour regulation following the enactment of Law Number 27 of 2026. The conceptual approach is used to explore the relationship between legal policy, labour market flexibility, worker protection, and the principle of social justice.[12] The historical approach, in turn, is used to trace the development of labour policy[13] and the background to the enactment of the new regulation. baru.[1]

The research sources consist of primary, secondary, and tertiary legal materials. The primary legal materials comprise the 1945 Constitution of the Republic of Indonesia, Law Number 13 of 2003, Law Number 6 of 2023, Law Number 27 of 2026, and Constitutional Court Decision Number 168/PUU-XXI/2023. The secondary legal materials were obtained from books, scholarly journal articles, and research findings relevant to legal policy and labour protection. The legal materials were collected through library research. All legal materials were analysed qualitatively using systematic and teleological interpretation, by comparing changes in norms, identifying the policy orientation of the legislators, and evaluating the conformity of the norms with the principle of social justice and the protection of workers' constitutional rights. The results of the analysis are used to formulate a legal policy framework for labour that balances labour market flexibility and worker protection.

Results and Discussion

Direction of Legal Policy on Labour Protection Following the Enactment of Law Number 27 of 2026

Labour legal policy is a manifestation of state policy in determining the direction of regulation of the relations between workers, employers, and the government. The formulation of labour regulation

[10] C. Marwan, A. Nawas dan R. Habeahan, 'Legal Protection of Outsourced Workers Under Indonesia's Job Creation Law: Between Labor Market Flexibility and Workers' Rights', *Adalah*, 10.2 (2026) https://doi.org/10.15408/adalah.v10i2.51243; Z. Husin, 'Outsourcing sebagai Pelanggaran atas Hak Pekerja di Indonesia', *Jurnal Kajian Pembaruan Hukum*, 1.1 (2021), 1–24 https://doi.org/10.19184/jkph.v1i1.23396.

[11] Rozikin dan Muhyiddin, 'Transformasi Pasar Kerja di Indonesia', hlm. 19–20.

[12] R. Dukes, 'Authoritarian liberalism: a labour law perspective', *European Law Open*, 1.1 (2022), 150–157 https://doi.org/10.1017/elo.2022.5.

[13] T. L. Caraway, 'Labor Rights in East Asia: Progress or Regress?', *Journal of East Asian Studies*, 9.2 (2009), 153–186 https://doi.org/10.1017/S1598240800002976; M. Ford dan G. M. Sirait, 'The state, democratic transition and employment relations in Indonesia', *Journal of Industrial Relations*, 58.2 (2016), 229–242 https://doi.org/10.1177/0022185615617956.

cannot be separated from the economic and social interests that develop in society.[14][15][16] Moh. Mahfud MD explains that law is a product of politics whose formation is influenced by a country's political configuration. A democratic political configuration tends to produce responsive legal products, whereas an authoritarian one tends to give rise to conservative or orthodox legal products. In the labour context, legal policy should be directed not only at increasing investment and economic growth but also at protecting workers' rights as part of carrying out the constitutional mandate.

The view of law as a product of politics needs to be complemented by an understanding of law's function as an instrument of social reform. The development law theory (*teori hukum pembangunan*) advanced by Mochtar Kusumaatmadja places law not only as a guardian of order but also as an instrument for directing social change in an orderly manner. Irawan, applying this theoretical perspective in a study of criminal law reform, shows that national law reform must take into account the values living in society so that the norms created gain social acceptance and can be implemented effectively.[17] In the field of labour, this perspective affirms that regulatory reform should be directed not only at market needs but must also reflect the values of social justice, *gotong royong* (mutual cooperation), and respect for workers' dignity as embodied in *Pancasila* and the 1945 Constitution of the Republic of Indonesia. Legal policy on labour can therefore be assessed from two sides: the political configuration behind its formation and the capacity of its norms to steer industrial relations towards a more just order.

The development of Indonesian labour regulation reveals an interplay between the need for labour market flexibility and the protection of workers. Law Number 13 of 2003 on Labour essentially regulated industrial relations by treating labour protection as one of the objectives of labour development. This regulatory orientation evolved through Law Number 6 of 2023 on Job Creation, which emphasised regulatory simplification, increased investment, and the creation of employment opportunities. These changes gave greater room for flexibility in managing the workforce. However, flexibility policy also raised problems concerning the certainty of employment status, non-permanent employment relationships, and the effectiveness of the protection of workers' rights.[18]

Guy Standing explains that labour market flexibility encompasses flexibility in wages, employment relationships, job structures, and workers' skills. Such flexibility can enhance firms' ability to cope with economic change, but it may reduce job security where adequate protection mechanisms are absent.[19] This view shows that flexibility is not merely a matter of economic efficiency but also concerns the distribution of risk between employers and workers. When changes in production needs are borne entirely by workers through contractual and income uncertainty, industrial relations are likely to move further away from the principle of social justice.[20]

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[14] B. H. Juliawan, 'Street-level politics: Labour protest in post-authoritarian Indonesia', *Journal of Contemporary Asia*, 41.3 (2011), 349–370 https://doi.org/10.1080/00472336.2011.582706; V. R. Hadiz, 'Still the "Opium of the Masses"? Religion and Labour Struggles in Indonesia', *Journal of Contemporary Asia*, (2024) https://doi.org/10.1080/00472336.2024.2311075.

[15] E. Aspinall dan M. Mietzner, 'Indonesia's Democratic Paradox: Competitive Elections amidst Rising Illiberalism', *Bulletin of Indonesian Economic Studies*, 55.3 (2019), 295–317 https://doi.org/10.1080/00074918.2019.1690412; J. Baker, 'Reformasi Reversal: Structural Drivers of Democratic Decline in Jokowi's Middle-Income Indonesia', *Bulletin of Indonesian Economic Studies*, 59.3 (2023), 341–364 https://doi.org/10.1080/00074918.2023.2286020.

