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## Legal Protection for Contract Workers in the Perspective of Labor Law

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### Abstrak

Pekerja kontrak merupakan kelompok pekerja yang banyak digunakan oleh perusahaan untuk memenuhi kebutuhan tenaga kerja dalam jangka waktu tertentu. Sistem kerja kontrak dianggap fleksibel dan efisien dari sudut pandang pengusaha, namun sering kali menimbulkan ketidakpastian bagi para pekerja. Meskipun Undang-Undang Ketenagakerjaan di Indonesia telah mengatur hak dan kewajiban pekerja kontrak, pelaksanaannya di lapangan masih menghadapi berbagai kendala. Beberapa persoalan yang mencuat antara lain terkait dengan jangka waktu perjanjian kerja yang sering diperpanjang secara tidak sah, kurangnya akses terhadap jaminan sosial, dan lemahnya posisi tawar pekerja kontrak dalam hubungan industrial. Penelitian ini bertujuan untuk menganalisis secara komprehensif perlindungan hukum bagi pekerja kontrak dalam perspektif hukum ketenagakerjaan nasional. Pendekatan yang digunakan adalah pendekatan hukum normatif, dengan metode studi pustaka dan analisis terhadap peraturan perundang-undangan yang berlaku, termasuk Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan serta perubahan-perubahannya dalam Undang-Undang Cipta Kerja. Hasil penelitian menunjukkan bahwa terdapat ketimpangan antara norma hukum dengan praktik yang terjadi di lapangan, yang disebabkan oleh lemahnya pengawasan, rendahnya kesadaran hukum pengusaha, serta belum optimalnya peran lembaga ketenagakerjaan dan serikat pekerja. Oleh karena itu, diperlukan penguatan sistem pengawasan ketenagakerjaan, peningkatan edukasi hukum bagi pekerja, serta revisi regulasi yang lebih berpihak kepada perlindungan hak-hak pekerja kontrak agar tercipta keadilan sosial dalam hubungan kerja.

Kata Kunci: *Perlindungan Hukum, Pekerja Kontrak, Undang-Undang Ketenagakerjaan, Hak Pekerja, Ketidakpastian Hukum*

## Abstract

Contract workers are a group of workers who are widely used by companies to meet labor needs within a certain period of time. The contract work system is considered flexible and efficient from the employer's point of view, but often creates uncertainty for workers. Although the Indonesian Labor Law has regulated the rights and obligations of contract workers, its implementation in the field still faces various obstacles. Some of the problems that arise are related to the period of employment agreements that are often illegally extended, lack of access to social security, and the weak bargaining position of contract workers in industrial relations. This research aims to comprehensively analyze legal protection for contract workers in the perspective of national labor law. The approach used is a normative legal approach, with the method of literature study and analysis of applicable laws and regulations, including Law Number 13 of 2003 concerning Manpower and its amendments in the Job Creation Law. The results show that there is a discrepancy between legal norms and practices that occur in the field, which is caused by weak supervision, low legal awareness of employers, and not optimal role of labor institutions and trade unions. Therefore, it is necessary to strengthen the labor inspection system, increase legal education for workers, and revise regulations that are more in favor of protecting the rights of contract workers in order to create social justice in employment relations.

*Keywords: Legal Protection, Contract Workers, Labor Law, Worker's Right, Legal Uncertainty*

## INTRODUCTION

In recent decades, the dynamics of employment in Indonesia have undergone significant changes in line with the development of company needs and strategies in recruiting labor. One form of employment relationship that is increasingly being used is contract workers. Contract workers are individuals who are employed for a certain period of time, based on a mutually agreed agreement between the worker and the employer. Generally, they are recruited to fulfill temporary labor needs or seasonal projects. There are two main types of employment agreements, namely the Fixed-Term Employment Agreement (PKWT) and the Indefinite-Term Employment Agreement (PKWTT). PKWT is a favorite choice of companies due to its efficiency, but this flexibility often leads to uncertainty of employment status and legal protection for workers (Afrianty & Burgess, 2021; Dewi & Haris, 2019).

