

*Research Article***The Complexity and Consequences of The Policy Implementation Omnibus Law Creation on Welfare of Contract Workers In Indonesia**

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ABSTRACT

The Omnibus Law on Job Creation is a significant piece of regulatory reform introduced by the Indonesian government to boost investment competitiveness and stimulate economic growth by streamlining cross-sector regulations, including labour law. However, the reform has sparked debate about whether workers, particularly contract workers who are vulnerable in the labour market, are adequately protected by the law. This research aims to analyse the complexities surrounding the implementation of the Omnibus Law on Job Creation and its implications for the welfare and legal protection of contract workers in Indonesia. This research employs a qualitative legal approach, using document analysis and network content analysis of industrial relations dispute decisions issued by the Supreme Court of the Republic of Indonesia between 2020 and 2024. NVivo 12 Plus was used to support systematic coding and visualisation. The results indicate that, while regulatory changes under the Omnibus Law increase labour market flexibility, they also create legal uncertainty for contract workers, affecting income stability, employment security and access to labour rights. It is concluded that the policy creates an imbalance between investment-oriented objectives and the constitutional mandate to protect workers' welfare. Therefore, a regulatory review and a more inclusive policy formulation process are necessary to ensure fair and sustainable labour protection.

Keywords: Contracts; Labor; Omnibus-Law; Protection; Welfare.

A. INTRODUCTION

As a state based on the rule of law and founded upon the principles of the philosophy of Pancasila, Indonesia adopts a hierarchical system of laws and regulations, structured in tiers and descending from the highest legal norms to their most concrete forms at the lowest level, as proposed by Kelsen. The legal rules that constitute the legal order originate from the Grundnorm. Consequently, all regulations must

be guided by the philosophical principles enshrined in the 1945 Constitution of the Republic of Indonesia, the ultimate source of all Indonesian law (Narindra & Ispriyarso, 2022).

Article 28D, paragraph 1, of the 1945 Constitution of the Republic of Indonesia affirms that every individual is entitled to legal recognition, guarantees and protection, as well as fair legal certainty and equal treatment before the law. In line with this, the state has the authority

and responsibility to realise public welfare as part of the welfare state concept (Shadiqin et al., 2022). Its elucidation further emphasizes that all citizens have the right to equal treatment before the law, thereby eliminating the perception that the law is harsh toward the weak but lenient toward the powerful. In this context, the principle of equality before the law becomes an important foundation in assessing various legal reforms, including those in the field of employment (Handias & Sa'adah, 2021).

The Omnibus Law on Job Creation is one of the strategic regulatory reforms undertaken by the Indonesian government to increase investment, accelerate economic growth, and expand employment opportunities by simplifying various cross-sector regulations, including those in the employment field (Maugeri, 2022). This policy change will have significant implications for industrial relations, particularly with regard to the regulation of fixed-term employment agreements (PKWT) and contract workers (Sasongko, 2025). The new regulations give companies greater flexibility in managing their workforce. However, they have also sparked debate about the level of legal protection and welfare for contract workers, who are relatively vulnerable in the labour market (Mahy, 2022). This demonstrates that labour policy reforms affect not only economic efficiency, but also job stability and the protection of workers' rights and the social welfare of the Indonesian workforce (Laksana & Fareha, 2025).

Normatively, the labour system in Indonesia is based on the principle of worker

protection, as mandated by the 1945 Constitution and the Labour Law. In the field of labor law, the government has issued labor policies, including labor supervision policy based on the mandate of the 1945 Constitution of the Republic of Indonesia Article 27 paragraph (2) and Article 28 I paragraph (4). Article 27, paragraph (2) of the 1945 Constitution of the Republic of Indonesia claims: 'Every citizen has the right to work and to a decent standard of living' (Pujiastuti & Purwanti, 2018), emphasising the need to balance the interests of employers with the welfare of workers (Borman et al., 2024). However, the implementation of labour policies following the enactment of the Omnibus Law has shifted the focus of regulations from worker protection to labour market flexibility (Mak, 2024). Changes to provisions regarding the length of employment contracts, termination procedures, and compensation arrangements for contract workers have given rise to new issues in industrial relations (Maugeri, 2022). Consequently, some contract workers now face uncertainty regarding their employment status and have limited access to social security and a weakened bargaining position in their employment relationships with companies (de Sadeleer, 2025).

