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¹**Affiliation:** Faculty of Law, Universitas Muslim Indonesia, Makassar, Indonesia

***Corresponding author:** Mochammad Andry Wardhana Wikra Mamonto, Department of Legal Science, Faculty of Law, Universitas Muslim Indonesia, Makassar, Indonesia

E-mail: moch.andrymamonto@umi.ac.id

LAW AND SOCIAL POLICY REVIEW | RESEARCH ARTICLE

Omnibus Law in Indonesia: Legal Protection of Workers in Employment Contracts

Muhammad Rizky Ramadhan, Muhammad Kamal, Mochammad Andry Wardhana Wikra Mamonto*

Abstract: This research finds out and analyze the regulation regarding legal protection for workers in work agreements and to find out and analyze the implications of the existence of the work copyright law on the legal protection of workers. This research uses normative research methods. The results of this study indicate that the synchronization of legal protection arrangements for workers in the agreement where the Legal Protection of Workers is regulated in the Manpower Act, in its continuity to workers is as a guide in providing legal protection for workers, namely in terms of providing legal certainty, justice, and benefits. for workers. The legal rules contained in this UUK have provided very clear instructions or guidelines, both for employers and workers, but in practice they are still far from what has been stipulated in the UUK. The government's efforts in providing legal protection to workers through the making of laws and regulations have been quite good. But so far, the government's efforts in providing legal protection to workers can be said to be minimal. In order for this to run as desired, the authors suggest that the Government should pay attention to the rights and welfare of workers, including in terms of legal protection for workers. The contents of the Civil Code, the Manpower Law and the Employment Copyright Law related to the legal protection of labor must be affirmed and realized as appropriate and workers must carry out their obligations in order to obtain legal rights and protection. points that are generally considered burdensome for workers in obtaining welfare

Keywords: Omnibus Law; Legal Protection; Worker; Employment; Contract;

1. INTRODUCTION

Indonesia as a developing country certainly cannot be separated from the industrialization plan where all aspects will be emphasized in the industrial sector. This has the consequence that there is an increase in the number of factories as a means to achieve that goal. Because the Indonesian government believes that only through industrialization can this country catch up with other countries that have become strong countries and make Indonesia more modern. (Pangestika & Arpangi, 2020) This view brings both negative and positive impacts to the state of Indonesia. Like a double-edged knife, on the one hand this situation has made Indonesia experience a very rapid development transition from a traditional society to a modern society. But on the other hand, this makes the establishment of factories rampant and reduces the area of rice fields to forests or more so that environmental damage occurs. (Anggreany Haryani Putri, 2021)

Regardless of the consequences of the industrialization project, it is desirable or not to create a stratum in the industry, namely the position of employers and workers. Employers and workers here have a very close relationship, because if there is no entrepreneur then there are no workers and vice versa. The relationship is then bound in an agreement, namely a work agreement. (Patria et al., 2014) Legal protection for workers is the fulfillment of basic rights inherent and protected by the constitution as regulated in Article 27 paragraph (2) of the Constitution of the Republic of Indonesia. Protection of workers is intended to guarantee workers rights and guarantee equal opportunities and treatment.

Without discrimination on anything to realize the welfare of workers and their families while still paying attention to the development of the progress of the business world and the interests of entrepreneurs. Legislation related to protection for workers namely Law No. 13 of 2003 concerning Manpower and implementing regulations of legislation in the field of manpower. Workers become weaker because there is no job security, wage certainty, social security, health insurance, severance pay in case of termination of employment, benefits and other certainty. (Manulang, 1990)

Workers who have been more disadvantaged, because the employment relationship is always in the form of non-permanent/contractual, lower wages, social security even if there is only to a minimum, there is no job security and there is no guarantee of career development, so in such circumstances the implementation of outsourcing will hurt workers. The implementation of outsourcing is mostly done to reduce labor costs with the protection and working conditions provided far below what should be given so that it is very detrimental. (Suhartoyo, 2019) The problem of the rising number of unemployed prompted the government to tackle the problem by establishing Law Number 11 of 2020 concerning Job Creation (*UU Cipta Kerja*). According to the Minister/Head of the National Planning and Development Agency (Bappenas) Suharso Monoarfa, currently the number of unemployed in Indonesia has increased by around 3.7 million people due to the COVID-19 pandemic. With this addition, the potential number of unemployed in Indonesia could be 10.58 million people. The government is optimistic that the Job Creation Law will be able to improve the investment climate in Indonesia and make many companies shift their investment to Indonesia. (Anggraeni, 2020)