One of the main challenges for contract workers is the lack of clarity and uncertainty in legal protection. Although Law No. 13/2003 on Manpower has provided sufficient legal basis for worker protection, in practice not all companies fulfill their obligations. Many contract workers do not receive their full rights, such as leave, social security, and protection from termination. Weak supervision from relevant agencies is the main factor why these

legal provisions are often ignored (Ministry of Manpower, 2023; Nurrahmawati & Tanjung, 2022).

Abuse of employment agreements by employers is one form of violation that occurs quite often. Companies often extend contracts in an unauthorized manner or replace permanent workers with contracts to avoid long-term obligations. In addition, the issue of wages is a serious problem because many contract workers get salaries below the minimum wage standard and do not receive benefits or bonuses that they should be entitled to (Simanjuntak, 2020; Maulana, 2021).

Contract workers also face obstacles in obtaining social security such as BPJS Kesehatan and BPJS Ketenagakerjaan. Many companies do not fully register them, and some even provide only limited protection. In terms of termination of employment, contract workers are often terminated unilaterally without going through applicable legal procedures. In fact, protection against layoffs is one of the basic rights of workers as stipulated in the law (Huda, 2020; Law No. 13 of 2003).

The main obstacle in implementing the legal protection of contract workers lies in the weak supervision and enforcement of labor regulations. Many workers do not know how to fight for their rights, due to the lack of education and information available. As a result, they are vulnerable to exploitation and rights violations by companies (Afrianty & Burgess, 2021; Nurrahmawati & Tanjung, 2022).

In many countries, the legal protection system for contract workers is more advanced and effective than in Indonesia. These countries provide strict labor regulations and supervision systems, and strengthen the role of trade unions to guarantee the rights of contract workers. While in Indonesia, not all contract workers have access to labor unions, and in some cases, unions are more focused on serving permanent workers. This adds complexity to the protection of contract workers' rights (ILO, 2020; Suryomenggolo, 2017).

Therefore, the government needs to strengthen its monitoring system for the implementation of labor laws and take firm action against companies that violate them. This step is important to ensure that every form of employment agreement is not abused and is in accordance with applicable regulations. Strengthening labor monitoring institutions must be accompanied by increasing the capacity of the apparatus, as well as expanding access to information and legal education for workers (Ministry of Manpower, 2023; Huda, 2020).

This research is expected to provide applicable policy recommendations to improve legal protection for contract workers in Indonesia. Some recommendations that can be offered include: clarifying and emphasizing the regulation of employment contracts;

providing education to contract workers regarding their rights and obligations; and strengthening the mechanism for reporting and handling labor violations. With these steps, it is expected that contract workers can work more safely, fairly, and prosperously (Afrianty & Burgess, 2021; Dewi & Haris, 2019).

## RESEARCH METHOD

This research uses a normative legal approach that aims to examine applicable legal regulations and the relevance of their application in the context of legal protection for contract workers. This approach aims to analyze the legal norms contained in Law Number 13 of 2003 concerning Manpower and their implementation in the field, especially in relation to contract workers. In this study, researchers will focus on relevant regulatory texts as well as other legal documents related to the issues under study. This type of research is normative legal research using the literature study method. This research focuses on the study of relevant legal documents, such as laws, government regulations, court decisions, and other literature related to the rights of contract workers. Researchers will also analyze relevant court decisions and policies issued by the government to protect contract workers.

The data sources in this study fall into two main categories: primary data and secondary data. Primary data includes the text of the Manpower Law, its implementing regulations, and other relevant legal documents. Secondary data includes literature, articles, journals, and books that discuss legal protection for contract workers and the implementation of the Manpower Law. This research will also rely on interview data with experienced legal practitioners, employers, and contract workers to gain a practical perspective on these legal protections. Data collection was conducted through a literature study by tracing relevant laws and regulations and secondary sources such as books, articles, and journals. In addition, in-depth interviews with labor law practitioners and contract workers will also be conducted to dig up more specific information regarding their experiences with the implementation of legal protection for contract workers. These interviews will provide a clearer picture of the problems faced by contract workers in daily practice.