On the other hand, previous studies have mostly highlighted the impact of the Omnibus Law on macro-level outcomes, such as increased investment and economic competitiveness (Muchlinski & Arnold, 2024). In contrast, studies that specifically analyse the impact of implementing this policy on the welfare of contract

workers at the level of industrial relations practices remain relatively limited. In fact, contract workers are the most vulnerable group of workers to changes in labour policies (Aspromourgos, 2023). Therefore, it is important to examine in greater depth how the complexity of the Omnibus Law's implementation affects income stability, job security, and access to labour rights for contract workers. This study is expected to provide a more comprehensive understanding of the gap between the normative provisions in labour regulations and their implementation in industrial relations practices in Indonesia (Gough, 2022).

This study uses industrial relations theory as its main conceptual framework to understand the dynamics of the relationship among workers, employers, and the state within the employment system (Sage, 2025). This theory explains that industrial relations are a system of interaction among three main actors with different but interrelated interests in achieving balance in the world of work. In this perspective, the state acts as a regulator that sets policies and conducts supervision, employers as the party that manages production and labour activities, and workers as the party that contributes labour and skills to the production process (Jackson, 2024). Healthy industrial relations are characterised by a balance between economic efficiency and the protection of workers' rights, thereby creating fair and sustainable labour stability. Through this approach, changes in labour regulations, such as those in the Omnibus Law, can be analysed in terms of their impact on the balance of interests

among actors in industrial relations (Elizalde, 2026).

Additionally, this research utilizes labour welfare theory alongside the notion of the welfare state to elucidate the obligation of the state in guaranteeing both social and economic protections for the workforce. As posited by labour welfare theory, the interdependence of enhanced productivity and economic advancement is fundamentally linked to the realization of workers' essential rights, which encompass equitable remuneration, social security provisions, and employment stability (Dughera & Quatraro, 2022). Within the context of the welfare state, it is incumbent upon the government to formulate policies that not only stimulate economic growth but also safeguard the interests of marginalized worker demographics, such as contract workers. Consequently, this theoretical framework is applied to evaluate the degree to which the execution of the Omnibus Law can effectively reconcile the dual objectives of fostering investment and preserving worker welfare within the Indonesian labour framework (Palmtag, 2024).

Criticism of these policies reflects concerns that the reforms have focussed more on economic efficiency and investment attractiveness than social welfare (Choi, Fleckenstein, & Lee, 2021). As a result, contract workers face the most significant risks in terms of income insecurity, access to social security, and job security (McDougall, 2021). A balanced approach between economic interests and worker

protection is crucial to prevent broader negative impacts. This research focuses on this critique to understand the impact of the Omnibus Law policy on the welfare of contract workers and provide recommendations for creating fairer and more inclusive labor regulations (Iossa, 2022).

This research focuses on this critique to understand the impact of the Omnibus Law policy on the welfare of contract workers and provide recommendations for creating fairer and more inclusive labor regulations (Roychowdhury, 2021). The already weak position of contract workers before this policy was further exacerbated by changes in regulations that gave employers greater discretion in regulating labor relations (Dean, 2024). Given the lack of long-term job security, this uncertainty affects not only workers' economic aspects, such as income and social security protection but also their psychological well-being (Hunter, 2023). Given this situation, it is essential to highlight the complexities and consequences of the Omnibus Law policy, particularly towards the group of contract workers. This study aims to provide a more in-depth understanding of the impacts and provide inputs for policymakers to achieve a balance between economic interests and workers' welfare (Devine, 2023).

The implementation of the Omnibus Law on Job Creation has indeed brought significant changes to the world of work in Indonesia. However, these changes must be balanced with efforts to protect workers' rights, especially contract workers (Rahnema, 2023). The

government, employers, and labor unions must work together to ensure that the Omnibus Law benefits all parties. Most previous studies have focused on macro aspects, such as the impact on investment, competitiveness, and economic growth. This study seeks to fill the gap by focussing on micro impacts, especially the welfare of contract workers, who are often the most vulnerable (da Silva et al., 2020). The Omnibus Law is still in the process of adjustment at the implementation level, with potential changes or revisions in the future. This research can provide relevant normative juridical inputs to evaluate the policy and identify areas for improvement (Perdana, 2021); (Saifullah, 2020).

The research is also novel in exploring variations in the impact of the industry sector. Each sector has different working characteristics, affecting how the policy is implemented and its impact on contract workers (Kasim et al., 2020). Not only that, with a focus on implementation at the enterprise level and in-depth qualitative analysis, this research can make an invaluable contribution to understanding the complexities and consequences of the Omnibus Law on Job Creation (Lubis & Hoesin, 2023). The results of this research will not only enrich the academic literature but can also be the basis for better policy advocacy to protect the rights of contract workers (Sonhaji, Wibawa, & Juliani, 2021).