Legal protection related to the rights of workers/laborers to form and become members of trade unions/labor unions is contained in Article 104 of Law no. 13 of 2003. Article 104 paragraph 1 states: "Every worker/labor has the right to form and become members of a trade union/labor union. ". Workers/laborers who are members of trade unions/labor unions have the right to manage finances and be accountable for the organization's finances, including strike funds. The provisions in Article 104 of Law No. 13 of 2003 are in line with the provisions of Law No. 21 of 2000 concerning Workers/Labour Unions in particular Article 5 paragraph 1 which reads with Article 104 paragraph 1 of Law NO. 13 of 2003. Even the legal protection of workers/laborers in Law No. 21 of 2000 is manifested in the form of facilitating the formation of a Union/Union. workers, where at least 10 (ten) workers/laborers have the right to form a trade union/labor union. (Anizar, 2009)

The Omnibus Law concept is a new concept used in the Indonesian legal system. This system is usually referred to as the universal sweep law because it is able to replace several legal norms in one regulation. In addition, this concept is also used as a mission to cut some norms that are considered not in accordance with the times and are detrimental to the interests of the state. (Putra, 2020)

In the Job Creation Law No. 11 of 2020 there are 11 clusters, one of which regulates employment. This cluster includes 3 laws which have been merged into one namely Law Number 13 of 2003 concerning employment, Law Number 40 of 2004 concerning the social security system, and Law Number 24 of 2011 concerning social security administering bodies. In this employment cluster, the Government seeks to harmonize the 3 laws so that they are in line so that they are able to provide a space for investors to see the regulations that have been perfected without worrying about overlapping regulations and causing losses to investors themselves.

Based on this description, the author can draw a problem, namely how the concept of omnibus law is in making legislation in Indonesia and how is the legal review in the problems of the Job Creation Act with the concept of Omnibus Law in the employment cluster article 89 number 45 regarding the provision of severance pay to workers who are employed layoffs. (Arham et al., 2019) Employment relationship is a relationship between a worker and an employer. An employment

relationship intends to show the position of the two parties which basically describes the rights and obligations of the workers. (Marzuki, 2008)

Before a person has a working relationship with another person, first a work agreement will be held either in a simple form which is generally made verbally or made formally, namely in written form. All of these efforts are made for the purpose of protecting and ensuring the rights and obligations of each party which will basically describe the rights and obligations of employers to workers on a reciprocal basis. (Nurhalimah, 2018) Protection of workers is intended to guarantee the basic rights of workers and guarantee equality and treatment without discrimination on any basis to realize the welfare of workers and their families while taking into account the progress of the business world and the interests of entrepreneurs. (Adillah & Anik, 2015)

Contract law recognizes the principle of freedom of contract and adheres to an open system. The purpose of this principle is that basically everyone is allowed to make an agreement regarding anything, as long as it does not conflict with the laws of decency and public order. The laws and regulations regarding contract law are generally additional or complementary, which means that the parties in making an agreement are free to deviate from these provisions, of course, as long as they do not conflict with the law, morality and general provisions. The parties are allowed to make their own provisions that deviate from the provisions of the contract law. If you do not regulate something yourself, it means that regarding this matter the parties will be subject to the provisions of the law. Usually, an agreement does not regulate in detail everything related to the agreement, only agreeing on corner matters, everything else is subject to law.

As a consequence of the open system of contract law which contains the principle of freedom to make the agreement, then based on Article 1338 of the Civil Code, all agreements made legally apply as law for those who make them. By suppressing the words of all, (Husni, 2000) Article 1338 paragraph (1) of the Civil Code states to the public that it is permissible to make agreements in the form and contain anything or anything and the agreement will bind those who make it as a law. (Febrian & Yusri, 2019) However, the agreement must be carried out in good faith as stated in Article 1338 paragraph (2) of the Civil Code. From the provisions of Article 1338 it can be interpreted that the parties are free to determine the content and form of an agreement, but the agreement cannot be contrary to the law, contrary to good decency and public order. So that the rights and obligations of the party determining the agreement, namely controlling, limiting their obligations to fulfill the rights of the workers. From the background above, the author is interested in bringing up this theme in a study entitled "Legal Protection for Workers in Employment Agreements after Law No. 11 of 2020".