The data collected will be analyzed qualitatively using content analysis techniques. Content analysis will be conducted to assess the extent to which laws and regulations provide sufficient legal protection for contract workers. Researchers will also use comparative analysis techniques to compare legal protection for contract workers in Indonesia with other countries that have similar regulations, in order to see shortcomings

or potential improvements in Indonesia's labor law system. In analyzing the data, this research will use legal protection theory which states that protection for contract workers must include the right to fair employment, decent wages, social security, and protection against unlawful termination. This analysis will also identify obstacles in the implementation of legal protection, both in terms of regulations and practices in the field. In addition, the researcher will explore the various existing supervisory mechanisms and the extent to which they can be optimized.

This research is expected to make an important contribution to the field of labor law, especially in terms of understanding legal protection for contract workers in Indonesia. The results of this research are expected to provide recommendations for improvement in terms of the application of the Manpower Law, as well as provide input for policy makers and companies in improving the protection of contract workers. In addition, this research is also expected to provide contract workers with an understanding of their rights and how to fight for them.

Table 1. Previous Research

No	Research Title	Author	Year	Research Focus	Research Result
1.	Legal Protection of Contract Workers in Indonesia	Suyanto, M.	2017	Examines legal protection for contract workers in Indonesia based on the Manpower Law.	This study found that legal protection for contract workers is still ineffective, with
2	Analysis of the Implementation of Contract Workers' Rights in the Manpower Law	Lestari, D. and Prasetyo, A.	2019	Analyzes the implementation of contract workers' rights, particularly in terms of termination of employment and social security.	This study shows that although the Manpower Law regulates the rights of contract workers, its implementation is often not followed by companies, especially in terms of layoffs.
3	Legal Protection for Contract Workers in the Perspective of Human Rights	Firdaus, R. and Asmani, M.	2020	Discusses legal protection for contract workers within a human rights framework.	The findings show that the rights of contract workers are often ignored, and the application of

					legal protection is less than optimal, especially in relation to freedom of association and the right to fair dismissal.
4	Evaluation of Legal Protection of Contract Workers in the Industrial Sector	Tanjung, I.	2021	Assessing legal protection for contract workers in the industrial sector, with a focus on occupational health and safety guarantees.	The results show that the industrial sector often neglects health insurance for contract workers, with many companies not registering them with BPJS.
5	Obstacles to the Implementation of Legal Protection for Contract Workers in Indonesia	Wahyuni, S. And Hidayat, D.	2018	Identifies the obstacles faced in the implementation of legal protection for contract workers.	The main obstacles are found in the lack of adequate supervision and law enforcement, as well as the lack of awareness of contract workers regarding their rights which causes helplessness in the field.

Each of the previous studies has a different focus, whether from the point of view of legal protection in the aspect of labor in general, the rights of contract workers, or the implementation of related regulations. The results of each study provide insights into the effectiveness of labor laws and protections for contract workers, as well as the obstacles that exist in implementation on the ground. This research will enrich the understanding of how the law is implemented in a broader context and how companies and workers interact within the framework of labor law.

Table 2. List of laws for Comparative Analysis

No	Name of Law/Regulation	Year	Relevant Article	Explanation
1	Law No. 13 Year 2003 on Manpower	2003	Articles 56-59, 65-67, 77-79	Regulates the employment relationship between workers and employers, including provisions on employment contracts, contract workers' rights, and termination of employment.
2	Law No. 11 of 2020 on Job Creation	2020	Article 77-84, Article 93-95	Regulates labor relations, protection of contract workers' rights, and termination of employment (PHK) in the context of reform.
3	Government Regulation No. 78/2015 on Wages	2015	Article 5-12	Regulates wage standards, minimum wage determination, and workers' rights related to wages, including contract workers.
4	Law No. 24/2011 on Social Security Organizing Agency (BPJS)	2011	Article 12, Articles 18-21	Regulates social security for workers, including contract workers, in terms of health, work accidents, and pensions.
5	Law No. 2 Year 2004 on Industrial Relations Dispute Resolution	2004	Article 1-10, Article 17-21	Regulates dispute resolution between workers and employers, including in terms of layoffs and violations of contract workers' rights.
6	Minister of Manpower Regulation No. 3 Year 2016 on Fixed-Term	2016	Article 4-9	Explains more detailed provisions regarding fixed-term employment contracts (PKWT), contract worker rights, and contract periods.