[16] Moh. Mahfud MD, *Politik Hukum di Indonesia*, edisi revisi, cetakan ke-3 (Jakarta: Rajawali Pers, 2010), hlm. 21–22.

[17] A. Irawan, 'Hukum Islam dalam Kerangka Pembaruan Hukum Pidana di Indonesia, Dilihat dari Perspektif Teori Hukum Pembangunan Mochtar Kusumaatmadja', *Al-Hurriyah: Jurnal Hukum Islam*, 4.2 (2019), 98–110 https://doi.org/10.30983/alhurriyah.v4i2.1571.

[18] M. Aswindo dkk., 'Omnibus Law on Job Creation and Resilience Prospects of Indonesian Migrant Workers', *Journal of Social and Political Sciences*, 4.4 (2021), 101–110 https://doi.org/10.31014/aior.1991.04.04.322.

[19] Guy Standing, *The Precariat: The New Dangerous Class* (London: Bloomsbury Academic, 2011), hlm. 6.

[20] A. Gandini, 'Labour process theory and the gig economy', *Human Relations*, 72.6 (2019), 1039–1056 https://doi.org/10.1177/0018726718790002; A. De Ruyter dan R. Rachmawati, 'Understanding the Working

This issue received constitutional attention through Constitutional Court Decision Number 168/PUU-XXI/2023. The Court partially granted the petition for judicial review of the Job Creation Law, including matters relating to fixed-term employment agreements, outsourcing, rest periods, wages, and termination of employment.[21] The decision shows that labour market flexibility must still be limited by guarantees of constitutional protection. The Court also stressed the need for a standalone labour statute in order to avoid disharmony among norms and to provide legal certainty for workers and employers.

The decision carries legal consequences that legislators cannot ignore. Article 24C(1) of the 1945 Constitution of the Republic of Indonesia provides that Constitutional Court decisions are final, so that from the moment they are pronounced they have binding legal force and must be followed up by all state organs. Irawan and Hamka show that the finality of Constitutional Court decisions is closely tied to legal certainty and to the validity of constitutional actions based on those decisions.[22] In the labour context, the finality of Constitutional Court Decision Number 168/PUU-XXI/2023 means that legislators have no room to retain norms that have been declared contrary to the Constitution. The enactment of a new labour statute is therefore not only a legislative policy choice but also an act of constitutional compliance with the Court's decision. The measure of its success lies in the extent to which the substance of the new law actually accommodates the Court's legal considerations, rather than merely adjusting the wording of provisions in a formal sense.

The enactment of Law Number 27 of 2026 on Labour Protection is an important development in responding to this need for reform. This law, promulgated on 28 October 2026, repeals Law Number 13 of 2003 and certain provisions in the employment cluster of Law Number 6 of 2023. Its enactment aims not only to consolidate regulations that were previously scattered but also to accommodate evolving needs for labour protection. The changes include limits on the duration of fixed-term employment agreements, social security protection for informal-sector workers and certain employment relationships, strengthened training and competency transfer, and a prohibition on withholding workers' diplomas and personal documents.[23]

Table 1. Comparison of Orientations in Labour Legal Policy

No.	Aspect	Previous regulation	Law No. 27 of 2026	Legal policy significance
1.	Policy orientation	Emphasis on job creation and ease of doing business in the Job Creation reform	Regulatory consolidation and stronger labour protection	Strengthening of the social protection dimension
2.	Fixed-term employment agreements	Five-year limit including extensions under Constitutional Court Decision 168/2023	Initial term of at most two years, with a maximum of two extensions of one year each	Limitation of contractual flexibility
3.	Social security	Regulation through various social security instruments	Protection arrangements for informal workers and certain employment relationships	Broader coverage of protection

Conditions of Gig Workers and Decent Work: Evidence from Indonesia's Online Ojek Riders', *Sozialpolitik.ch*, 2/2020 (2020), art. 2.4 https://doi.org/10.18753/2297-8224-159.

[21] Mahkamah Konstitusi Republik Indonesia, Putusan Nomor 168/PUU-XXI/2023, 31 Oktober 2024, khususnya amar putusan mengenai perjanjian kerja waktu tertentu, alih daya, waktu istirahat, dan pengupahan.

[22] A. Irawan dan M. Hamka, 'Finality of Constitutional Court Judicial Decisions and the Validity of the Elected President's Office in Indonesia: Finalitas Putusan Peradilan Mahkamah Konstitusi dan Keabsahan Jabatan Presiden Terpilih di Indonesia', *Judge Journal of Judicial Studies*, 1.1 (2026), 198–223.

[23] Republik Indonesia, Undang-Undang Nomor 27 Tahun 2026 tentang Pelindungan Ketenagakerjaan, Lembaran Negara Republik Indonesia Tahun 2026 Nomor 179, Tambahan Lembaran Negara Republik Indonesia Nomor 7222, khususnya ketentuan mengenai perjanjian kerja waktu tertentu, jaminan sosial, dan dokumen pribadi pekerja.

No.	Aspect	Previous regulation	Law No. 27 of 2026	Legal policy significance
4.	Workers' personal documents	Protection not explicitly formulated in the former Labour Law	Prohibition on requiring and withholding diplomas or personal documents as security	Strengthening of workers' freedom
5.	Competency development	Job training and skills improvement	Emphasis on improving and transferring work competencies	Adaptation to labour market transformation

Source: Based on Law No. 6 of 2023, Constitutional Court Decision No. 168/PUU-XXI/2023, and Law No. 27 of 2026.

The comparison shows a tendency towards stronger normative protection in labour legal policy. The change in the regulation of fixed-term employment agreements shows that contractual flexibility cannot be granted without limits. The provisions on social security for informal-sector workers also reflect an effort to extend the state's responsibility to groups of workers who face vulnerability outside conventional employment relationships.[24] The prohibition on withholding diplomas, in turn, reflects recognition of workers' freedom and the importance of preventing imbalanced employment practices.