The author's research differs from previous studies in terms of analytical focus and methodological approach. The study by Laila Nurul Hidayati et al., titled 'Legal Protection of

Contract Workers in the Perspective of Law Number 13 of 2003 and the Omnibus Law', primarily analyses the legal protection of contract workers based on changes in legal norms (Hidayati et al., 2025). In contrast, the author's research examines these normative changes and highlights the imbalance between the Job Creation Omnibus Law's investment-oriented objectives and the constitutional mandate for labour protection. This research is novel in its comprehensive approach, integrating legal, economic and social justice perspectives while emphasising the importance of inclusive policy formulation as a solution rather than merely strengthening derivative regulations and supervision mechanisms.

Furthermore, Shintiya, Dwiprigitaningtias & Ikrardini's research, published in the journal 'Legal Protection of Workers with Fixed-Term Employment Contracts Subject to Termination', focuses specifically on the termination of employment (PHK) for workers under fixed-term employment agreements (PKWT), as outlined in Government Regulation Number 35 of 2021 (Shintiya, Dwiprigitaningtias & Ikrardini, 2025). By contrast, the author's research takes a broader view, examining the impact of changes in labour regulations on contract workers more comprehensively. This study's novelty lies in its macro and critical approach to labour law policy, emphasising the implications of labour market flexibility on legal uncertainty and unequal protection. Additionally, the study provides a thorough evaluation of policies, offering

recommendations for regulatory improvements and a more participatory policymaking process.

The study by Rynaldy Tonggi Lambue Sidabutar et al., entitled *Considering Justice Behind Contracts: A Systematic Study of Legal Protection for Contract and Outsourcing Workers in the Vortex of Work Flexibility in Indonesia*, emphasises an analytical approach to identifying legal loopholes within PKWT and outsourcing regulations. These loopholes include uncertainty in contract duration, limitations on types of work and weak enforcement mechanisms, all of which contribute to asymmetrical employment relationships (Sidabutar et al., 2026). The author's research not only identifies regulatory weaknesses, but also critically examines the broader impact of the Job Creation Omnibus Law on the imbalance between labour market flexibility and labour protection. The study's novelty lies in its linking of normative legal analysis with socio-economic implications, while offering strategic recommendations in the form of regulatory review and the development of more inclusive and equitable policies.

In addition, the research conducted by I Made Sarjana et al., concerning the employment cluster of the Omnibus Law, adopts statutory, conceptual, and factual approaches. The study demonstrates that regulatory changes potentially disadvantage workers, create legal uncertainty, and further marginalize their position, particularly in relation to employment contracts. The proposed recommendations concentrate on governmental initiatives aimed at enhancing the

status of workers to guarantee a more extensive safeguarding of their fundamental rights (Sarjana et al., 2023). Conversely, the author's investigation expands the analysis by scrutinizing the interaction between such policies and broader dimensions of economic and social justice, underscoring the necessity for more adaptive and inclusive policy reform.

Lastly, Nabila Risfa Izzati's inquiry published in the journal 'Deregulation in Job Creation Law: The Future of Indonesian Labour Law' examines deregulation under the Job Creation Law as a potential trajectory for the evolution of Indonesian labour law. This analysis encompasses the legitimization of prolonged fixed-term contracts and the proliferation of outsourcing mechanisms, which could result in heightened labour precarity over time. The study advocates for solutions that focus on fortifying workers' bargaining power through collective bargaining and the reinforcement of labour unions (Izzati, 2022). However, the author's research transcends a narrow focus on worker-centric solutions; it instead presents a more holistic assessment of state policy trajectories. It proffers recommendations that accentuate regulatory reform and promote a more participatory,

equitable, and balanced policymaking process that reconciles economic interests with labour protection.

B. RESEARCH METHODS

This research uses data related to the challenges of implementing the Omnibus Law on Job Creation problems for the welfare of contract workers (Lubis & Hoesin, 2023). Cases include uncertainty of employment status, reduction of financial rights, and difficulties in accessing legal protection. In addition, the characteristics of the research problem are the primary motive for researchers to apply the 'network content analysis' method to analyze network content and explain the research problem in depth (Congost, Ros, & Saguer, 2023). The data used in this study are industrial relations dispute case decisions, which refer to cases of the uncertainty of employment status, reduction of financial rights, and difficulties in accessing legal protection, with case decisions published by the Supreme Court of the Republic of Indonesia, which have been legally binding (*inkracht*) from 2020-2024 (Aswindo et al., 2021).

