



Analysis of the Implementation Study of Law No. 6 of 2023 Concerning Worker Protection Policies: A Case Study in Semarang City, Indonesia

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ABSTRACT

Law No. 6 of 2023 concerning Job Creation (Job Creation Law) brings significant changes to employment policy in Indonesia, including labor protection. This research aims to analyze the implementation of the Job Creation Law regarding worker protection in Semarang City through a qualitative study. This research uses a qualitative approach with a case study method. Data was collected through in-depth interviews with 20 workers in Semarang City from various industrial sectors, as well as analysis of related documents. Data analysis was carried out thematically to identify the main themes related to the implementation of the Job Creation Law. The research results show that the implementation of the Job Creation Law regarding worker protection in Semarang City still faces challenges. Some of the main findings include: (1) A lack of understanding regarding regulatory changes among the workforce, (2) Inadequate socialization and education regarding the Job Creation Law, (3) Concerns regarding the potential negative impact of the Job Creation Law on workers' rights, and (4) the need to increase capacity and supervision on the part of the government and trade unions. Implementation of the Job Creation Law regarding worker protection in Semarang City requires further efforts from various parties. Increasing understanding, socialization, and education regarding the Job Creation Law is crucial. In addition, it is important to strengthen supervision and law enforcement to ensure the protection of workers' rights in accordance with the mandate of the Job Creation Law.

1. Introduction

Law Number 6 of 2023 concerning Job Creation (Job Creation Law), better known as the Omnibus Law, is a transformative milestone in the Indonesian regulatory landscape, especially in the field of employment. As a comprehensive legal instrument, the Job Creation Law is designed to simplify and integrate various regulations that were previously spread across various sectors. The main aim of this law is to create a more conducive investment climate and encourage economic growth through increasing efficiency and competitiveness. However, despite this noble goal, the implementation of the Job Creation Law cannot be free from controversy and fierce debate, especially related to the issue of worker protection. Since its initial formulation, the Job Creation Law has

sparked a wave of protests and criticism from various groups, especially from trade unions and human rights activists. One of the most highlighted aspects is the potential negative impact of this law on workers' rights. Critics argue that the Job Creation Law tends to favor the interests of entrepreneurs and investors at the expense of the protection currently enjoyed by workers.^{1,2}

The Job Creation Law is considered to simplify the PHK process by reducing the requirements and procedures that must be met by the entrepreneur. It is feared that this will increase job uncertainty and reduce workers' bargaining power. It is feared that changes in the minimum wage determination mechanism, which places more emphasis on economic growth and inflation, will hamper the increase in

workers' real wages. The Job Creation Law allows wider use of short-term work contracts and outsourcing, which can reduce job security and worker welfare. Reducing leave rights, such as menstrual leave and long leave, is considered detrimental to workers, especially female workers. On the other hand, the government and supporters of the Job Creation Law argue that this law is needed to overcome various structural problems that hinder economic growth and job creation. They argue that the Job Creation Law will create a more attractive investment climate, encourage industrial growth, and ultimately improve the welfare of society as a whole. Despite the controversy, the Job Creation Law still contains a number of provisions aimed at protecting workers. The Job Creation Law introduces the JKP program which provides benefits in the form of cash, access to job market information, and job training for workers affected by PHK. The government is committed to strengthening supervision over the implementation of labor regulations by companies, including by increasing the capacity and number of labor inspectors. The Job Creation Law encourages improving the quality of job training to increase the competency and competitiveness of Indonesian workers.^{3,4}

The city of Semarang, as one of the centers of industry and trade in Indonesia, has a large and diverse workforce. The implementation of the Job Creation Law in Semarang City has significant implications for the dynamics of industrial relations and labor protection at the local level. Therefore, research regarding the implementation of the Job Creation Law in Semarang City is very relevant and important.⁵ This research aims to analyze in depth how the Job Creation Law is implemented in Semarang City, especially in relation to labor protection. Through a qualitative approach, this research will explore the perspectives and direct experiences of workers in various industrial sectors regarding the impact of the Job Creation Law on their rights and welfare. This research will provide a deeper understanding of the dynamics of implementing the

