

ANALYSIS OF INDONESIAN LABOR PROTECTION POLICY FROM A GLOBALIZATION PERSPECTIVE

Rakhul Akbar Maulana¹, Dody Dwi Kurniawan², Alifa Cesariany Fatchan³, Ghifara Alfino Firtiawan⁴,
Arif Putra Pamungkas⁵, Rendy Catur Wicaksono⁶.

¹ Fakultas Hukum Universitas Muhammadiyah Surakarta (C100210359@student.ums.ac.id)

² Fakultas Hukum Universitas Muhammadiyah Surakarta (C100210361@student.ums.ac.id)

³ Fakultas Hukum Universitas Muhammadiyah Surakarta (C100210367@student.ums.ac.id)

⁴ Fakultas Hukum Universitas Muhammadiyah Surakarta (C100210369@student.ums.ac.id)

⁵ Fakultas Hukum Universitas Muhammadiyah Surakarta (C100210371@student.ums.ac.id)

⁶ Fakultas Hukum Universitas Muhammadiyah Surakarta (C100210391@student.ums.ac.id)

ABSTRACT

Globalization has had a significant impact on the world of work and also on labor protection. As foreign investment and exports and imports of goods and services increase, there is a need to protect the rights of workers from being exploited and treated unfairly. In Indonesia, labor protection policies have been regulated in law, but their implementation still faces several obstacles. Therefore, this research aims to analyze Indonesian labor protection policies from a globalization perspective, with a focus on policy implementation and comparison with labor protection policies in other countries. The method used in this research is qualitative with document analysis techniques and interviews with related sources. The data collected was then analyzed using a benchmarking approach to compare labor protection policies in Indonesia with other countries. The research results show that labor protection policies in Indonesia still have several weaknesses in their implementation. There are several factors that cause this, including a lack of awareness and education about labor rights, low levels of community involvement in the policy implementation process, and low sanctions for violations of labor rights. In addition, comparisons with other countries show that there are several policies that can be implemented in Indonesia to improve labor protection, such as minimum wage policies and health protection for workers.

Keywords: globalization, labor protection, policy, implementation, comparison of countries.

INTRODUCTION

Globalization has influenced various aspects of human life, including the world of work. Indonesia, as a country that is open to globalization, has experienced many changes in the field of employment.¹ Although globalization can provide economic opportunities and benefits, at the same time, globalization also has negative impacts, especially on labor conditions.²

The high level of competition in the global market causes product prices to decrease, so companies have to reduce production costs, including labor costs. As a result, companies often employ workers at low wages and ignore labor rights. This situation has resulted in worker protection becoming increasingly important. However, on the other hand, labor protection policies must also pay attention to aspects of globalization.³

Indonesia as a developing country has many problems in the field of employment. Among these are unequal wages and employment opportunities, neglect of labor rights, and inadequate work. Therefore,

¹Djojosoekarto, A. (2019). Human Resource Development Concepts and Strategies. Jakarta: PT RajaGrafindo Persada.

²Dewi, L. (2018). Protection of Indonesian Workers in the Era of Globalization. IUS QUIA IUSTUM Law Journal, 25(1), 33-50.

³Effendi, N. (2016). Indonesian Worker Protection Policy in the Era of Globalization. Journal of Public Policy, 7(1), 1-12.

efforts need to be made to improve labor protection in Indonesia.⁴

At the same time, Indonesia must also pay attention to the globalization perspective in labor protection policies. Labor protection policies must be designed taking into account applicable global policies, such as international trade rules and international work standard requirements.⁵ Indonesia also needs to pay attention to the influence of globalization on labor conditions, such as technological developments, jobs related to the digital sector, and increased global competition.⁶

Therefore, it is very important to analyze Indonesian worker protection policies from a globalization perspective. This research will examine labor protection policies in Indonesia, taking into account applicable global policies and the influence of globalization on labor conditions in Indonesia.⁷ In this research, the author will analyze laws and regulations related to labor protection in Indonesia, as well as examine the implementation of labor protection policies in Indonesia from a globalization perspective.⁸

It is hoped that the results of this research can provide input and policy recommendations to improve labor protection in Indonesia, as well as paying attention to aspects of globalization in future labor protection policies.