Guy Davidov, in *A Purposive Approach to Labour Law*, argues that labour law reform must start from an understanding of the protective purposes it seeks to achieve. The formulation of norms cannot be judged merely by changes in legal wording; it must consider whether the norms can address workers' vulnerability and dependency in employment relationships.[25][26] This view is relevant to assessing Law Number 27 of 2026, because the strengthening of worker protection must be judged by its conformity with the social purposes of labour law, not merely by the increase in protective provisions.

Assessment of these protective purposes must also be linked to legislators' compliance with Constitutional Court decisions. The new rules on the duration of fixed-term employment agreements, for example, need to be tested to see whether they actually reinforce the limits intended in the legal considerations of Decision Number 168/PUU-XXI/2023 or instead open up new interpretive room that prolongs uncertainty over workers' status. Because Constitutional Court decisions are final and binding, the conformity of a statute's substance with such decisions is a constitutional standard that must be met, not merely a policy consideration.[27] Seen in this way, worker protection under Law Number 27 of 2026 should be read not only as the outcome of a political compromise but also as the performance of the state's constitutional obligation.

Even so, this change in the orientation of legal policy cannot be taken to mean the elimination of labour market flexibility. Businesses still need the ability to adjust their workforce to technological change, economic competition, and production needs. The main problem lies in how the state sets the limits of flexibility so that it does not undermine workers' basic rights. Accordingly, the findings show that Law Number 27 of 2026 moves towards stronger worker protection through the consolidation of norms and certain limits on flexibility, but it cannot yet be said to have produced an effective balance between economic interests and social justice.

The success of this change in legal policy still requires consistent implementing regulations, supervision of industrial relations, and law enforcement mechanisms that workers can access. Law Number 27 of 2026 is therefore better understood as an initial stage in the restructuring of labour legal policy, one that treats the protection of workers' constitutional rights as one measure of the success of national economic development.

[24] J. Octavia, 'Networks of trust: Accessing informal work online in Indonesia during the COVID-19 pandemic', *International Labour Review*, 161.3 (2022), 487–508 https://doi.org/10.1111/ilr.12229.
[25] G. Davidov dan P. Alon-Shenker, 'The ABC Test: A New Model for Employment Status Determination?', *Industrial Law Journal*, 51.2 (2022), 235–276 https://doi.org/10.1093/indlaw/dwac004.
[26] Guy Davidov, *A Purposive Approach to Labour Law* (Oxford: Oxford University Press, 2016), hlm. 13 https://doi.org/10.1093/acprof:oso/9780198759034.001.0001.
[27] Irawan dan Hamka, 'Finality of Constitutional Court Judicial Decisions'.

This need for consistency also relates to the function of law as an instrument of reform, as outlined above. A statute framed protectively will not necessarily change industrial relations practice if its implementing regulations reopen room for uncontrolled flexibility or are not accompanied by adequate supervisory capacity. In line with development law theory, the effectiveness of legal reform depends on the fit between norms, implementing institutions, and public legal awareness.[28] The drafting of implementing regulations for Law Number 27 of 2026 should therefore involve workers, employers, and regional governments so that the protective norms that have been formulated can be translated into practices that are accepted and carried out in the workplace. Such participation is also important to prevent implementing regulations that are technocratic and remote from workers' real needs. With stakeholder involvement from the drafting stage, implementing regulations gain stronger legitimacy, so that compliance depends not only on the threat of sanctions but also on a shared awareness of the importance of worker protection.

Labour Legal Policy Framework That Ensures a Balance between Labour Market Flexibility and Social Justice

A just legal policy framework for labour must start from the understanding that the employment relationship is not entirely based on equality of standing between workers and employers. Formally, an employment relationship is formed through an agreement that reflects the consent of the parties. Substantively, however, workers are often in a weaker bargaining position because of their dependence on income and their limited choice of work. Guy Davidov identifies economic dependence and subordination as characteristics of the employment relationship that underpin the need for protection through labour law.[29][30] State intervention is therefore needed to prevent freedom of contract from being used to justify unfair employment relationships.

This principle is consistent with the idea that labour cannot be treated merely as an economic commodity. The 1944 Declaration of Philadelphia, which forms part of the constitution of the International Labour Organization, affirms the principle that "labour is not a commodity". This principle implies that labour policy must take into account human dignity, workers' welfare, freedom of association, and social protection.[31] In the Indonesian context, this value accords with Article 27(2) and Article 28D(2) of the 1945 Constitution of the Republic of Indonesia, which guarantee the right to work and fair treatment in employment relationships.

Applying social justice in labour law does not mean eliminating the need for labour market flexibility. Technological development and changes in economic structure call for an industrial relations system able to adapt to the needs of business. Flexibility must, however, be placed within an adequate framework of social protection. Ton Wilthagen and Frank Tros introduced the concept of flexicurity as an approach that integrates the need for labour flexibility with security for workers. This approach seeks to reconcile the interests of economic adaptation and social protection through mutually supportive labour policies.[32][33]

This concept is relevant for development within Indonesian labour legal policy because it provides a perspective on balancing the interests of workers and employers. Flexibility can be maintained as long as it is accompanied by certainty of the employment relationship, income protection, social security, skills development, and effective dispute resolution mechanisms. Changes in employment relationships therefore need not result in the loss of worker protection; rather, they must be

[28] Irawan, 'Hukum Islam dalam Kerangka Pembaruan Hukum Pidana di Indonesia'.
[29] G. Davidov, 'Joint Employer Status in Triangular Employment Relationships', *British Journal of Industrial Relations*, 42.4 (2004), 727–746 https://doi.org/10.1111/j.1467-8543.2004.00338.x.
[30] Davidov, *A Purposive Approach to Labour Law*, hlm. 34.
[31] International Labour Organization, *Declaration of Philadelphia* (Philadelphia: International Labour Organization, 1944), Bagian I huruf (a).
[32] E. Viebrock dan J. Clasen, 'Flexicurity and welfare reform: a review', *Socio-Economic Review*, 7.2 (2009), 305–331 https://doi.org/10.1093/ser/mwp001; L. Burroni dan M. Keune, 'Flexicurity: A conceptual critique', *European Journal of Industrial Relations*, 17.1 (2011), 75–91 https://doi.org/10.1177/0959680110393189.
[33] Ton Wilthagen dan Frank Tros, 'The Concept of "Flexicurity": A New Approach to Regulating Employment and Labour Markets', *Transfer: European Review of Labour and Research*, 10.2 (2004), 166–86 (hlm. 166) https://doi.org/10.1177/102425890401000204.

supported by legal instruments that enable workers to maintain their social and economic security. This balance requires the strengthening of several regulatory dimensions, as presented in Table 2.