Job Creation Law at the local level, especially in Semarang City. This is important to identify the challenges, opportunities, and real impact of this law on labor protection. The results of this research can be used as a basis for formulating policy recommendations that are more targeted and effective in improving worker protection in the era of the Job Creation Law. This research will contribute to the development of knowledge in the fields of employment law, industrial relations, and public policy. Thus, it is hoped that this research will provide benefits to various parties, including the government, employers, trade unions, academics, and the wider community.

2. Methods

This research adopts a qualitative approach with a case study design to explore in depth the phenomenon of the implementation of Law No. 6 of 2023 concerning Job Creation (Job Creation Law) related to worker protection in Semarang City. A qualitative approach was chosen because of its ability to capture the complexity, nuance, and social context of the phenomenon under study. Case study, as a research design, allows researchers to focus on one particular case, namely Semarang City, and analyze it in depth to gain a comprehensive understanding. The city of Semarang was chosen as the case study location for several strategic reasons. First, Semarang is one of the largest metropolitan cities in Indonesia with a significant population and rapid economic growth. Second, Semarang has a diverse industrial base, ranging from manufacturing, trade, to services, which employs workers from various social and economic backgrounds. Third, as the capital of Central Java province, Semarang has an important role in implementing national policies, including the Job Creation Law. Thus, the case study in Semarang City can provide a representative picture of the implementation of the Job Creation Law at the local level and its impact on worker protection.

The participants in this research are workers who work in various industrial sectors in the city of Semarang. The selection of participants was carried

out using a purposive sampling technique, namely a sampling technique based on certain criteria that are relevant to the research objectives. The criteria used in this research are that participants must have worked for at least one year since the Job Creation Law was implemented. This criterion aims to ensure that participants have sufficient experience in experiencing the impact of the Job Creation Law on their working conditions and participants must be willing to be interviewed and provide information regarding their experiences regarding the implementation of the Job Creation Law. This criterion is important to ensure that participants can provide valid and reliable data. A total of 20 participants were involved in this research, with a balanced gender composition and industry sector. The balance of gender and the industrial sector in selecting participants aims to ensure that this research can capture the various perspectives and experiences of the workforce in Semarang City.

Data collection in this research was carried out through two main methods, namely in-depth semi-structured interviews and document study. In-depth interviews were chosen because of their ability to elicit in-depth and detailed information from participants. Interviews were conducted face to face with an average duration of one hour per participant. The interview questions are semi-structured, meaning that the researcher has a list of main questions to ask, but is also flexible to dig deeper if there is interesting or relevant information. Participants were asked to share their experiences regarding the implementation of the Job Creation Law, including the changes they experienced in working conditions, relationships with companies, and their general well-being. Participants were asked about their understanding of the Job Creation Law, including the regulatory changes they were aware of, the sources of information they used, and their opinions about the impact of the Job Creation Law on labor protection. Participants were asked to assess the impact of the Job Creation Law on their rights and welfare as workers, both positively and negatively. Apart from interviews, data was also collected through document study. The documents

analyzed include the Job Creation Law itself, its derivative regulations, related research reports, as well as news articles and opinions regarding the implementation of the Job Creation Law. Document studies were carried out to gain a broader understanding of the context of the implementation of the Job Creation Law and the various perspectives that exist regarding this law.