RESEARCH METHODS

The research method used in this research is a qualitative descriptive method. Qualitative descriptive research is a research method that aims to describe or describe a phenomenon in detail and comprehensively. This research will use primary and secondary data. Primary data will be obtained from interviews with parties involved in Indonesian worker protection policies, such as government officials, employers and workers. Meanwhile, secondary data will be obtained from documents such as policy reports, statistical data and scientific journals related to Indonesian worker protection policies.

The data collection technique used was in-depth interviews with respondents selected using purposive sampling, as well as document study to obtain relevant secondary data. The data obtained will be analyzed using qualitative analysis methods, namely descriptive and interpretive analysis. Descriptive analysis is carried out by summarizing, grouping and presenting data in a descriptive and detailed manner. Meanwhile, interpretive analysis is carried out by connecting data with relevant theories and concepts, as well as providing meaning to the data that has been obtained.

In this research, an analysis of Indonesian worker protection policies will also be carried out from a globalization perspective. This is done by comparing labor protection policies in Indonesia with policies in other countries which are also experiencing the impact of globalization in the employment sector..

RESULTS AND DISCUSSION

Indonesian Worker Protection Policies that Have Been Implemented in the Era of Globalization

Indonesia is a country that has abundant human resources. However, at the same time, Indonesia also has a long history of employment issues. Since the 1980s, Indonesia has adopted a development

⁴Kusumawati, E. (2019). Improving the Performance of Indonesian Workers through Labor Protection Policies. *Journal of Management Science*, 7(1), 15-27.

⁵Kurniawan, A. (2017). Analysis of Indonesian Worker Protection Policies in Facing the Challenges of Globalization. *Journal of Public Policy and Management*, 5(2), 87-98.

⁶Effendi, N. (2016). Indonesian Worker Protection Policy in the Era of Globalization. *Journal of Public Policy*, 7(1), 1-12.

⁷Husni, M. (2018). The Urgency of Legal Protection for Indonesian Workers in Facing the Era of Globalization. *Law Journal*, 25(3), 203-215.

⁸Cashmere. (2018). *Introduction to Management*. Jakarta: PT RajaGrafindo Persada.

policy that emphasizes the export sector as an economic driver.⁹This policy means Indonesian workers are employed in various manufacturing industries, including textiles, electronics and other sectors related to exports.¹⁰

However, in the current era of globalization, many Indonesian workers experience pressure and uncertainty regarding their working conditions. Many foreign companies employ Indonesian workers for low wages and long working hours without any social security or protection of their rights. In this case, Indonesian worker protection policies are very important.¹¹

One form of labor protection policy in Indonesia is Law no. 13 of 2003 concerning Employment. This law provides several social guarantees for Indonesian workers, including minimum wages, health insurance, social security, and pension guarantees.¹²Apart from that, the Indonesian government has also adopted other labor protection programs, such as programs to provide competency certificates and training to improve the skills and quality of the workforce.¹³

However, there are still many challenges in implementing labor protection policies in Indonesia. One of the main challenges is the limited human and financial resources available to the Indonesian government to implement labor protection programs. Apart from that, there are still problems in terms of implementing and enforcing laws related to employment.¹⁴

From a globalization perspective, labor protection policies in Indonesia also pay attention to other aspects such as the impact of globalization on employment, free trade and bilateral relations with other countries.¹⁵Therefore, it is necessary to analyze Indonesian worker protection policies from a globalization perspective to understand more comprehensively the challenges and opportunities faced by Indonesian workers in the context of globalization.¹⁶

Indonesian worker protection policies are very important to ensure the rights and welfare of workers in Indonesia, especially in the current era of globalization.¹⁷Although there are still challenges in implementation, efforts continue to be made by the Indonesian government to increase worker protection and improve their working conditions.¹⁸Therefore, it is necessary to analyze Indonesian worker protection policies from a globalization perspective to understand more comprehensively how these policies are adapted to the challenges faced in the era of globalization.¹⁹

In facing the era of globalization, Indonesia has implemented various worker protection policies,

⁹Mardani, D. (2016). Indonesian Worker Protection Policy in Facing the Challenges of Globalization. *Journal of Business Administration*, 4(1), 1-12.

¹⁰Law, S. (2018). Globalization and Labor Protection: A Comparative Study of East Asian Countries. *Journal of Labor Research*, 39(4), 437-456.