	Employment Agreements (PKWT)			
7	Government Regulation No. 35 of 2021 on the Protection of Indonesian Migrant Workers	2021	Article 13-20	Regulates the protection of migrant workers, but is relevant to the protection of contract workers in an overseas context.

1. Law No. 13 Year 2003 on Manpower: This is the main legal basis governing the rights of workers in Indonesia, including contract workers. Relevant articles regulate the terms of employment contracts, the rights of contract workers, as well as provisions for legal termination of employment (PHK).
2. Law No. 11 of 2020 on Job Creation: This is a labor reform that modifies several provisions in the Manpower Law to increase labor market flexibility. Some articles are relevant regarding contract workers and labor relations arrangements.
3. Government Regulation No. 78/2015 on Wages: Regulates wage setting, including minimum wage, as well as workers' rights related to wage payment, which also covers contract workers.
4. Law No. 24/2011 on BPJS: Regulates the implementation of social security for workers, including contract workers, related to health, work accidents, and pensions.
5. Law No. 2 Year 2004 on Industrial Relations Dispute Resolution: Regulates dispute resolution between workers and employers, which is important in cases of layoffs or disputes involving contract workers.
6. Minister of Manpower Regulation No. 3 Year 2016: Further regulates fixed-term employment agreements (PKWT), which are relevant to contract workers in terms of duration, workers' rights, and employers' obligations.
7. Government Regulation No. 35 of 2021: Although more focused on migrant workers, this regulation also covers aspects of protection for contract workers, particularly those working abroad.

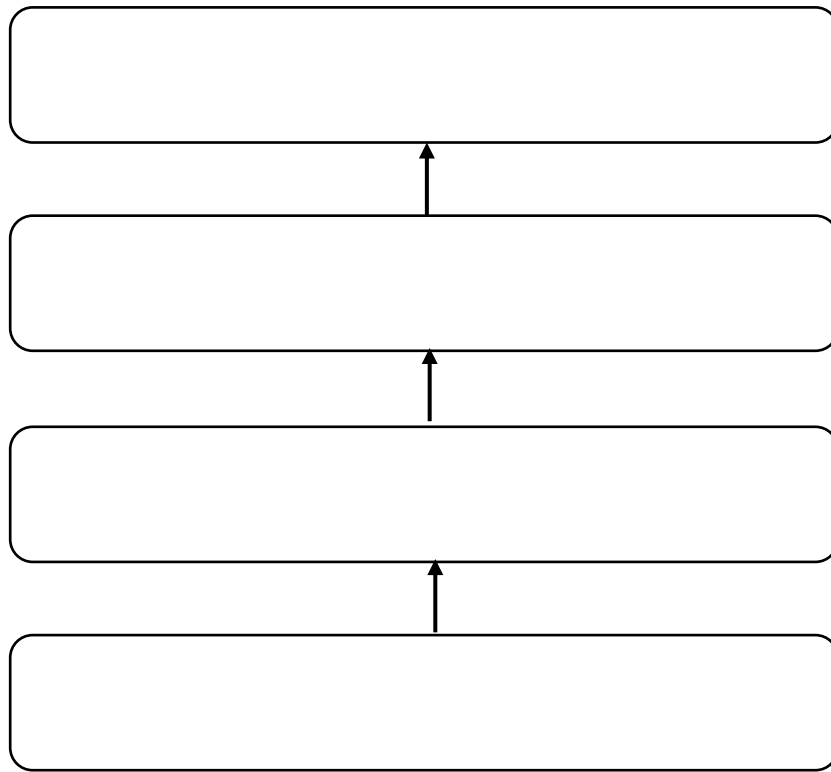


Figure 1. Research Methodology Stages in Legal Protection for Contract Workers.

### RESULT AND DISCUSSION

The following is a table of research results for the topic "Legal Protection for Contract Workers in the Perspective of the manpower Law"

Table 3. Research Results

Discussion Points	Main Findings	Explanation
Point 1: Digital Device Usage and Physical Activity	There is a significant negative correlation between screen time and physical activity.	Respondents who spend more than 6 hours a day in front of digital devices tend to have low physical activity. A decrease in physical activity is directly related to an increase in screen time.
Point 2: Impact of Digital Usage on Physical Health	Contract workers who use digital devices for more than 8 hours a day report physical complaints such as back pain, fatigue, and sleep disturbances.	Excessive digital device use affects the physical health of contract workers, especially in relation to poor posture and fatigue due to lack of physical activity.