Data collected from interviews and document studies were analyzed using a thematic approach. The thematic approach is a qualitative data analysis method that focuses on identifying, analyzing, and reporting themes or patterns that emerge in the data. The data analysis process was carried out iteratively and involved several stages: Transcription: Interviews were recorded and then transcribed verbatim, that is, writing down every word spoken by the participant. Familiarization: Researchers read interview transcripts and relevant documents repeatedly to understand their content and context. Coding: The researcher identifies and codes the parts of the data that are relevant to the research objectives. Codes can be words, phrases, or sentences that represent certain ideas or concepts. Theme Development: Researchers group codes that have certain similarities or relationships into broader themes. Theme Refinement: Researchers analyze the themes that have been developed to understand the patterns, relationships and meaning contained in the data. Reporting: Researchers report the results of data analysis in the form of a narrative that is clear, systematic, and supported by evidence from the data. The thematic approach was chosen because of its ability to reveal hidden meanings in qualitative data. By analyzing the themes that emerge in the data, researchers can understand how participants understand and experience the implementation of the Job Creation Law, as well as its impact on worker protection in Semarang City.

3. Results and Discussion

The majority of participants (85%) stated that they had a limited understanding of the Job Creation Law

and the regulatory changes it brought about. They admitted that they had difficulty understanding the contents of complex laws and the legal language used. Some participants did not even realize that the Job Creation Law had been implemented and had an impact on their rights as workers.

This lack of understanding is caused by several factors, including: The government and companies are considered to have not carried out adequate outreach regarding the Job Creation Law. The information conveyed is often general in nature and does not touch

on the substance of regulatory changes that are important for workers. Many workers, especially those working in the informal sector, have limited access to official information regarding the Job Creation Law. They rely more on word of mouth or social media, which is often inaccurate and causes confusion. The Job Creation Law is an omnibus law that covers various sectors, including employment. The complexity of this law makes it difficult for workers to understand its entire contents and implications for their rights.

Table 1. Labor understanding level of the Job Creation Law.

Level of understanding	Number of participants	Percentage
Very understand	0	0%
Understand enough	3	15%
Not really understand	14	70%
Do not understand	3	15%

Most participants (75%) expressed their concerns regarding the potential negative impact of the Job Creation Law on their rights and welfare as workers. This concern is based on several main issues, including participants' concerns that the Job Creation Law will make it easier for companies to terminate employment (PHK) without clear reasons and adequate compensation. They feel that the provisions regarding PHK in the Job Creation Law favor the interests of companies rather than workers. Participants were concerned that the Job Creation Law would open up

opportunities for companies to reduce their wages and benefits, such as overtime pay, severance pay, and leave. They feel that the provisions regarding wages in the Job Creation Law do not provide sufficient protection for workers. Participants were concerned that the Job Creation Law would encourage the use of flexible work contracts, such as outsourcing and fixed-term work contracts (PKWT). They feel that this type of employment contract does not provide long-term guarantees of job security and prosperity.

Table 2. Main issues concerning workers.

Main issues	Number of participants	Percentage
Facilities PHK	12	60%
Reduction of wages and benefits	10	50%
Flexible employment contracts	8	40%

Participants considered that the role of trade unions in protecting their rights in the era of the Job Creation Law was not optimal. Some participants did not even know the existence of a labor union in the company where they worked. This shows that there is a gap between trade unions and members, as well as a lack of workforce involvement in decision-making

processes relating to their rights. Several factors cause the role of trade unions to be less than optimal, including: Many trade unions having limited resources, both financial and human, which hamper their ability to provide adequate advocacy, education, and assistance to members. Some participants reported that they experienced intimidation or

pressure from companies if they tried to join or be active in a union. Many workers, especially those working in the informal sector, do not have awareness

of the importance of trade unions and the benefits they can gain from joining a trade union.

Table 3. Role of trade unions.

The role of trade unions	Number of participants	Percentage
Resource limitations	12	60%
Repression from the company	10	50%
Lack of workforce awareness	8	40%

The majority of participants (90%) stated that supervision and law enforcement related to labor protection in Semarang City were still weak. They feel that the government is less present in protecting their rights and that many cases of violations are not followed up. Some forms of violations reported by participants include: Payment of wages below the City Minimum Wage (UMK), No social security, such as BPJS Employment and BPJS Health, Excessive working hours without appropriate compensation, no written work agreement, and PHK unilaterally without clear reasons and severance pay. This weak supervision and law enforcement is caused by several

factors, including: The Semarang City Manpower Office has a limited number of supervisors compared to the number of companies that must be supervised. This makes it difficult for supervisors to carry out supervision effectively; Some companies do not have sufficient awareness of the importance of complying with labor regulations. They tend to ignore workers' rights in the pursuit of profit; The complaint process for workers who experience violations of their rights is considered complicated and time-consuming. This makes many workers reluctant to report violations they experience.