¹¹Marpaung, H. (2019). Effectiveness of Indonesian Worker Protection Policies in the Era of Globalization. *Management Scientific Journal*, 7(1), 50-62.

¹²Munandar, A. (2017). Implementation of the Indonesian Worker Protection Policy in Maintaining Worker Welfare in the Era of Globalization. *Indonesian Business Management Journal*, 4(2), 109-120.

¹³Natsir, M. (2018). Increasing the Productivity of Indonesian Workers through Labor Protection Policies in the Era of Globalization. *Journal of Economic Sciences*, 6(1), 25-34.

¹⁴Pratama, A. (2019). Analysis of Indonesian Worker Protection Policies in Facing the Challenges of Globalization. *Scientific Journal of Economics and Business*, 23(1), 26-37.

¹⁵Prihastomo, Y. (2018). Protection of Indonesian Workers from an International Legal Perspective. *Journal of Law and Development*, 48(2),

¹⁶Kusumawati, N., & Purnomo, H. (2019). The Implementation of Industrial Relations System in Indonesia: A Perspective of Decent Work. *International Journal of Economics, Commerce and Management*, 7(9), 79-90.

¹⁷Firdaus, M., & Suryadarma, D. (2017). The Role of the Minimum Wage in Protecting Workers in Indonesia. *Bulletin of Indonesian Economic Studies*, 53(2), 209-236.

¹⁸Hasan, I., & Tasmara, T. (2020). Employment Protection Legislation and Firm Performance in Indonesia. *Journal of Economics and Business*, 108, 1-14.

¹⁹Hanifah, N., & Mahfud, S. (2018). The Effect of Labor Market Institutions on Unemployment Rate: Evidence from Indonesia. *International Journal of Economics, Commerce and Management*, 6(12), 145-156.

such as Law Number 13 of 2003 concerning Employment, Law Number 40 of 2004 concerning the National Social Security System, and other regulations related to the rights of workers. Work.²⁰ However, this policy still experiences several obstacles in its implementation, such as the lack of public awareness and understanding regarding labor rights, the low level of company compliance in providing labor rights, and the existence of practices that are detrimental to workers.²¹

Apart from that, another challenge faced in the era of globalization is increasingly fierce competition in the global market.²² This encourages companies to reduce production costs, including labor costs, which can result in poor working conditions for workers.²³ Apart from that, globalization also has an impact on changes in work patterns, where more and more work is done flexibly, such as work contracts, outsourcing and freelance work. This can worsen labor conditions, as there is often no guarantee of labor rights in this type of work.²⁴

The Effectiveness of Indonesian Worker Protection Policies in Protecting Worker Rights in the Era of Globalization

In the era of globalization, Indonesian worker protection policies are becoming increasingly important. On the one hand, the increasingly rapid development of technology and free trade has had a positive impact on Indonesia's economic growth, but on the other hand it has also raised problems related to labor protection. Therefore, efforts are needed to increase the effectiveness of Indonesian worker protection policies.²⁵

One of the important Indonesian worker protection policies is Law Number 13 of 2003 concerning Employment. This law establishes basic labor rights, including the right to decent work, the right to occupational safety and health, the right to decent wages, and the right to social security.²⁶ However, even though there is a law, there are still many violations of labor rights that occur in Indonesia. Therefore, it is necessary to evaluate and improve the implementation of this workforce protection policy.²⁷

Apart from Law Number 13 of 2003 concerning Employment, there are also other worker protection policies that have been implemented by the Indonesian government. One example is the Workers' Social Security Program (Jamsostek), which provides social security protection for workers.²⁸ This program includes health insurance, work accident insurance, old age insurance and pension insurance. However, there are still several problems related to the implementation of this program, such as inadequate financing and availability of health services.²⁹

²⁰Rianto, S., & Siregar, H. (2019). Implementation of Employment Protection Legislation in Indonesia: Challenges and Prospects. *European Journal of Social Sciences Education and Research*, 16(2), 82-89.

²¹Kunto, MA, & Wahyudi, S. (2018). A Critical Review on Labor Market and Employment Protection in Indonesia. In *The 1st International Conference on Business, Law and Pedagogy (ICBLP 2018)*. Atlantis Press.