The formulation of the problem from this research is how is the synchronization of arrangements regarding legal protection for workers in work agreements? And what are the implications of the existence of the work copyright law on the legal protection of workers? The purpose of this research is to find out and analyze the regulation regarding legal protection for workers in work agreements and to find out and analyze the implications of the existence of the work copyright law on the legal protection of workers. The benefits of this research are theoretical benefits, the results of this study are used as reading material and sources of information to find out and from a practical point of view, the results of this study can be used as input regarding the legal aspects that arise in the work agreement, there is a balance of rights and obligations for workers and legal protection of workers in work agreements and this research is expected to be of benefit to scientists and higher institutions as reading material for enrich repertoire.

There are several studies that are relevant to this research, namely, Ni Putu Nita Erlina Sari, I Nyoman Putu Budiarta and Desak Gde Dwi Arini, in the *Journal of Legal Analogies* in 2020 entitled *Legal Protection of Workers in Work Agreements for Certain Time According to Law no. 13 In 2003*, which concluded that in the formation of labor agreements, there are two types, namely PKWT

and PKWTT. However, in practice, the implementation of PKWT carried out by the company is not in accordance with the provisions stipulated in the work agreement and the Manpower Act so that the regulation regarding employment still contains various obstacles and problems as well as challenges faced and requires settlement through the courts and Purgito, in the journal Surya Kencana Satu in 2018, entitled Legal Protection for Workers in Certain Time Work Agreements. Based on Law Number 13 of 2003 concerning Employment, concluded that as a guideline for certain time work agreements in the Merchandising division of PT Arta Boga Cemerlang, but in practice it is not run in accordance with Law Number 13 of 2003 concerning Manpower, second, the obstacles in its implementation are from employers, workers, and the government, third, weak supervision government on the implementation of a certain time work agreement based on Law Number 13 of 2013 concerning Manpower.

2. Research Method and Materials

In terms of the focus of the study, the legal research carried out is included in the type of legal research with a normative doctrinal approach. As for what can be used as objects in research with this normative doctrinal approach are data in the form of primary and secondary legal materials as well as tertiary legal materials. (Sampara & Husen, 2016) This research is conducted through library research, library research or normative studies only by reading or analyzing written materials. The types and sources of data used in this study are secondary data consisting of primary legal materials and secondary legal materials.

The technique of collecting legal materials that will be used in this research is through interviews and library research, namely the technique of collecting legal materials by searching, recording, taking inventory, studying books, literature, laws and regulations, results of previous research, and documentation related to the problem under study, namely the legal protection of work agreements. The analysis of legal materials used in this research is qualitative normative legal material analysis, namely legal materials obtained after being systematically arranged, then analyzed qualitatively normatively in the form of descriptions, so that conclusions can be drawn to achieve clarity on the issues to be studied. The results of the literature will be used to analyze the data, then the legal materials are analyzed qualitatively normatively to answer the existing problems.

3. Results and Discussion

3.1 Basic Sync Settings

Legal synchronization is the alignment and harmonization of various laws and regulations related to existing and currently drafting laws and regulations governing a particular field. The purpose of synchronization activities is so that the substances regulated in statutory products do not overlap, complement each other (supplementary), are interrelated, and the lower the type of arrangement, the more detailed and operational the content of the material will be. (Sayuna, 2014)

The purpose of synchronization is to realize the basis for the regulation of a certain field that can provide adequate legal certainty for the efficient and effective implementation of certain fields. Peter Mahmud Marzuki, regarding the synchronization of laws and regulations there is the principle of *lex superior derogat legi inferiori* which explains that if there is a conflict between laws and regulations that are hierarchically lower, the lower laws and regulations must be set aside. The purpose of the synchronization activity is to realize the regulatory basis for a particular field that can provide adequate legal certainty for the efficient and effective implementation of that field. (Hantoro, 2012)