Table 2. Labour Legal Policy Framework Based on Social Justice

No.	Dimension	Regulatory direction	Intended outcome
1.	Certainty of employment relationships	Limiting contractual flexibility and protecting against termination of employment	Reducing the vulnerability of employment status
2.	Wage justice	Wage policy that takes into account decent living needs and economic conditions	Safeguarding workers' welfare
3.	Social security	Extending protection to formal and informal workers and to non-standard employment relationships	Reducing social and economic risks
4.	Competency development	Strengthening training and skills transfer for workers	Improving adaptation to industrial change
5.	Social dialogue	Strengthening the role of trade unions and collective bargaining	Creating a balance of bargaining positions
6.	Law enforcement	Effective supervision and accessible dispute resolution	Ensuring the implementation of workers' rights

Source: The authors' conceptual construction based on the principles of social justice, worker protection, and the flexicurity approach.

Strengthening the certainty of employment relationships is an important dimension because excessive flexibility can create uncertainty in income and in the continuity of work. Guy Standing, in his research on the precariat, explains that the growth of insecure employment relationships can produce a group of workers with limited access to social protection and labour rights.[34] This condition shows that labour policy-making must consider the impact of changing employment relationships on the sustainability of workers' welfare, not only on corporate efficiency.

In the area of wages, the principle of social justice requires the state to ensure that wage policy is not based solely on market mechanisms. Decent living needs and the capacity of businesses should be weighed proportionally so that wages can support both workers' welfare and the sustainability of economic activity. Wage arrangements that provide no minimum protection are likely to widen economic inequality. Conversely, policy that disregards business conditions can also threaten the continuity of employment opportunities. The formulation of wage policy therefore requires measurable indicators, transparency, and the participation of the parties in industrial relations.[35]

Beyond wages, the expansion of social security is an important instrument for ensuring that labour market flexibility does not result in the loss of protection for workers. Changes in employment status, movement between sectors, and the growth of non-standard employment relationships call for a social security system that does not depend entirely on the continuity of an employment relationship with a single employer. The social security arrangements for informal-sector workers and certain employment relationships in Law Number 27 of 2026 can serve as a basis for strengthening this coverage. However, their effectiveness requires clarity on participation, financing, employers' responsibilities, and supervision mechanisms.

The next dimension is the strengthening of social dialogue as an instrument for reducing imbalances in bargaining position in industrial relations. The participation of trade unions and employers' organisations plays an important role in labour policy formulation because it can reconcile

[34] Guy Standing, 'Understanding the Precariat through Labour and Work', *Development and Change*, 45.5 (2014), 963–80 (hlm. 963) https://doi.org/10.1111/dech.12120.

[35] M. Comola dan L. de Mello, 'How Does Decentralized Minimum Wage Setting Affect Employment and Informality? The Case of Indonesia', *Review of Income and Wealth*, 57.s1 (2011), S79–S99 https://doi.org/10.1111/j.1475-4991.2011.00451.x.

the need for worker protection with the interest in business sustainability.[36] Research by Wilthagen, Tros, and Van Lieshout on the implementation of flexicurity in several European countries shows that institutional coordination and industrial relations arrangements involving various stakeholders are important factors in developing a balance between flexibility and job security.[37] This experience offers conceptual lessons for Indonesia, although its application must still be adapted to the characteristics of the national labour market and legal system.

Law enforcement is the final dimension that determines the success of the labour legal policy framework. Regulations that provide adequate protection do not necessarily produce justice unless accompanied by effective supervision and rights-recovery mechanisms.[38] This issue is all the more important in employment relationships involving contract workers, outsourced workers, and workers in non-standard employment patterns.[39] The state needs to ensure the availability of supervisory instruments capable of preventing violations while providing certainty in dispute resolution.[40] Without effective law enforcement, protective norms risk having only formal force and delivering no real benefit to workers.[41]

Strengthening law enforcement need not rest entirely on labour inspectors. The limited number of inspectors and the extent of their areas of work, especially in regions far from the centres of government, make it difficult to sustain formal supervision. A study by Irawan, Asneliwarni, and Ransangan on preventing village fund corruption in Malinau shows that community-based norms and institutions can function as mechanisms of social accountability that complement state supervision.[42] This finding is conceptually relevant to labour law because supervision of employment relationships can be strengthened through the participation of trade unions, bipartite cooperation bodies, and the community around the workplace. Synergy between formal supervision and social control has the potential to extend the reach of protection, particularly for informal-sector workers who fall outside routine supervision.

Beyond supervision mechanisms, the effectiveness of law enforcement is also determined by the design of proportionate and coordinated sanctions. Violations of workers' rights may give rise to administrative, civil, and criminal consequences at the same time. Without clear coordination, a multiplicity of sanction regimes can create uncertainty, whether through overlapping sanctions or through institutions shifting responsibility to one another. Irawan, Ishaq, and Ishaq, in a study of the relationship between customary sanctions and state criminal liability, stress the importance of the principle of *ne bis in idem* as a guarantee that a person is not burdened with repeated sanctions for the same act.[43] This principle of certainty and proportionality in sanctions is also relevant to the

[36] M. Ford dan V. Honan, 'The limits of mutual aid: Emerging forms of collectivity among app-based transport workers in Indonesia', *Journal of Industrial Relations*, 61.4 (2019), 528–548 https://doi.org/10.1177/0022185619839428.