²²Soediyono, FX (2018). Revitalization of Labor Law Enforcement in Indonesia in the Globalization Era. *Law Enforcement Journal*, 5(2), 238-248.

²³Sugianto, D., & Soerjono, DD (2019). Employment Protection Legislation and Labor Market Performance in Indonesia. *Journal of Economics and Sustainable Development*, 10(1), 1-8.

²⁴Yusuf, A., & Fithri, H. (2018). The Impact of Trade Openness on Labor Market Performance: Evidence from Indonesia. *Journal of Economics and Political Economy*, 5(2), 152-166.

²⁵Syahdan, A., & Santosa, B. (2020). The Implementation of Industrial Relations in the Protection of the Rights of Indonesian Workers. *Scientific Journal of Legal Studies*, 14(1), 44-56.

²⁶Fithri, H., & Yusuf, A. (2017). The Effects of Labor Regulations on Labor Market Outcomes in Indonesia. *Journal of Economics Bibliography*, 4(4), 524-533.

²⁷Dewi, DRP, & Wijayanto, D. (2018). The Implementation of Labor Law Protection in Indonesia. *Scientific Journal of Legal Studies*, 12(2), 247-259.

²⁸Kurniawan, A., & Wulandari, D. (2018). The Challenges of Implementing Decent Work Standards in Indonesia. *Advances in Social Science, Education and Humanities Research*, 194, 29-32.

²⁹Manggala, S., & Wijayanti, LP (2019). The Implementation of Labor Law Protection in the Industrial Relations Dispute Resolution in Indonesia. *Scientific Journal of Legal Studies*, 13(1), 1-11.

Apart from that, the Indonesian government has also signed various international agreements regarding labor rights. One of them is the ILO (International Labor Organization) Convention on Human Rights and Labor Rights. This convention sets international standards regarding basic labor rights, such as the right to occupational safety and health, the right to decent wages, and the right to social security. However, the implementation of this convention in Indonesia still faces challenges, especially in terms of implementing standards that are appropriate to conditions in Indonesia.³⁰

In order to increase the effectiveness of Indonesian worker protection policies, collaboration between the government, employers and workers is necessary. The government must ensure that the policies that have been made are implemented well and effectively. Employers must ensure that the basic rights of workers are fulfilled and pay attention to occupational safety and health. Workers must also understand their rights and fight for those rights.

CONCLUSION

Based on the results of the analysis of Indonesian labor protection policies from a globalization perspective, it can be concluded that labor protection in Indonesia still faces several challenges in the current era of globalization. However, the Indonesian government has made efforts to increase worker protection and improve their working conditions through the implementation of various labor protection policies. One of the main challenges faced by Indonesian labor protection policies is the pressure from globalization and international competition which can influence labor protection policies. In addition, there are still weaknesses in the law enforcement system and supervision of the implementation of labor protection policies, which can lead to violations of labor rights.

REFERENCES

1. Dewi, L. (2018). Protection of Indonesian Workers in the Era of Globalization. *IUS QUIA IUSTUM Law Journal*, 25(1), 33-50.
2. Djojosoekarto, A. (2019). *Human Resource Development Concepts and Strategies*. Jakarta: PT RajaGrafindo Persada
3. Effendi, N. (2016). Indonesian Worker Protection Policy in the Era of Globalization. *Journal of Public Policy*, 7(1), 1-12.
4. Hartono, D. (2017). Indonesian Worker Protection Policy in the Era of Globalization. *Journal of Social and Political Sciences*, 20(1), 1-10.
5. Husni, M. (2018). The Urgency of Legal Protection for Indonesian Workers in Facing the Era of Globalization. *Law Journal*, 25(3), 203-215.
6. Cashmere. (2018). *Introduction to Management*. Jakarta: PT RajaGrafindo Persada.
7. Kurniawan, A. (2017). Analysis of Indonesian Worker Protection Policies in Facing the Challenges of Globalization. *Journal of Public Policy and Management*, 5(2), 87-98.
8. Kusumawati, E. (2019). Improving the Performance of Indonesian Workers through Labor Protection Policies. *Journal of Management Science*, 7(1), 15-27.
9. Law, S. (2018). Globalization and Labor Protection: A Comparative Study of East Asian Countries. *Journal of Labor Research*, 39(4), 437-456.
10. Mardani, D. (2016). Indonesian Worker Protection Policy in Facing the Challenges of Globalization. *Journal of Business Administration*, 4(1), 1-12.
11. Marpaung, H. (2019). Effectiveness of Indonesian Worker Protection Policies in the Era of Globalization. *Management Scientific Journal*, 7(1), 50-62.
12. Munandar, A. (2017). Implementation of the Indonesian Worker Protection Policy in Maintaining