Synchronization of laws and regulations can be done in 2 (two) ways, namely:

- a. Vertical Sync

Vertical Synchronization is the synchronization of laws and regulations with other laws and regulations in different hierarchies. Vertical Synchronization is carried out by looking at whether a statutory regulation in force in a particular field does not conflict with one another. Besides having to pay attention to the hierarchy of laws and regulations mentioned above, in vertical synchronization, the chronology of the year and number of stipulations of the relevant laws and regulations must also be considered. Vertical synchronization aims to see whether a statutory regulation that applies to a particular field of life does not conflict with one another when viewed from a vertical point of view or the hierarchy of existing laws and regulations.

b. Horizontal Sync

Horizontal Synchronization is the synchronization of laws and regulations with other laws and regulations in the same hierarchy. Horizontal synchronization is carried out by looking at various laws and regulations that are equal and regulate the same or related fields. Horizontal synchronization must also be carried out chronologically, that is, in accordance with the order in which the relevant laws and regulations are enacted. Horizontal synchronization aims to reveal the reality to what extent certain laws are horizontally compatible, that is, there is compatibility between equal laws regarding the same field.

1. According to the Civil Code

According to the Civil Code, workers are regulated in book III of the Civil Code. According to Article 1601 of the Civil Code, what is meant by a work agreement is a labor agreement, a labor agreement is an agreement in which one party binds himself under the orders of another party, for a certain time, to do work by receiving wages. The work agreement as regulated in Chapter 7A Book III of the Civil Code, was initially private law, but in its development many provisions were no longer valid and were replaced with new regulations of a public nature.

The work agreement in Chapter 7A Book III of the Civil Code recognizes a general nature, meaning that it does not distinguish the field of the company or the people who enter into the work agreement. However, this general system has an exception, namely the work agreement is no longer valid for civil servants. In a work agreement made on the basis of the free will of both parties, then the free will that is agreed upon by both parties is called an agreement for those who bind themselves, meaning that the parties entering into the work agreement must agree or agree on the agreed matters.

2. According to the Labor Law

In Law no. 13 of 2003 concerning Manpower, legally provides protection that every worker has the same rights and obligations to choose, get or change jobs and earn a decent income at home or abroad. While Article 86 Paragraph (1) of Law no. 13 of 2003 explains that every worker or laborer has the right to obtain protection for occupational safety and health, morals and decency, and treatment in accordance with human dignity and values as well as religious values. Article 1 Paragraph (4) of Law no. 39 of 2004 explains that the protection of Indonesian workers is all efforts to protect the interests of prospective Indonesian workers and Indonesian workers in realizing the fulfillment of rights in accordance with the laws and regulations, both before, during, and after work. The scope of protection for workers or laborers according to Law no. 13 of 2003 as follows. Protection of the basic rights of workers or laborers to negotiate with employers. Protection of occupational safety and health.

Special protection for female workers or laborers, children and persons with disabilities. According to Asikin, there are three types of legal protection for Indonesian Migrant Workers, namely:

- a. Economical Protection
- b. Social Protection
- c. Technical Protection

The legal protection is divided into two, namely:

- a. Preventive Legal Protection.
 - b. Repressive Legal Protection
3. According to the Job Creation Act

Manpower comes from the word "labor", which is regulated in Article 1 paragraph (2) of Law 13/2003 concerning Manpower which states that: "Labor is anyone who is able to do work to produce goods and/or services both to meet their own needs and to fulfill their own needs. Public". In Article 1 paragraph (1) of Law 13/2003 concerning Manpower: "Employment is all matters relating to labor before during and after the work period". Currently the government has formed a legal policy to be used in determining the pattern of making laws and updating it with a binding legislative process as a norm that will be applied in creating job opportunities. (Susanto Susanto, 2017)

The Job Creation Law was first announced in the form of the Job Creation Bill which was later changed to the Job Creation Law. Since the announcement of its substance, it has caused controversy in the community because it is considered to have a negative impact, especially among workers, the existence of the Ciptaker Law is considered to be impartial to workers as the main factor in national economic development.