[37] Ton Wilthagen, Frank Tros, dan Harm van Lieshout, 'Towards "Flexicurity"? Balancing Flexibility and Security in EU Member States', *European Journal of Social Security*, 6.2 (2004), 113–36 https://doi.org/10.1177/138826270400600202.

[38] T. Warnecke dan A. de Ruyter, 'The Enforcement of Decent Work in India and Indonesia: Developing Sustainable Institutions', *Journal of Economic Issues*, 46.2 (2012), 393–402 https://doi.org/10.2753/JEI0021-3624460214.

[39] A. Irawan, A. F. Bawaeda, dan R. S. Riani, 'When Customary Court Decisions Meet State Certificates: Ulayat Land Tenure in East Kalimantan', *Societas Law Review*, 1.1 (2026), 24–47 https://journal.aisholarborneo.org/index.php/solrev/article/view/24.

[40] A. Irawan, A. Asneliwarni, dan J. Ransangan, 'Synergizing Dayak Kenyah Local Wisdom with State Law for Village Fund Corruption Prevention', *SASI*, 32.4 (2026), 368–388 https://doi.org/10.47268/sasi.v32i4.4073.

[41] A. Irawan, F. M. Ishaq, dan Ishaq, 'Punished Twice: Ne Bis in Idem between Dayak Kenyah Customary Sanctions and State Penal Liability', *Greenation International Journal of Law and Social Sciences*, 4.4 (2026), 1839–1859 https://doi.org/10.38035/gijlss.v4i4.1501.

[42] Irawan, Asneliwarni, dan Ransangan, 'Synergizing Dayak Kenyah Local Wisdom with State Law for Village Fund Corruption Prevention'.

[43] Irawan, Ishaq, dan Ishaq, 'Punished Twice'.

implementing regulations of Law Number 27 of 2026, so that sanctions not only deter violators but are also imposed fairly, in a measured way, and with a view to restoring workers' rights.

Law enforcement also concerns the gap between formal legal certainty and the reality of employment relationships in practice. A study by Irawan, Bawaeda, and Riani on the encounter between customary court decisions and state land certificates in East Kalimantan shows that formal state documents do not always reflect legal relationships that are lived and recognised by the community.[44] The same can occur in employment relationships when a written agreement defines a worker's status as a partner or a fixed-term worker, even though the relationship in practice exhibits the elements of work, wages, and orders. Labour inspectors and dispute resolution bodies therefore need to assess employment relationships on the basis of the facts as they actually occur, not solely on formal documents. This substance-first approach is important so that the limits on flexibility in Law Number 27 of 2026 are not evaded through the manipulation of the form of employment agreements.

These three aspects, namely social accountability, proportionality of sanctions, and the primacy of the substance of the employment relationship, show that labour law enforcement cannot be understood narrowly as the imposition of sanctions by state officials. Law enforcement is a process that involves state norms, implementing institutions, and the values living in society. This perspective is consistent with the development law theory, which holds that law is an effective instrument of reform when supported by social acceptance.[45] For Indonesia, with its social and cultural diversity, this approach opens the possibility of developing a model of labour supervision that is not uniform but remains grounded in the minimum protection standards set by statute.

Based on this overall analysis, a labour legal policy framework grounded in social justice should be directed at three main principles: controlled flexibility, comprehensive social protection, and effective law enforcement. These three principles are interrelated and cannot be applied separately. Flexibility without protection can lead to exploitation, whereas protection that disregards the capacity for economic adaptation can impede business sustainability. Law enforcement is needed to ensure that the balance set out in regulations is actually realised in industrial relations.

Accordingly, legal policy on labour protection following the enactment of Law Number 27 of 2026 should be directed towards a model of protection that responds to economic change while retaining social justice as its primary goal. The contribution of this study lies in developing a flexicurity framework grounded in the Indonesian Constitution, which treats the protection of workers' rights as the normative boundary for labour market flexibility policy. This framework can serve as a basis for evaluating the formulation of implementing regulations for Law Number 27 of 2026 as well as future labour policy.

Implications of the Legal Policy Framework for the Drafting of Implementing Regulations under Law Number 27 of 2026

The flexicurity-based legal policy framework outlined above acquires practical meaning only when it is translated into the implementing regulations of Law Number 27 of 2026. The earlier analysis showed that strengthening norms in a statute does not necessarily change industrial relations practice if the implementing regulations reopen room for uncontrolled flexibility or are not accompanied by adequate supervisory capacity. Implementing regulations can therefore be understood as the point at which the consistency of the legal policy direction set by the legislators is tested. It is at this stage that the six dimensions in Table 2, namely certainty of employment relationships, wage justice, social security, competency development, social dialogue, and law enforcement, need to be translated into operational provisions.

First, implementing regulations need to observe firm limits on delegated authority. The protective norms already set by the statute, such as the limits on the duration of fixed-term employment

[44] Irawan, Bawaeda, dan Riani, 'When Customary Court Decisions Meet State Certificates'.
[45] Irawan, 'Hukum Islam dalam Kerangka Pembaruan Hukum Pidana di Indonesia'.

agreements and the prohibition on withholding diplomas, should not be relaxed through technical provisions. As discussed above, because Constitutional Court decisions are final and binding, the conformity of a statute's substance with the Court's legal considerations is a constitutional standard. The same standard applies to implementing regulations: they may elaborate and operationalise norms, but they may not reduce the protection that has been guaranteed. The flexibility that businesses still need should be placed explicitly in norms that are limited and open to review, rather than in open-ended interpretive room.