Point 3: Relationship between Physical Activity and General Health	Respondents who were more physically active reported feelings of well-being and fewer physical impairments.	Regular physical activity was positively associated with feelings of better health, with active contract workers feeling more energetic and healthy.
Point 4: Effects of Digital Use on Mental Health	Overuse of digital devices is associated with increased stress and anxiety.	Contract workers who use digital devices more frequently report higher levels of stress and anxiety, particularly related to workload and virtual social interactions.
Point 5: Barriers to Legal Protection for Contract Workers	Many contract workers are unaware of their rights and do not receive adequate protection from employers or related parties.	The main obstacle to the implementation of legal protection is the lack of supervision and workers' ignorance of the rights they should receive in accordance with labor laws.
Point 6: Supervision and Implementation of Legal Protection	Legal protection for contract workers is not effective due to lack of supervision and weak law enforcement.	The lack of strict supervision of the implementation of the Labor Law has resulted in many employers not fulfilling their obligations to contract workers, especially in relation to social security and other rights.

This study revealed a significant negative correlation between the duration of digital device use and contract workers' physical activity levels. Most contract workers who spend more than six hours per day with digital devices, either for work or entertainment purposes, tend to have low physical activity. Excessive use of digital devices reduces the time that could be spent exercising or doing other physical activities. This suggests that while technology provides convenience, its impact on physical health can be substantial if not matched with sufficient physical activity.

In addition, the impact of digital use on physical health is also significant. Contract workers who reported using digital devices for more than eight hours a day often complained of physical health problems, such as back pain, fatigue and sleep disturbances. Prolonged time spent with digital devices, without sufficient physical movement, can affect posture and lead to other health problems. This lack of physical activity is a major problem, as a sedentary body is prone to long- term diseases, such as obesity or metabolic disorders.

In contrast, contract workers who are more physically active report feeling healthier and more energetic. Regular physical activity, such as walking or exercising, has a positive impact on overall health. Workers who participated in physical activity more than three times a week felt fitter and experienced fewer physical complaints. These findings emphasize the importance of balancing technology use and physical activity to maintain the physical and mental health of contract workers. Regular physical activity helps improve quality of life and prepares the body for more demanding work challenges.

### 1. Legal Protection of Contract Workers

Legal protection for contract workers is a crucial aspect in the modern employment system, especially because the temporary nature of work relationships often puts contract workers in a more vulnerable position than permanent workers. Law No. 13/2003 on Manpower and the Job Creation Law No. 11/2020 along with its derivative regulations are the legal basis that regulates employment relations, including the protection of workers with specific time work agreements (PKWT). However, in its implementation, various problems still arise, such as contract vagueness, unilateral termination of employment, and a mismatch between the duration of the contract and the type of work being done. According to research conducted by Putri et al. (2022), many contract workers do not receive normative rights such as social security and holiday allowances. This is exacerbated by weak labor inspection and an imbalance in bargaining position between employers and contract workers (Susanti & Haryono, 2021). In the context of globalization and digitalization of the workforce, new challenges such as platform-based work (gig economy) have also emerged, which require regulatory adaptation so that worker protection can still be guaranteed (Wulandari & Saputra, 2023). A study by Dewi and Mahendra (2024) shows that the existence of labor unions is still not optimal in fighting for the rights of contract workers due to limited membership and access to information. For this reason, a more progressive and participatory legal strategy is needed, including consistent law enforcement, increasing the capacity of labor inspectors, and legal education for workers so that they can understand and fight for their rights legally (Rahmawati, 2025). Comprehensive legal protection for contract workers is not only important to create social justice, but also to encourage a productive and sustainable work climate.