Table 1. List of Supreme Court Decisions related to industrial relations dispute cases

No	Name	No	Name
1	Supreme Court Decision Number 720 K/Pdt.Sus-PHI/2024	9	Supreme Court Decision Number 685 K/Pdt.Sus-PHI/2024
2	Supreme Court Decision Number 155/Pdt.Sus-PHI/2024/PN.Mdn	10	Supreme Court Decision Number 289 K/Pdt.Sus-PHI/2024
3	Supreme Court Decision Number 45/Pid.B/2024/PN.Pms	11	Supreme Court Decision Number 10/Pdt.Sus-PHI/2021/PN.Jap

4	Supreme Court Decision Number 76/Pdt.Sus-PHI/2023/PN.Pbr	12	Supreme Court Decision Number 38/Pdt.Sus-PHI/2021/PN.Jkt.Pst
5	Supreme Court Decision Number 323/Pdt.Sus-PHI/2023/PN.Sby	13	Supreme Court Decision Number 304 K/Pdt.Sus-PHI/2021
6	Supreme Court Decision Number 40/Pdt.Sus-PHI/2022/PN.Sby	14	Supreme Court Decision Number 407/Pdt.Sus-PHI/2020/PN.Mdn
7	Supreme Court Decision Number 47/Pdt.Sus-PHI/2022/PN.Smg	15	Supreme Court Decision Number 48/Pdt.Sus-PHI/2020/PN.Bdg
8	Supreme Court Decision Number 98/Pid/2022/PT.BGL		

Source: (Mahkamah Agung, 2022)

Figure 1. Data Analysis Process

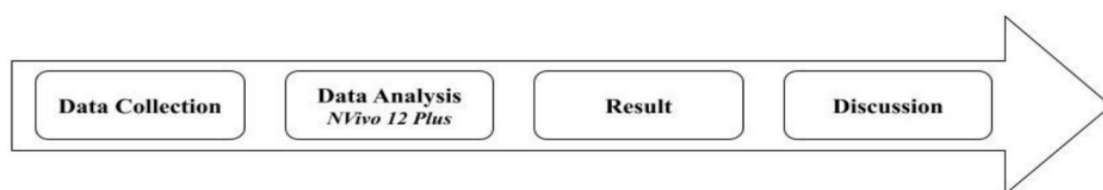


Figure 1 shows the stages of data analysis research by carrying out the following process: (1) data collection through the Supreme Court website (<https://www.mahkamahagung.go.id/id> starting from September 21, 2024, to November 25, 2024), data sources from government reports, articles, and employment policy products in Indonesia; (2) data collected from each source; (3) data collected using NVivo 12 plus software; (4) the next stage is data visualization as study material to be studied and discussed using NVivo 12 plus software (Mahkamah Agung, 2022); (Purnomo et al., 2021); (Shackelford, 2020).

C. RESULT AND DISCUSSION

1. Implementing Omnibus Law on Job Creation at Company Level and its Impact on Contract Workers

The Omnibus Law on Job Creation was introduced to accelerate investment and create jobs. One of the crucial aspects of the Omnibus

Law on Job Creation is the significant changes in labor regulations, particularly for contract workers (Iossa, 2022). This policy provides greater flexibility to companies in labor management but has severe consequences for the welfare of contract workers (Marditia, Fransiska, & Swantoro, 2021). On the other hand, the Constitutional Court (MK) has issued a new decision regarding the rules for employees with Fixed-Term Employment Agreements (PKWT) (Perdana, 2021).

This new provision is contained in Decision Number 40/PUU-XXI/2023 and Decision Number 61/PUU-XXI/2023. This decision results from a judicial review of Law Number 6 of 2023 concerning the Stipulation of Government Regulation instead of Law Number 2 2022 concerning Job Creation (Mahy, 2022). Through this decision, the Constitutional Court clarifies the status and rights of non-permanent workers, especially regarding the probationary period,

overtime, and the applicable working time extension provisions. One of the essential highlights in Decision Number 40/PUU-XXI/2023 is related to the provisions of the working period for non-permanent workers (Jaelani, Luthviati, & Octavia, 2023).