Second, the drafting of implementing regulations should follow the three main principles of the legal policy framework: controlled flexibility, comprehensive social protection, and effective law enforcement. Controlled flexibility requires clear criteria for when fixed-term employment agreements and outsourcing may be used, as well as the consequences when those limits are breached. Comprehensive social protection requires clarity on participation, financing, and employers' responsibilities for informal-sector workers and certain employment relationships, as noted earlier. Effective law enforcement requires supervision and dispute resolution mechanisms that workers can access. The three are interrelated and cannot be regulated separately; strong regulation of one aspect loses its value if the others are inadequately regulated.

Third, the drafting process is itself part of social dialogue. The involvement of trade unions, employers' organisations, and regional governments from the formulation stage, as noted above, not only strengthens legitimacy but also allows the regulations to contain solutions suited to conditions on the ground. Involving regional governments matters because labour supervision faces a limited number of inspectors and extensive areas of work, especially in regions far from the centres of government. Within this framework, implementing regulations can make room for supervision mechanisms that involve trade unions, bipartite cooperation bodies, and the community around the workplace as a complement to state supervision, provided that the minimum protection standards set by the statute continue to apply uniformly.

Fourth, implementing regulations need to formulate a system of sanctions that is proportionate, coordinated, and oriented towards restoring workers' rights. Coordination among administrative, civil, and criminal sanctions is needed to avoid overlap and institutions shifting responsibility to one another, and to uphold the principle of *ne bis in idem*. In addition, the implementing provisions should make clear that the status of an employment relationship is assessed on the basis of the facts as they actually occur, so that limits on flexibility are not evaded through the manipulation of the form of employment agreements.

Fifth, this legal policy framework calls for continuous evaluation. Just as wage policy requires measurable and transparent indicators, the effectiveness of implementing regulations should be assessed through indicators that can be monitored, for example the coverage of social security participation among informal-sector workers, the use of fixed-term employment agreements, and the accessibility and timeliness of dispute resolution. Such evaluation allows policymakers to adjust regulation without abandoning minimum protection standards, so that the balance between labour market flexibility and social justice can be maintained dynamically. The success of Law Number 27 of 2026 will therefore ultimately be measured not only by the quality of its norms, but also by the consistency of its implementing regulations, institutional capacity, and the willingness of the parties to comply.

Conclusion

The findings show that legal policy on labour protection following the enactment of Law Number 27 of 2026 reflects a tendency towards a shift in orientation, from labour market flexibility to the strengthening of workers' rights protection and legal certainty. This change is reflected in the regulation of employment relationships, limits on contractual flexibility, expanded social security, and stronger protection of workers' basic rights. Even so, regulatory reform does not yet fully guarantee social justice, because the effectiveness of protection still depends on the consistency of implementing regulations, supervision, and labour law enforcement. The enactment of the law must also be understood as constitutional compliance with Constitutional Court Decision Number

168/PUU-XXI/2023, which is final and binding, so that its success is measured by the extent to which its substance actually accommodates the Court's legal considerations, rather than merely adjusting the wording of provisions in a formal sense.

A just labour legal policy framework needs to be developed through a flexicurity approach that integrates labour market flexibility with the certainty of employment relationships, social protection, competency development, and the strengthening of social dialogue. In this framework, flexibility is positioned as an instrument to support economic growth without reducing guarantees of workers' constitutional rights. Labour policy must therefore place social justice as its main foundation by ensuring a balance among the interests of business, workers' welfare, and the state's responsibility for realising fair and sustainable industrial relations. Law enforcement within this framework cannot be understood narrowly as the imposition of sanctions by state officials. It is a process that combines formal supervision with social accountability, applies sanctions proportionately and in a coordinated way, and assesses employment relationships on the basis of the facts as they actually occur, so that limits on flexibility are not evaded through the manipulation of the form of employment agreements.

On the basis of these conclusions, this study recommends that the government draft the implementing regulations of Law Number 27 of 2026 participatively, involving workers, employers, and regional governments; strengthen labour supervision capacity through cooperation with trade unions and bipartite bodies; and design a system of sanctions that is measured and oriented towards restoring workers' rights. Future research should be empirical, in order to test the effectiveness of the law's implementation, particularly with respect to informal-sector workers and workers in non-standard employment relationships in various regions.

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Supporting data

Derived data supporting the findings of this study are available from the corresponding author upon request.

Statement on the use of artificial intelligence

In preparing this article, the authors used a language-model-based artificial intelligence technology, namely ChatGPT (OpenAI), as a tool for improving grammar, sentence structure, and the readability of the manuscript, summarising material, and drafting and developing academic exposition. This technology was also used to help generate drafts of scholarly content, develop legal arguments, interpret legal materials, and formulate preliminary conclusions. The authors bear full responsibility for the critical review, verification of reference sources, accuracy of the legal analysis, and the validity of all substance and conclusions presented in this article. The use of artificial intelligence does not replace the authors' responsibility and academic integrity.

We affirm that all AI-assisted processes have been critically reviewed by the authors to ensure the integrity and reliability of the results. The final decisions and interpretations presented in this article were made entirely by the authors.

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References

A. Books

Davidov, Guy, A Purposive Approach to Labour Law (Oxford: Oxford University Press, 2016) https://doi.org/10.1093/acprof:oso/9780198759034.001.0001

MD, Moh., Politik Hukum di Indonesia, edisi revisi, cetakan ke-3 (Jakarta: Rajawali Pers, 2010).

Marzuki, Peter Mahmud, Penelitian Hukum, edisi revisi (Jakarta: Kencana, 2017).

Standing, Guy, The Precariat: The New Dangerous Class (London: Bloomsbury Academic, 2011).