³⁰Nugroho, BA (2018). Industrial Relations System in Indonesia: Challenges in the Globalization Era. *Journal of De Jure Legal Research*, 18(2), 201-214

- Worker Welfare in the Era of Globalization. *Indonesian Business Management Journal*, 4(2), 109-120.
13. Natsir, M. (2018). Increasing the Productivity of Indonesian Workers through Labor Protection Policies in the Era of Globalization. *Journal of Economic Sciences*, 6(1), 25-34.
 14. Pratama, A. (2019). Analysis of Indonesian Worker Protection Policies in Facing the Challenges of Globalization. *Scientific Journal of Economics and Business*, 23(1), 26-37.
 15. Prihastomo, Y. (2018). Protection of Indonesian Workers from an International Legal Perspective. *Journal of Law and Development*, 48(2),
 16. Kusumawati, N., & Purnomo, H. (2019). The Implementation of Industrial Relations System in Indonesia: A Perspective of Decent Work. *International Journal of Economics, Commerce and Management*, 7(9), 79-90.
 17. Firdaus, M., & Suryadarma, D. (2017). The Role of the Minimum Wage in Protecting Workers in Indonesia. *Bulletin of Indonesian Economic Studies*, 53(2), 209-236.
 18. Hasan, I., & Tasmara, T. (2020). Employment Protection Legislation and Firm Performance in Indonesia. *Journal of Economics and Business*, 108, 1-14.
 19. Hanifah, N., & Mahfud, S. (2018). The Effect of Labor Market Institutions on Unemployment Rate: Evidence from Indonesia. *International Journal of Economics, Commerce and Management*, 6(12), 145-156.
 20. Rianto, S., & Siregar, H. (2019). Implementation of Employment Protection Legislation in Indonesia: Challenges and Prospects. *European Journal of Social Sciences Education and Research*, 16(2), 82-89.
 21. Kunto, MA, & Wahyudi, S. (2018). A Critical Review on Labor Market and Employment Protection in Indonesia. In *The 1st International Conference on Business, Law and Pedagogy (ICBLP 2018)*. Atlantis Press.
 22. Soediyono, FX (2018). Revitalization of Labor Law Enforcement in Indonesia in the Globalization Era. *Law Enforcement Journal*, 5(2), 238-248.
 23. Sugianto, D., & Soerjono, DD (2019). Employment Protection Legislation and Labor Market Performance in Indonesia. *Journal of Economics and Sustainable Development*, 10(1), 1-8.
 24. Yusuf, A., & Fithri, H. (2018). The Impact of Trade Openness on Labor Market Performance: Evidence from Indonesia. *Journal of Economics and Political Economy*, 5(2), 152-166.
 25. Syahdan, A., & Santosa, B. (2020). The Implementation of Industrial Relations in the Protection of the Rights of Indonesian Workers. *Scientific Journal of Legal Studies*, 14(1), 44-56.
 26. Dewi, DRP, & Wijayanto, D. (2018). The Implementation of Labor Law Protection in Indonesia. *Scientific Journal of Legal Studies*, 12(2), 247-259.
 27. Fithri, H., & Yusuf, A. (2017). The Effects of Labor Regulations on Labor Market Outcomes in Indonesia. *Journal of Economics Bibliography*, 4(4), 524-533.
 28. Kurniawan, A., & Wulandari, D. (2018). The Challenges of Implementing Decent Work Standards in Indonesia. *Advances in Social Science, Education and Humanities Research*, 194, 29-32.
 29. Manggala, S., & Wijayanti, LP (2019). The Implementation of Labor Law Protection in the Industrial Relations Dispute Resolution in Indonesia. *Scientific Journal of Legal Studies*, 13(1), 1-11.
 30. Nugroho, BA (2018). Industrial Relations System in Indonesia: Challenges in the Globalization Era. *Journal of De Jure Legal Research*, 18(2), 201-214