Constitutional Court Decision Number 168/PUU-XXI/2023 is one of the important developments in labour regulations following the enactment of the Job Creation Law. In this decision, the Constitutional Court provided a constitutional interpretation of several provisions that were considered to cause legal uncertainty, particularly those related to Fixed-Term Employment Agreements (PKWT). The Court emphasised that PKWT can only be used for certain types of temporary work with a clear time limit. Furthermore, the Court stipulated that the maximum duration of a PKWT is five (5) years, including extensions, so that companies cannot extend employment contracts indefinitely without a clear time limit (Mak, 2024); (Sage, 2025). This affirmation aims to prevent the abuse of the contract system, which can harm workers and create uncertainty about their employment status.

Normatively, this ruling makes an important contribution to increasing legal certainty for contract workers. The Constitutional Court also emphasised that the use of PKWT must take into account the position of workers who are structurally weaker in the employment relationship. Therefore, the limitation on the contract period is intended as a form of constitutional protection for workers, preventing

them from experiencing ongoing employment uncertainty (Aspromourgos, 2023). Furthermore, this ruling reinforces companies' obligation to enter into written employment agreements and ensure employment relationships are conducted fairly and in line with worker protection principles within the industrial relations system (Bargelli, 2026).

However, the Constitutional Court's decision does not automatically resolve all issues regarding the regulation of contract workers (Maugeri, 2022). In Indonesian industrial relations, various disputes remain regarding the status of contract workers, particularly concerning the use of PKWT that does not align with the nature of the work, which is actually permanent. Several industrial relations disputes decided by the courts show that workers often file lawsuits because their employment contracts are repeatedly extended without any change in their status to permanent workers (Dukes, 2022). This condition shows that, even though the Constitutional Court has clarified the legal norms, implementation at the company level still faces various challenges, especially regarding companies' compliance with labour law provisions (Steininger, 2023).

Thus, Constitutional Court Decision Number 168/PUU-XXI/2023 can be understood as a corrective measure to the imperfections in the labour regulations in the Job Creation Law, particularly regarding restrictions on the use of PKWT. However, this decision does not automatically resolve all the issues that arise in

industrial relations practice. The main challenges lie in the effectiveness of labour supervision, the consistency of regulatory enforcement at the company level, and the mechanisms for resolving industrial relations disputes, which still occur frequently. Therefore, in addition to affirming norms through the Constitutional Court's decision, it is necessary to strengthen supervision and law enforcement mechanisms so that the protection of contract workers can be truly realised in labour practices in Indonesia (Estiwardani, 2025). This aims to ensure that the working relationship system continues without being accompanied by pressure from the strong party on the weak party (Suhartoyo, 2019).

Some companies ignore the time limit or nature of work that can be utilized on non-permanent contracts. Contract workers remain employed in permanent positions, such as administration or production, with no change in status to permanent workers despite repeated contract extensions. This refers to several existing theories, namely Industrial Relations Theory, where this theory focuses on the relationship between workers, companies, and the government as the main actors in the employment system (Hadi, Hamdani, & Roziqin, 2023). Healthy industrial relations require : (1) Protection of workers' rights through effective regulation, (2) Companies are committed to fulfilling legal obligations, and (3) Government oversight as a judge and enforcer of the law (Eneh et al., 2024).

A problem has occurred at PT. BATA Tbk. in Purwarkarta, East Java where hundreds of

workers have struggled with employee status. They having worked as contract employees for more 5 years but not yet been appointed as permanent employees. They went on strike for months to demand legal certainty about their workers' status. "Every year, we just wait for our contract renewal. There's no guarantee of a better future as employees. We work like permanent employees, but we're not treated like one" said Azam, founder and first chairman of Serikat Pekerja Aneka Industri (SPAI) Federasi Serikat pekerja Metal Indonesia (FSPMI) PT. BATA Tbk., Purwakarta. A similar cases has occurred in Semarang regarding termination of employment and right disputes of employee at Semarang District Court with case Number 50/Pdt.Sus-PHI/2025/PN. Smg. In this case, Susilo Romadhon as contract employee who has worked continuously at PT. Hong Fa International since 2014. He has not appointed regarding his permanent employee status then did not extend employment contract by company (Lembaga Bantuan Hukum Semarang, 2025). This condition creates uncertainty regarding their employment status due to the lack of long-term job security because workers who exceed their contract period of more than five years must change their status to permanent workers as required by labour regulations.