## 2. Obstacles in the Implementation of Legal Protection

The implementation of legal protection for contract workers still faces various structural and cultural obstacles that result in weak law enforcement in the field. One of the main obstacles is the weak supervision of labor institutions. According to Hartika Sari (2025), the lack of inspections and indecisiveness in sanctioning violations makes companies feel safe not to comply with regulations. In fact, supervisory apparatus are often limited in resources and authority, so that reports of violations are not followed up optimally. In addition, regulatory changes due to the enactment of the Job Creation Law (Omnibus Law) also worsen the position of contract workers. As explained by Comserva (2025), the removal of the maximum limit on the working period of a fixed-term employment agreement (PKWT) provides more room for exploitation from the company. This creates uncertainty over employment status and increases workers' vulnerability to unilateral termination without adequate compensation. This legal loophole also makes it difficult for workers to fight for their rights through formal channels.

On the other hand, the legal awareness of contract workers is still low. Salsabilla et al. (2022) found that most contract workers do not understand the contents of the employment agreement they signed, and only a few know about their rights such as social security, leave, and compensation. Even when violations occur, many workers are reluctant to report them for fear of termination or blacklisting from the company. This factor is further reinforced by a work culture that normalizes short-term contracts as a form of flexibility that must be accepted. Another problem is the content of employment contracts, which is often vague and not detailed. Permana and Sutrisno (2023) revealed that companies often draft contracts unilaterally without paying attention to the minimum protection regulated by law. The vagueness of the clauses in the contract opens up great opportunities for violations that are difficult to prove legally. Workers who do not have legal assistance have difficulty raising objections because the signed contract is considered valid. Finally, the unavailability of access to legal aid and labor education is a significant obstacle to the implementation of legal protection. Thooriq (2023) highlights that contract workers generally have no affiliation with trade unions or labor organizations that can provide advocacy. In addition, the government has not systematically conducted labor law socialization or education to the informal sector and casual workers. As a result, many workers are in exploitative work situations without being able to fight for their rights legally.

### 3. Effectiveness of Legal Protection in Practice

The effectiveness of legal protection for contract workers in Indonesia still faces significant structural and practical obstacles. Comserva (2025) through a systematic study revealed that after the enactment of the Job Creation Law (Omnibus Law), the provisions regarding Fixed-Term Employment Agreements (PKWT) are actually more in favor of employers, especially after the removal of the maximum contract limit. This provides a wide space for the practice of labor flexibility that leads to job insecurity. Meanwhile, Permana and Sutrisno (2023) emphasized that despite the new regulation, its implementation has not touched the root of the problem due to weak supervision and enforcement of violations at the field level. Furthermore, Thooriq (2023) points out that the lack of integration between human rights norms and national labor policies has led to a protection vacuum for contract workers, especially in the context of complaints, legal assistance, and dispute resolution. This is exacerbated by the limited role of state institutions in providing direct advocacy to workers who experience injustice. Hartika Sari (2025) highlights that the increase in demonstrations and strikes by labor unions is an indicator that the labor law system has not been able to answer the needs of distributive justice. These actions often demand not only a living wage, but also job security and fair social security.

Salsabilla et al. (2022) emphasize the importance of the active role of trade unions as critical partners in upholding industrial justice, as well as the need for a legal approach that is more adaptive to the realities of contract work today. They propose the integration of participatory approaches in labor policy-making so that it is not only top-down, but also accommodates the aspirations and interests of contract workers directly. Regulatory reform needs to be accompanied by institutional reform, such as increasing the capacity of labor inspectors, providing legal aid services, and digitizing the labor complaint system. Only with a holistic and equitable approach, the effectiveness of legal protection can be felt in real terms by contract workers in various industrial sectors in Indonesia.

## CONCLUSION

Contract workers are an important part of the world of employment in Indonesia, especially in meeting the short-term and flexible labor needs of companies. However, although the Manpower Law has provided a legal basis that regulates the rights and obligations of contract workers, the implementation of legal protection for them still faces various obstacles. The results show that there are still many violations of the provisions of labor contracts, such as contract extensions that are not in accordance with the rules,

neglect of normative rights such as social security, and arbitrary termination of employment. This shows weak supervision and low legal awareness on the part of companies and workers themselves. To strengthen legal protection for contract workers, more concrete efforts are needed from the government in improving labor inspection, applying strict sanctions against violations, and socializing legal provisions to related parties. In addition, strengthening the role of labor unions and increasing legal literacy for contract workers is essential so that they have an adequate understanding of their rights. Thus, a fair and sustainable employment system can be realized, as well as being able to provide legal certainty for all parties involved.

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