Through this, the Employment Creation Law was formed which was ratified by the DPR on October 5, 2020 and promulgated on November 2, 2020. This shows that there is legal politics originating from the executive by means of legislation. The executive branch includes the president and his deputy as well as ministers who assist in running the government.

The Job Creation Act will be a driver or trigger to strengthen capabilities and also implement the legislative function of the DPR in Indonesia as a state of law. (Darusman et al., 2020) The government's desire to create wide and even employment opportunities for the entire community is expected to be realized by the existence of the Job Creation Law No. 11 of 2020 which regulates multi-sector.

Among the 11 clusters in the Job Creation Act, employment is one of the things regulated in it. There are three laws that will be amended through the Job Creation Act, namely: First Law 13/2003 concerning Manpower, Second Law 40/2004 concerning the National Social Security System, and Third Law 24/2011 concerning Social Security Administering Bodies. The government is trying to harmonize the law so that it is able to provide space for investors without causing losses as well as avoiding overlapping regulations. (S Susanto & Halim, 2019)

3.2 Implication of the Job Creation Law on the Legal Protection of Workers

Employment relationship is the relationship between workers and employers after the existence of a work agreement, namely an agreement in which the worker binds himself to the employer to work by getting wages and entrepreneur declares ability for employing workers by paying wages for work relations, the subject is para entrepreneurs with workers/labor. In Article 1 number 15 of the Manpower Act, "Relation work is something connection which done by entrepreneur with worker, which is based on an employment agreement, in which there is a element profession, existence wages and orders". Elements in work agreement that will form the basis of the relationship work that is which listed in terms of chapter 1 number 4 law Employment that is Where inside definite working

relationship governed by the employment agreement inside it. In Article 1 number 14 Employment has explained with clear that the agreement entered into between workers/labourers with the entrepreneur contains conditions regarding rights, obligations of the parties who it's called an agreement work. This working relationship occurs because of a agreement between the entrepreneur and the worker/labourer. Whereas Article 1 number 25 of the Manpower Law explains that layoffs are the termination of the relationship work because something Case certain which results in the expiration of the rights and obligations between workers and entrepreneurs.

But in fact, it is precisely the parties who often terminate the employment relationship from one party. In the Job Creation Law, in Article 154A paragraph (1) regarding reasons that are allowed to terminate employment (PHK) are deemed not to protect the workers/labourers. There are several points from the paragraph that explain the termination of employment (PHK) which is felt to be detrimental to the workers/labourers. Article 154A paragraph (1) is as follows:

- a. Company merging, consolidating, taking over, or separating companies and workers/labourers are not willing to continue their working relationship or the entrepreneur is not willing to accept workers/ labourers;
- b. The company performs efficiency followed by company closure or not followed by company closure due to the company experiencing losses;
- c. The company closed because the company suffered losses continuously for 2 (two) years;
- d. The company closed due to force majeure;
- e. The company is in a state of suspension of debt payment obligations;
- f. Bankruptcy company
- g. Existence application for termination of employment submitted by worker/labor;
- h. There is a decision by the Industrial Relations Dispute Settlement Institution which states that the entrepreneur has not committed the act as referred to in letter g, there is an application submitted by the worker/labourer and the entrepreneur decides to terminate the employment relationship;
- i. The worker/labourer resigns of his own accord;
- j. The worker/labourer is absent for 5 (five) working days or more without any information;
- k. Workers/labourers commit violations that have been regulated in employment agreement;
- l. The worker/labourer is unable to work for 6 (six) months due to being detained by the authorities;
- m. The worker/labourer experiences a prolonged illness or disability due to a work accident;
- n. Workers/ labourers entering retirement age; or
- o. Worker/labor

It can be seen from the points above that the termination of employment (PHK) carried out by the entrepreneur/company has a slack of authority which can actually result in disconnection unilateral working relationship. Layoffs can also be made if the company undergoes a change of status, merger, or consolidation of the company, and the employer is not willing to accept workers in his company. More Furthermore, layoffs can be carried out because the company is closed due to experienced a loss that has been proven by the financial statements of the last two years that have been audited by a public accountant or forced circumstances

Unlike what is stated in Article 157A of the Job Creation Act, in this case the entrepreneur/company can terminate the employment relationship by temporarily suspending those who are undergoing the process of terminating the employment relationship but the wages received are still given. For the workers / labourers wages are the main thing for them and their families.