In general, workers and employers have an equal position in an employment relationship, but what happens in the field is that workers do not have power (Putri, Solechan, & Suhartoyo, 2024). Workers who are uncertain about their

employment status are also in a vulnerable and even weak position if a mass layoff occurs. Mass layoff is an act of labor reduction carried out by a company, which is generally correlated to operational cost-efficiency efforts. Two primary considerations usually influence the decision to conduct layoffs or RIF (reduction in force) (Saifullah, 2020). First, in the 1980s, companies tended to make layoffs due to high wages. Secondly, in the 1990s, employee performance became the primary consideration for layoffs. However, the reasons behind layoff decisions may vary over time (Lubis & Hoesin, 2023). For example, start-up companies may lay off to overcome the high-cost burden of managing human resources, especially when the business faces fluctuations and crises that may occur in the early stages of the Company's growth (Perdana, 2021).

The Ministry of Manpower released the latest data on layoffs since the January-December 2025 period, with the number of layoffs reach out 88,519. The highest number of laid-off workers during this period was in West Java Province, for approximately 21.26% of the total reported laid-off workers, according to the Ministry of Manpower's Satudata website. This figure is an increase from 2024 (77,965 people) and significantly higher than 2022 (25,114). The data reflects ongoing pressures in a number of industrial and manufacturing centers. The dominance of West Java, Central Java, and Banten indicates that regions with labor-intensive

industrial bases still face significant risks to workforce stability.

Layoff has different consequences for contract workers and permanent workers based on regulations. Companies seem to use the contract employment as an excuse to avoid normative obligations. First, in terms of employee benefit schemes, permanent workers receive more benefits than contract employees. Such as position allowances, pension benefits, and other basic necessities. However, not all contract employees receive these benefits, if a contract worker is terminated, they only receive compensation at the end of the contract, not severance pay. In contrast, permanent workers are entitled to severance pay, long-service bonuses, and compensation for their entitlements. Furthermore, the relaxation of contract employees regulations means companies are no longer strictly restricted to specific types of work. This creates potential for lifetime of contract employees, where contract can continuously extend or be re-contracted without any guarantee of being promoted to permanent employment. These are several the underlying cause of current corporate related cost efficiency efforts. The contract will end, if there is no agreement between the employee and management, then the employee must leave his job (Wibowo & Herawati, 2021). This condition make a the uncertainty of their employment status in the lack of long-term job security.

One crucial aspect to consider in the aftermath of mass layoffs is the mental state and

internal rules that contradict formal regulations, such as the duration of employment contracts or termination mechanisms (Chan, 2023); (Guan et al., 2024). Meanwhile, the lack of supervision from authorities such as the central government, in this case, the Ministry of Manpower, which should synergize with the Social Security Administrator for Employment (BPJS Ketenagakerjaan) and Trade Unions to be able to support companies to implement internal policies by applicable laws and regulations, such as Law Number 6 of 2023 concerning the Stipulation of Government Regulations instead of Law Number 2 of 2022 concerning Job Creation into Law (Congost, Ros, & Sagner, 2023).

Some of case occurred at PT. Lang Soon Indonesia (PT. LSI), located in Ngoro Mojokerto, East Java that employment demanding on the status of their employment which they have been undertaking for 8 years. Workers employed from 2015 to 2023 were considered by the company to be contract workers. Yet, dozens of these workers had been employed continuously for years without written employment contracts. This case began when contract workers were given leave by the president director of PT.LSI, which he had signed, stated that PT.LSI mechanical and finishing employees would be on leave starting December 26, 2022, and would return pending information from the president director. During the leave period, there was no certainty as to when workers would return to work, and during the leave period, workers did not receive any wages. Even though employers are obliged to pay wages

if workers/laborers are willing to do the work that has been promised, the employer did not employ them, either due to their own mistakes or obstacles that the employer should have been able to avoid. Starting from January 2023, PT LSI filed for layoffs during the second bipartid facilitated by the Mojokerto Regency Manpower Office which was sent to the workers. Furthermore, the company failed to pay annual leave to workers and menstrual leave to female workers. Finally, the company failed to pay overtime wages as required by law. This places both of them in an unbalanced position, the entrepreneur is in a strong socio-economic status, while the worker/laborer is in a weak position, who depends on their source of income by working for the entrepreneur or employer (Mashari & Suroto, 2022).

This triggered a lawsuit between workers against PT LSI at the Surabaya Industrial Relations Court, registered in Industrial Relations Court Decision Number: 52/Pdt.Sus-PHI/2024/PN.sby. which stated the workers was entitled to receive pay severance pay, long service award money, compensation money according to the provisions of Article 56 of Government Regulation Number 35 of 2021, to the workers in total of Rp.297,315,955.57, (Two hundred ninety-seven million three hundred fifteen thousand nine hundred fifty-five point fifty-seven rupiah) which is divided into wages during the leave day and the shortfall in wages that should be paid to workers. Then case continued until the cassation decision registered in Supreme

Court Decision Number 150 K/Pdt.Sus-PHI/2025 by confirming the previous court decision.