B. Scholarly Journal Articles

Aspinall, E., and M. Mietzner, 'Indonesia's Democratic Paradox: Competitive Elections amidst Rising Illiberalism', *Bulletin of Indonesian Economic Studies*, 55.3 (2019), 295–317 https://doi.org/10.1080/00074918.2019.1690412

Aswindo, M., A. R. Ras, A. J. Simon, and M. Hanita, 'Omnibus Law on Job Creation and Resilience Prospects of Indonesian Migrant Workers', *Journal of Social and Political Sciences*, 4.4 (2021), 101–110 https://doi.org/10.31014/aior.1991.04.04.322

Baker, J., 'Reformasi Reversal: Structural Drivers of Democratic Decline in Jokowi's Middle-Income Indonesia', *Bulletin of Indonesian Economic Studies*, 59.3 (2023), 341–364 https://doi.org/10.1080/00074918.2023.2286020

Burroni, L., and M. Keune, 'Flexicurity: A conceptual critique', *European Journal of Industrial Relations*, 17.1 (2011), 75–91 https://doi.org/10.1177/0959680110393189

Caraway, T. L., 'Labor Standards and Labor Market Flexibility in East Asia', *Studies in Comparative International Development*, 45.2 (2010), 225–249 https://doi.org/10.1007/s12116-010-9061-0

Caraway, T. L., 'Labor Rights in East Asia: Progress or Regress?', *Journal of East Asian Studies*, 9.2 (2009), 153–186 https://doi.org/10.1017/S1598240800002976

Comola, M., and L. de Mello, 'How Does Decentralized Minimum Wage Setting Affect Employment and Informality? The Case of Indonesia', *Review of Income and Wealth*, 57.s1 (2011), S79–S99 https://doi.org/10.1111/j.1475-4991.2011.00451.x

Davidov, G., and P. Alon-Shenker, 'The ABC Test: A New Model for Employment Status Determination?', *Industrial Law Journal*, 51.2 (2022), 235–276 https://doi.org/10.1093/indlaw/dwac004

Davidov, G., 'Joint Employer Status in Triangular Employment Relationships', *British Journal of Industrial Relations*, 42.4 (2004), 727–746 https://doi.org/10.1111/j.1467-8543.2004.00338.x

Dewi, M. N. K., and A. Basir, 'Indonesia's Omnibus Law and Protection of Labor Rights', *Amsir Law Journal*, 5.1 (2023) https://doi.org/10.36746/alj.v5i1.309

Dukes, R., and W. Streeck, 'Labour law after neoliberalism?', *Journal of Law and Society*, 50.2 (2023), 165–184 https://doi.org/10.1111/jols.12423

Dukes, R., 'Authoritarian liberalism: a labour law perspective', *European Law Open*, 1.1 (2022), 150–157 https://doi.org/10.1017/elo.2022.5

Ford, M., and G. M. Sirait, 'The state, democratic transition and employment relations in Indonesia', *Journal of Industrial Relations*, 58.2 (2016), 229–242 https://doi.org/10.1177/0022185615617956

Ford, M., and V. Honan, 'The limits of mutual aid: Emerging forms of collectivity among app-based transport workers in Indonesia', *Journal of Industrial Relations*, 61.4 (2019), 528–548 https://doi.org/10.1177/0022185619839428

Gandini, A., 'Labour process theory and the gig economy', *Human Relations*, 72.6 (2019), 1039–1056 https://doi.org/10.1177/0018726718790002