Termination of Employment Relations (PHK) in accordance with the provisions in Article 157 A must be proven by a decision of the industrial relations court.

1. Implication for Social Security About Work

The impact of the Job Creation Act in terms of Social Security is precisely in the rights of the workers which of course does not only affect the workers, but also the state finances. A number of points in the omnibus law are considered to have a negative impact on the implementation of employment social security. This will start from the ease of recruiting contract and outsourced workers, which is accompanied by relaxation of the obligation to appoint permanent employees.

The existence of these regulations makes the business world able to employ contract employees continuously, besides the implications for workers are the vulnerability to Termination of Employment (PHK) for permanent workers, then creates uncertainty for workers, the absence of work certainty is considered to create social security certainty. Sustainable employment is non-existent. The practice of layoffs and high turnover will make it difficult to fulfill the conditions for obtaining a definite benefit Pension Guarantee (JP) from BPJS Ketenagakerjaan or BP Jamsostek. Meanwhile, to obtain these benefits, participants must achieve a minimum of 15 years of service.

At first glance, it seems that there are no significant changes from the Manpower Law, but if we look closely, there are substitutions and omissions of substance so that there is an overlap between one article and another that is detrimental to workers and women. In its preparation, the Job Creation Act, which combines many laws, only took a matter of months. In addition, the Draft Law on the Elimination of Sexual Violence (RUU PKS) takes 6 years and has not yet been promulgated. Meanwhile, the Bill on the Protection of Domestic Workers (PRT) is even longer, it has been fought for 16 years and has not materialized until now. In addition to its quick formulation, the perspective in the substance of the Employment Creation Law is inclined to the interests of entrepreneurs, no longer based on the spirit to protect workers/laborers whose power relations are weaker.

2. Implication for Worker Wages

In the Employment Creation Law there are very prominent changes in terms of wages for workers, this is considered quite burdensome for workers. The following are changes to the employment system in the Job Creation Law in terms of wages:

- a. Amendment to article 88, deletion of article 89, then addition to articles 88B, 88C, 88D.

District/city and sectoral minimum wages are abolished. Then the minimum wage is determined from the provincial minimum wage set by the Governor. The implication for workers is that the Minimum Wage can be lower than before as determined by the district/city and sectoral minimum wages

- b. Addition of articles 88E and 90B

Minimum wage provisions for micro and small enterprises and labor-intensive industries are regulated separately. The implication for workers is that the minimum wage in micro and small enterprises and labor-intensive industries can be lower than the applicable minimum wage.

- c. Removal of Article 59

The previous provisions that limited contract workers or certain time work agreements (PKWT) to work outside the main activity or production process directly and temporarily were removed. The implication for workers is the expansion of contract work and the loss of security and certainty of permanent

employment. All types of work can use contra workers (PKWT) and contract work can be longer than 3 years.

The following are the implications that are considered to have an effect on the wages of workers, including:

a. Longer working hours and overtime

The substance of the Job Creation Act changes the working time, namely the elimination of the provisions of five working days and two weekly rest days. In the provisions of Article 79 of the Copyright Act paragraph 1b it is stated that a weekly break is 1 day for 6 working days. In addition to working for 6 days, workers are also forced to extend overtime. In the Job Creation Law, it is stated that overtime is carried out 4 hours in 1 day and 18 hours a week. The overtime time is extended from the provisions of the Manpower Law 32/2003 article 78 which states that overtime work can only be done for a maximum of 3 (three) hours in 1 (one) day and 14 (fourteen) hours in 1 (one) week.

b. Minimum wage gone

Article 88 of the Copyright Act removes the detailed provisions regarding the calculation of wages, namely that there is no longer any provision for the minimum wage. The calculation of wages will be based on the national wage policy set out in government regulations. With that provision, the potential wages are far from decent. The provisions regarding the minimum wage in Article 89 of the Manpower Law were also removed by the Ciptaker Law. In addition, a fundamental change in wages in the Copyright Law is the calculation based on units of time. Although the unit of time is not specified, this provision will have an impact on wages calculated per hour. With that calculation, automatically the minimum wage is no longer relevant to be used for wages. In addition, the calculation of hourly wages will eliminate wages that are usually received on a fixed monthly basis.