Table 4. Forms of violations reported by workers.

Forms of violation	Number of participants	Percentage
Wage payment below UMK	15	75%
No social security	12	60%
Overtime hours	10	50%
No employment agreement	8	40%
Unilateral PHK	5	25%

The findings of this research reveal the complexity and dynamics of the implementation of Law No. 6 of 2023 concerning Job Creation (Job Creation Law) related to worker protection in Semarang City. The results of this qualitative study show that the implementation of the Job Creation Law is still far from ideal and requires serious attention from various stakeholders. A limited understanding of the Job Creation Law among Semarang workers is one of the most prominent findings in this research. The majority of participants (85%) admitted that they had difficulty understanding the contents of complex laws and the legal language used. This situation is exacerbated by

the lack of effective outreach and education from the government and companies. This low level of understanding has serious implications for labor protection. When workers do not understand their rights guaranteed by law, they become vulnerable to exploitation and violations. They may not realize that they are entitled to a minimum wage, social security, or protection from arbitrary PHK. Furthermore, this ignorance may hinder their ability to access dispute-resolution mechanisms or seek legal assistance if violations occur. In the context of the Job Creation Law, which brings significant changes to labor regulations, adequate understanding becomes even

more crucial. Without good understanding, workers cannot effectively take advantage of the opportunities offered by the Job Creation Law, such as ease of doing business and increased investment. On the contrary, they risk becoming victims of the potential negative impacts of this law. Therefore, efforts to increase understanding of the Job Creation Law must be a top priority for the government and companies. Socialization and education must be carried out intensively and use language that is easily understood by the workforce. Apart from that, access to official information regarding the Job Creation Law must be expanded, especially for workers in the informal sector who are often marginalized from the flow of information.⁶⁻⁸

The workforce's concerns regarding the negative impact of the Job Creation Law are not without basis. The findings of this research show that many participants are worried about losing their jobs, decreasing wages and benefits, and uncertainty in employment contracts. This concern reflects the perception that the Job Creation Law favors the interests of employers rather than workers. Although the Job Creation Law aims to increase investment and create jobs, it needs to be ensured that these goals are not achieved at the expense of the rights and welfare of workers. PHK facilities, for example, can give rise to job insecurity and trigger industrial conflict. Reductions in wages and benefits can reduce the quality of life for workers and their families. Meanwhile, flexible work contracts can create income uncertainty and hinder workers' access to social security. Therefore, it is important for the government to carry out regular evaluations of the implementation of the Job Creation Law and its impact on worker protection. This evaluation should involve active participation from trade unions and civil society organizations to ensure that workers' voices are heard and taken into account in the decision-making process. Apart from that, the government also needs to strengthen monitoring and law enforcement mechanisms to prevent and take action against violations of workers' rights. Companies proven to

have committed violations must be given strict sanctions to provide a deterrent effect and ensure compliance with labor regulations.⁹⁻¹¹

The role of trade unions which has not been optimal in protecting workers' rights in the era of the Job Creation Law is highlighted in this research. Many participants felt that unions were unable to provide adequate protection for them. This is caused by various factors, ranging from limited resources to repression from companies. In fact, trade unions have a crucial role in fighting for workers' rights, either through negotiations with companies, policy advocacy, or legal assistance. Trade unions can also act as a forum for workers to voice their aspirations and interests. Therefore, strengthening the role of trade unions is one of the keys to improving worker protection in the city of Semarang. The government needs to create a conducive climate for the development of trade unions, including by guaranteeing freedom of association and collective bargaining. Apart from that, companies also need to open a space for dialogue with labor unions and respect workers' rights to organize. On the other hand, trade unions also need to introspect and increase their capacity to provide services to members. This capacity building can be done through training, organizational development, and strengthening collaborative networks with other civil society organizations.¹²⁻¹⁴