Hadi, S. P., R. S. Hamdani, and A. Roziqin, 'A sustainability review on the Indonesian job creation law', *Heliyon*, 9.2 (2023), e13431 https://doi.org/10.1016/j.heliyon.2023.e13431
Hadiz, V. R., 'Still the 'Opium of the Masses'? Religion and Labour Struggles in Indonesia', *Journal of Contemporary Asia*, (2024) https://doi.org/10.1080/00472336.2024.2311075
Husin, Z., 'Outsourcing sebagai Pelanggaran atas Hak Pekerja di Indonesia', *Jurnal Kajian Pembaruan Hukum*, 1.1 (2021), 1–24 https://doi.org/10.19184/jkph.v1i1.23396
Irawan, A., A. Asneliwarni, and J. Ransangan, 'Synergizing Dayak Kenyah Local Wisdom with State Law for Village Fund Corruption Prevention', *SASI*, 32.4 (2026), 368–388 https://doi.org/10.47268/sasi.v32i4.4073
Irawan, A., A. F. Bawaeda, and R. S. Riani, 'When Customary Court Decisions Meet State Certificates: Ulayat Land Tenure in East Kalimantan', *Societas Law Review*, 1.1 (2026), 24–47 https://journal.aisholarborneo.org/index.php/solrev/article/view/24
Irawan, A., F. M. Ishaq, and Ishaq, 'Punished Twice: Ne Bis in Idem between Dayak Kenyah Customary Sanctions and State Penal Liability', *Greenation International Journal of Law and Social Sciences*, 4.4 (2026), 1839–1859 https://doi.org/10.38035/gijlss.v4i4.1501
Irawan, A., and M. Hamka, 'Finality of Constitutional Court Judicial Decisions and the Validity of the Elected President's Office in Indonesia: Finalitas Putusan Peradilan Mahkamah Konstitusi dan Keabsahan Jabatan Presiden Terpilih di Indonesia', *Judge Journal of Judicial Studies*, 1.1 (2026), 198–223
Irawan, A., 'Hukum Islam dalam Kerangka Pembaruan Hukum Pidana di Indonesia, Dilihat dari Perspektif Teori Hukum Pembangunan Mochtar Kusumaatmadja', *Al-Hurriyah: Jurnal Hukum Islam*, 4.2 (2019), 98–110 https://doi.org/10.30983/alhurriyah.v4i2.1571
Izzati, N. R., 'Deregulation in Job Creation Law: The Future of Indonesian Labor Law', *Padjadjaran Journal of Law*, 9.2 (2022) https://doi.org/10.22304/pjih.v9n2.a3
Jazuli, M. R., M. M. Idris, and P. Yaguma, 'The importance of institutional quality: Reviewing the relevance of Indonesia's Omnibus Law on national competitiveness', *Humanities and Social Sciences Communications*, 9 (2022), art. 334 https://doi.org/10.1057/s41599-022-01343-w
Juliawan, B. H., 'Extracting Labor from Its Owner: Private Employment Agencies and Labor Market Flexibility in Indonesia', *Critical Asian Studies*, 42.1 (2010), 25–52 https://doi.org/10.1080/14672710903537464
Juliawan, B. H., 'Street-level politics: Labour protest in post-authoritarian Indonesia', *Journal of Contemporary Asia*, 41.3 (2011), 349–370 https://doi.org/10.1080/00472336.2011.582706
Kalleberg, A. L., 'Precarious Work, Insecure Workers: Employment Relations in Transition', *American Sociological Review*, 74.1 (2009), 1–22 https://doi.org/10.1177/000312240907400101
Kususiyanah, A., M. C. Huda, J. Sriwidodo, and A. S. Baharuddin, 'Trends and Landscape of Omnibus Law Research: A Bibliometric Analysis', *Volksgeist*, 7.2 (2024) https://doi.org/10.24090/volksgeist.v7i2.9633
Mahy, P., 'Indonesia's Omnibus Law on Job Creation: Legal Hierarchy and Responses to Judicial Review in the Labour Cluster of Amendments', *Asian Journal of Comparative Law*, 17.1 (2022), 51–75 https://doi.org/10.1017/asjcl.2022.7
Marwan, C., A. Nawas, and R. Habeahan, 'Legal Protection of Outsourced Workers Under Indonesia's Job Creation Law: Between Labor Market Flexibility and Workers' Rights', *Adalah*, 10.2 (2026) https://doi.org/10.15408/adalah.v10i2.51243
Octavia, J., 'Networks of trust: Accessing informal work online in Indonesia during the COVID-19 pandemic', *International Labour Review*, 161.3 (2022), 487–508 https://doi.org/10.1111/ilr.12229
Rozikin, Irkham Syahrul, and Muhyiddin, 'Transformasi Pasar Kerja di Indonesia: Studi Kebijakan Ketenagakerjaan dalam UU Cipta Kerja', *Journal of Social Movements*, 2.1 (2025), 15–40 https://doi.org/10.62491/jsm.v2i1.2025.34
De Ruyter, A., and R. Rachmawati, 'Understanding the Working Conditions of Gig Workers and Decent Work: Evidence from Indonesia's Online Ojek Riders', *Sozialpolitik.ch*, 2/2020 (2020), art. 2.4 https://doi.org/10.18753/2297-8224-159
Sanders, A., J. Khatarina, R. Assegaf, T. Toumbourou, H. Kurniasih, and R. Suwarso, 'The Omnibus Law on Job Creation and its potential implications for rural youth and future farming in Indonesia', *Asia Pacific Viewpoint*, (2024) https://doi.org/10.1111/apv.12408
Standing, Guy, 'Understanding the Precariat through Labour and Work', *Development and Change*, 45.5 (2014), 963–80 https://doi.org/10.1111/dech.12120

Supiot, A., 'Labour is not a commodity: The content and meaning of work in the twenty-first century', *International Labour Review*, 160.1 (2021), 1–20 https://doi.org/10.1111/ilr.12205

Viebrock, E., and J. Clasen, 'Flexicurity and welfare reform: a review', *Socio-Economic Review*, 7.2 (2009), 305–331 https://doi.org/10.1093/ser/mwp001

Warnecke, T., and A. de Ruyter, 'The Enforcement of Decent Work in India and Indonesia: Developing Sustainable Institutions', *Journal of Economic Issues*, 46.2 (2012), 393–402 https://doi.org/10.2753/JEI0021-3624460214

Wilthagen, Ton, and Frank Tros, 'The Concept of "Flexicurity": A New Approach to Regulating Employment and Labour Markets', *Transfer: European Review of Labour and Research*, 10.2 (2004), 166–86 https://doi.org/10.1177/102425890401000204

Wilthagen, Ton, Frank Tros, and Harm van Lieshout, 'Towards "Flexicurity"? Balancing Flexibility and Security in EU Member States', *European Journal of Social Security*, 6.2 (2004), 113–36 https://doi.org/10.1177/138826270400600202

C. Legislation

Republik Indonesia, Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

Republik Indonesia, Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan, Lembaran Negara Republik Indonesia Tahun 2003 Nomor 39, Tambahan Lembaran Negara Republik Indonesia Nomor 4279.

Republik Indonesia, Undang-Undang Nomor 6 Tahun 2023 tentang Penetapan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 tentang Cipta Kerja Menjadi Undang-Undang, Lembaran Negara Republik Indonesia Tahun 2023 Nomor 41, Tambahan Lembaran Negara Republik Indonesia Nomor 6856.

Republik Indonesia, Undang-Undang Nomor 27 Tahun 2026 tentang Pelindungan Ketenagakerjaan, Lembaran Negara Republik Indonesia Tahun 2026 Nomor 179, Tambahan Lembaran Negara Republik Indonesia Nomor 7222 https://peraturan.bpk.go.id/Details/359755/uu-no-27-tahun-2026-pelindungan-ketenagakerjaan

D. Court Decisions

Mahkamah Konstitusi Republik Indonesia, Putusan Nomor 168/PUU-XXI/2023 tentang Pengujian Undang-Undang Nomor 6 Tahun 2023 terhadap Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, 31 Oktober 2024 https://peraturan.bpk.go.id/DownloadUjiMateri/223/putusan_mkri_168_PUU-XXI_2023.pdf

E. Documents and Publications of International Organisations

International Labour Organization, Declaration of Philadelphia (Philadelphia: International Labour Organization, 1944).

International Labour Organization, 'Indonesia Launches Decent Work Country Programme 2026–2030 to Turn Economic Transformation into Decent Work for All', International Labour Organization, 28 October 2026 https://www.ilo.org/resource/news/indonesia-launches-decent-work-country-programme-2026%E2%80%932030-turn-economic