c. Wage calculation changed

In the Job Creation Law, wages are calculated based on the unit of time and the unit of result (productivity) contained in Article 88B. In addition, wages are paid according to the company's ability and productivity, and there is no supervision on this matter.

d. Menstruation and maternity leave wages will be lost

The provisions of the Job Creation Law do not eliminate the articles in Law No. 13 of 2003 concerning menstrual leave and maternity leave. However, the substance of hourly wages omitted the essence of menstrual leave and maternity leave because if female workers undergoing such leave are automatically not counted as working, so they do not get paid leave.

e. Long leave gone

A number of leave such as sabbatical leave are no longer regulated by the government, but are regulated by the company with a work agreement, company regulations and with a Collective Labor Agreement. If you are not careful and ready to negotiate and ask the company you work for, then your leave will be determined by the company unilaterally.

f. Unilateral layoffs made easy

The company can terminate the employment relationship (PHK) unilaterally through Article 154A of the Copyright Law, namely that layoffs can be carried out on the grounds that the company commits merger, consolidation, acquisition, or separation of companies; efficiency; closed due to loss, force majeure, delaying debt, and bankruptcy. Termination of employment is also facilitated through Article 151 of the Copyright Law which abolishes the provision "every effort must be made to prevent termination of employment". Companies can also make layoffs without going through negotiations with the

union. In addition, the Job Creation Law abolishes the provisions of Article 161 of the Manpower Law which previously regulated warning letters before layoffs. Therefore, companies can perform layoffs without going through a warning letter mechanism.

- g. The amount of severance pay is reduced
The provisions in Article 156 of the Copyright Law reduce the amount of severance pay if workers are laid off because they abolish compensation for entitlements. In Article 156 of the Manpower Law, housing replacement as well as treatment and care are set at 15% (fifteen percent) of the severance pay and/or service award for those who meet the requirements. In addition, the Ciptaker Law abolishes articles 162-166 in the Manpower Act which details the amount of severance pay and the calculation of the award for years of service as well as compensation for workers who resign. Job uncertainty for the community is also considered to endanger the certainty of sustainable social security, this is not only a risk for workers, but also for the State, because it will involve the State Revenue and Expenditure Budget (APBN).

4. Conclusion

Based on the description above, it can be concluded that a synchronization of legal protection arrangements for workers in agreements where Legal Protection for Workers is regulated in the Manpower Act, in its continuity to workers is as a guide in providing legal protection for workers, namely in terms of providing legal certainty, justice, and benefits for workers. The legal rules contained in this UUK have provided very clear instructions or guidelines, both for employers and workers, but in practice they are still far from what has been stipulated in the UUK. The government's efforts in providing legal protection to workers through the making of laws and regulations have been quite good. But so far, the government's efforts in providing legal protection to workers can be said to be minimal. This happens because of the weak supervisory function of the government against entrepreneurs who violate or do not implement the provisions of laws and regulations. And also, regarding the implications of the ratification of the Job Creation Act, it is considered very influential on the workers, where it is said that many things are less favorable to the welfare of the workers when compared to the previous Manpower Act. Striking points in the amendment of the Manpower Act to the Job Creation Law, among others, are as follows: Dismissal of Work Rights (PHK), Workers' Social Security, Wages. These are very prominent points in the Job Creation Law, where many parties do not agree with the ratification of the Job Creation Law because it is considered burdensome by the workforce. In order for this to go as desired, the author suggests that the government must pay attention to the rights and welfare of workers, including in terms of legal protection for workers. The contents of the Civil Code, the Manpower Act and the Job Creation Law related to the legal protection of labor must be affirmed and implemented as appropriate, both in the employment contract and in its implementation. Then the workers must carry out their obligations in order to obtain rights and legal protection and the government should re-analyze the contents of the Job Creation Law, as there are many points that are generally considered burdensome for workers in obtaining welfare.

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