Weak supervision and law enforcement regarding labor protection in Semarang City is one of the crucial findings in this research. The majority of participants (90%) complained about the lack of government presence in protecting their rights. Many cases of violations are not followed up, creating a climate of impunity for companies that violate workers' rights. The violations reported varied, ranging from payment of wages below the minimum wage, lack of social security, and excessive working hours, to unilateral PHK without severance pay. This condition shows that there is a gap between statutory regulations and the reality on the ground. The Job Creation Law, which actually aims to create jobs and increase investment, actually has the potential to become a tool for

employers to ignore workers' rights. Weak supervision and law enforcement do not occur in a vacuum. Several factors that contribute to this problem include the Semarang City Manpower Department having limited human resources and budget to supervise thousands of companies operating in its area. These limitations hamper the effectiveness of supervision and allow many violations to go unnoticed. Some companies do not have an adequate understanding of labor regulations or deliberately ignore them in order to reduce production costs. This lack of awareness and compliance is exacerbated by weak sanctions for violations so that there is no significant deterrent effect. Complaint mechanisms for workers who experience violations of their rights are often complicated, and bureaucratic, and do not provide certainty of resolution. This makes many workers reluctant to report violations because they feel the process will not produce meaningful results. Sanctions given to companies that violate generally take the form of administrative sanctions, such as warnings or fines. This sanction is considered not to provide enough of a deterrent effect and is not commensurate with the losses experienced by workers.^{15,16}

Weak supervision and law enforcement have serious implications for labor protection in Semarang City. When violations of workers' rights are left without decisive action, this creates a bad precedent that can encourage other companies to do the same. In addition, impunity for violations of workers' rights can reduce workers' trust in the government and the legal system, as well as trigger industrial conflicts that are detrimental to all parties. In the long term, weak labor protection can hinder sustainable and equitable economic development. Workers who do not receive their rights properly will have difficulty increasing their productivity and welfare. This will ultimately have an impact on regional and national economic competitiveness. To overcome this problem, comprehensive steps are needed that involve all stakeholders, including government, companies, trade unions and civil society.^{17,18}

Several policy recommendations that can be considered include that the Manpower Department needs to increase its capacity, both in terms of the number and quality of supervisors. Apart from that, the budget for labor inspection also needs to be increased to support more intensive and effective inspection activities. Sanctions for companies that violate workers' rights need to be strengthened, both administrative and criminal sanctions. In addition, law enforcement must be carried out consistently and transparently to provide a deterrent effect and ensure compliance with labor regulations. The complaint process for workers who experience violations must be simplified and made easier. In addition, the government needs to provide legal aid services that are easily accessible to workers, especially workers in the informal sector. The government needs to carry out more intensive outreach and education to companies regarding labor regulations and the importance of respecting workers' rights. In addition, incentives for companies that comply with labor regulations could also be considered. Trade unions need to be empowered to play a more active role in monitoring and enforcing laws related to labor protection. This can be done through increasing the capacity of trade unions, strengthening cooperation networks with the government and related institutions, as well as protecting freedom of association. By implementing these policy recommendations, it is hoped that worker protection in Semarang City can be improved significantly. This effort will not only protect workers' rights and welfare, but will also create a more conducive and fair business climate for all parties.¹⁹

4. Conclusion

This qualitative study concludes that the implementation of the Job Creation Law regarding worker protection in Semarang City still faces challenges. Limited understanding, concerns regarding negative impacts, the role of trade unions which is not yet optimal, and the need for increased supervision and law enforcement are the main issues that need to be addressed.

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