On the other hand, the Omnibus Law can quickly, effectively, and efficiently solve conflicts of laws and regulations. However, paying attention to the principle in Indonesian legislation, namely the *lex posterior derogat legi priori* (the new law overrides the old law), is necessary (Massoud, 2023); (da Silva et al., 2020). Careful harmonization is needed with the laws to be repealed by the omnibus law and with other bills being discussed so that Government Regulations instead of Laws (Perppu) can be an option for the Omnibus Law (Chan, 2023).

As a concept of legal reform to increase investment in Indonesia presented in this paper, the Omnibus Law must move from the existing legislative drafting system. The Omnibus Law process must consider juridical, political, sociological, and economic aspects (Muin & Tahir, 2023). In the juridical context, the legislative system must be balanced regarding effectiveness and accountability. In politics, sociology, and economics, the community still raises polemics and considers that the Omnibus Law will potentially cause damage to ecological, economic, and social chains (Mangold, 2023); (Yasih & Hadiz, 2023). The substance of the Omnibus Law, considered detrimental to workers' rights, giving too broad authority to the Government and simplifying licensing by eliminating many licensing instruments, is feared to close the judicial space in carrying out the

control function to review executive administrative decisions (Matompo, 2022).

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The omnibus law is expected to be part of national economic recovery efforts particularly in encouraging economics transformation to create new jobs. One of the goals is to improve worker protection and welfare. However in practice, many employees feel disadvantaged by the Omnibus Law, particularly in the employment contract cluster. The lack of certainty regarding permanent employment and employers' attempts to

circumvent employee contracts are considered detrimental to workers. The government has a role as a legal subject in industrial relations in the sense of its manifestation in the three main functions of government, namely regulating, fostering and supervising (Sonhaji, 2019). This is an important part that must be examined by the government so that it can balance the legal and political aspects in a real way in providing welfare and life security for workers, especially contract workers.

2. Policy effectiveness in improving the welfare of contract workers.

It is still a complicated and debated issue if Indonesia's Omnibus Law on Job Creation policy is good for contract workers. The goal of the policy is to make the investment climate better and give workers more freedom (Roychowdhury, 2021). But putting it into action has caused a number of problems that hurt the well-being of contract workers. At the same time, contract workers are now an important part of the modern job market, especially in Indonesia (Eneh et al., 2024). After the Job Creation Law (Omnibus Law) was passed, there were big modifications to the rules about contract workers. Considering the research challenge, how effective are Indonesia's policies in enhancing the wellbeing of contract workers? This subject is especially important because there are many debates and worries about how the Omnibus Law will affect workers' rights (Mangold, 2023).

Job Creation Law No. 6 of 2023 lays forth the rules for contract workers in Indonesia's labor

laws. This strategy, on the other hand, is often not followed consistently (Clarke & Gallot, 2024; McDougall, 2021). Many contract workers (PKWT) think they don't get enough protection, such as the entitlement to severance compensation and social security. This creates uncertainty and reduces workers' motivation (Jaelani, Luthviati, & Octavia, 2023). On the other hand, the legal basis for labor in Indonesia is the 1945 Constitution (UUD 1945) Article 27 (2), which states that every citizen has the right to work and a livelihood worthy of humanity (Yasih & Hadiz, 2023).

Legal protection for contract workers has the right to protection in the form of wages, health, and security. It is the same as the legal protection of permanent workers. However, the difference is that if the PKWT system contract workers expire, contract workers do not get severance pay, while permanent workers get it (Kasim et al., 2020); (Saifullah, 2020). Thus, some employers use the PKWT system. If the PKWT deviates from the applicable labor regulations, then the PKWT is null and void and becomes PKWTT (Perdana, 2021). So, in this transition, workers are entitled to severance pay from working in the company. The Job Creation Law (Omnibus Law) aims to make it easier for companies to recruit contract workers to increase competitiveness and respond to market needs. In this case, the positive impact of policy effectiveness is that companies can be more flexible in adjusting labor needs to business conditions, and new jobs are created, especially

in sectors that require short-term labor (Lubis & Hoesin, 2023).

On the other hand, the negative impact of the Job Creation Law (Omnibus Law) policy is that contract workers face job uncertainty because the more flexible contract duration allows companies to terminate employment relationships more efficiently, and an increase in job quality or worker welfare does not always accompany the increase in the number of contract jobs. The latest policy arrangements contained in the Job Creation Law Number 6 of 2023 have regulated compensation for contract workers according to the duration of work, provided a minimum guarantee after the contract ends, and contract workers have access to BPJS Ketenagakerjaan programs, including Job Loss Guarantee (JKP) (Aswindo et al., 2021); (Lubis & Hoesin, 2023).

Improving workers' welfare is an obligation that employers must fulfill. In line with the national objectives of the Unitary State of the Republic of Indonesia in Article 27 of the 1945 Constitution, it is clearly stated that every citizen has the right to work and a livelihood worthy of humanity (Muin & Tahir, 2023). In addition, Law No. 33/2004 on Financial Balance between the Central Government and Regional Governments clearly states that as a development objective, workers need to be protected in all aspects, including protection to obtain employment within and outside the country, protection of workers' fundamental rights, protection of occupational safety and health, and protection of wages and social security to ensure a sense of security,

security, fulfillment of justice, and the realization of a life that is prosperous physically and mentally, in harmony, harmony, and balance (Dean, 2024); (Devine, 2023).

Law No. 21/2000 on Trade Unions states that labor or workers are critical partners of employers in the production process to improve the welfare of workers or laborers and their families, ensure the company's continuity, and improve the welfare of the Indonesian people (Rahnema, 2023); (Sugisawa, 2024). Improving the welfare of the Indonesian people can be achieved by establishing trade unions or labor unions (Maceachen, Hopwood, & Crouch, 2023).

Article 28D Paragraph (2) of the 1945 Constitution expressly states that every person has the right to work and to obtain fair and decent remuneration and treatment in labor relations (Burgess, 2022). This essential provision is reinforced in Article 88 Paragraph (1) of Law Number 13 Year 2003 on Manpower, which states that every worker/laborer has the right to obtain an income that meets a decent living for humanity (Roychowdhury, 2021). To fulfill this, the government establishes a wage policy to protect workers/laborers (Hertogh, 2023).

The government has the right to intervene to provide supervisory services and legal action through its authority as stipulated in Article 102 paragraph (1) of Law No. 13 Year 2003. In a welfare state, the government is primarily responsible for ensuring each of its citizens' minimum standard of living to achieve a prosperous life (Baker, 2023); (Marditia,

Fransiska, & Swantoro, 2021). This aligns with Gooding's statement that state intervention is necessary to improve the general welfare and optimize social welfare in a welfare state (Mangold, 2023).

Normatively, a product of legislation is made not only to provide legal certainty but more than that is to provide justice and legal benefits for the community at large. Even philosophically, the substance or spirit of law is justice. Law without justice is not called law (Lubis & Hoesin, 2023; Tobing, Ginting, & Melayu, 2023). The study of the sociology of law, which has empirical characteristics, emphasizes the aspects of justice and legal benefits (Clarke & Gallot, 2024). Justice is not only formal procedural justice but also substantial justice. Substantive justice is justice based more on aspects of human conscience and morality, not rigid articles (Sala, 2023). Meanwhile, Soetandyo Wignjosoebroto stated that a just law is a national law that, in its application from case to case, can address the moral rules that apply in local communities (Guan et al., 2024).

D. CONCLUSION

This research highlights that implementing the Omnibus Law on Job Creation is still early, so its long-term impact on the welfare of contract workers is yet to be fully understood. Although the policy is designed to create labor market flexibility and encourage investment, realization on the ground shows a gap between the formal regulations and the practices implemented at the

enterprise level. Many companies have not fully complied with the new rules, especially regarding compensation, social security, and contract workers' rights protection. Weak supervision means that many violations go undetected, worsening the situation of contract workers. Moreover, the vulnerability of contract workers continues to face various obstacles, such as difficulties in claiming rights in court and the high risk of employment termination, especially amid unstable economic conditions.

This study reveals that the enforcement of the Omnibus Law on Job Creation exacerbates the disparity between employers' interests and employees' rights. This policy is good for businesses because it makes it easier for them to hire and fire people by reducing the number of rules they have to follow. But it also makes workers, especially contract workers, more vulnerable because they are less likely to keep their jobs, have less access to their rights, and are more likely to be laid off. The research also suggests that the Omnibus Law's labor laws be looked once again to make sure that worker protection and economic growth are balanced. Also, trade unions and other interested parties should be involved in making and carrying out policies to make the process more open. This measure is meant to make the labor policy more equitable and long-lasting, which will help workers in many different fields.

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