

Public Administration Reform in the Employment Sector: Freelancers in Indonesia

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Abstrak

Penelitian ini bertujuan untuk menganalisis dampak perubahan regulasi terhadap pekerja lepas di era ekonomi serabutan di Indonesia. Ekonomi serabutan, yang ditandai dengan meningkatnya jumlah pekerja lepas, menimbulkan tantangan baru dalam regulasi tenaga kerja. Melalui pendekatan kualitatif dan kuantitatif, penelitian ini mengidentifikasi berbagai tantangan utama yang dihadapi oleh pekerja lepas, termasuk ketidakpastian status Administrasi, keterbatasan akses ke jaminan sosial, kurangnya perlindungan Administrasi terhadap eksploitasi, kesulitan dalam mengakses pelatihan dan pengembangan keterampilan, tantangan dalam mengatur keuangan dan pajak, serta kurangnya representasi dalam pembentukan kebijakan. Temuan penelitian menunjukkan bahwa regulasi yang ada saat ini tidak sepenuhnya mencakup kebutuhan pekerja lepas, sehingga diperlukan reformasi regulasi yang lebih inklusif dan adil. Implikasi dari temuan ini meliputi kebutuhan untuk pembentukan kerangka Administrasi yang jelas, penguatan pengawasan dan penegakan Administrasi, penyediaan jaminan sosial yang terjangkau, peningkatan akses ke pelatihan dan edukasi keuangan, serta peningkatan representasi pekerja lepas dalam proses pembentukan kebijakan. Rekomendasi strategis untuk mengatasi tantangan ini mencakup revisi undang-undang tenaga kerja, penyediaan subsidi atau insentif untuk jaminan sosial, pengembangan program pelatihan bersertifikat, dan kampanye kesadaran tentang kesejahteraan mental. Dengan implementasi yang efektif, diharapkan kondisi kerja dan kesejahteraan pekerja lepas di Indonesia akan meningkat, mendukung pertumbuhan ekonomi serabutan yang lebih berkelanjutan dan inklusif. Penelitian ini memberikan wawasan penting bagi pembuat kebijakan, pemberi kerja, dan pekerja lepas itu sendiri, serta berkontribusi pada literatur tentang regulasi tenaga kerja dalam ekonomi serabutan.

Kata Kunci: Pekerja lepas, pekerja independen, regulasi tenaga kerja.

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PENDAHULUAN

The gig economy, driven by technological advances, has revolutionized work structures globally, offering flexibility and employment opportunities (Renyaan, 2022). In Indonesia, gig workers face challenges due to inadequate Administrative protections and regulatory frameworks (Dorthea Renyaan & Ilham, 2023) . Efforts to reform labor laws through the Job Creation Act have brought about changes, resulting in efficiency and flexibility for employers but raising concerns about worker protections and standards (Ilham et al., 2021). The Administrative status of gig workers in Indonesia differs from countries such as the UK and the Netherlands, requiring clear regulations to ensure Administrative certainty and effective enforcement (Idris et al., 2023). Policymakers face the critical task of balancing workers' rights and financial security while fostering economic growth in the evolving gig economy landscape (Renyaan, 2023). Addressing these challenges requires comprehensive measures to safeguard the welfare and rights of gig workers, emphasizing the importance of adapting regulations to meet the unique needs of the sector.

The Indonesian government has made efforts to reform labor laws to adapt to the challenges posed by the freelance economy, aiming to strike a balance between work flexibility and worker protection (Ilhami & Syahrani, 2021). The Job Creation Law brought significant changes to labor regulations in Indonesia, increasing efficiency and flexibility for employers but also highlighting the need to strengthen worker protection mechanisms (Risal et al., 2022). However, the Administrative status of freelance workers in Indonesia remains unclear compared to countries such as the UK and the Netherlands, requiring clear regulations to ensure Administrative certainty and effective supervision (Ilham et al., 2022). while promoting economic growth (Keluarga, 2023) Currently, the Indonesian government is trying to overcome obstacles in Administrative reform through various strategies. One important aspect is bureaucratic reform, with a focus on institutional arrangements, management, human resources, and accountability (Safuan et al., 2022). In addition, Administrative development programs supported by organizations such as The Asia Foundation improve the capacity of public institutions, promote access to information, and build support for Administrative reform and anti-corruption initiatives (Akbar et al., 2017). However, challenges remain as the complex Administrative framework hinders significant results in administrative reform, mainly due to legislative constraints and overlapping Administrative and regulatory functions (Parhusip et al., 2019). Collaborative Administrative reform projects, such as those between Indonesia and Australia, play a significant role in improving access to justice for marginalized groups, having a positive impact on gender equality development by addressing gender-discriminatory barriers in family Administration (Muhammad Yusuf & Nuuridha Matiin, 2023). Through this diverse approach, the Indonesian government aims to create a transparent, accountable, and effective Administrative system. The impact of regulatory changes on freelancers in Indonesia, particularly in the casual economy, is a critical area of study (Haptanti et al., 2024). By analyzing existing policies and identifying Administrative gaps,

researchers can evaluate the effectiveness of regulatory implementation to provide recommendations for strengthening Administrative protections for these workers. This research is crucial to contribute to the development of more inclusive and equitable policies for freelancers in Indonesia, ultimately supporting sustainable and equitable economic growth. Understanding the complexities of labor regulations, especially in relation to freelancers, is crucial to ensuring workers' welfare and rights in the evolving landscape of work arrangements in Indonesia. Regulatory changes, such as privatization and technological restructuring, have externalized labor, impacting freelancers' welfare and Administrative protection (A. R. Quisumbing & Malapit, 2023). The welfare system for independent workers emphasizes contributions to general and professional contingencies, ensuring social security coverage (Kurniasih et al., 2022). In addition, the enactment of laws such as the Omnibus Law in Indonesia has implications for the Administrative protection of freelance daily workers, positively affecting their status, wage certainty, and social security coverage (Wardani et al., 2018). Understanding the differences between employees and freelancers is crucial to determining the Administrative rights and obligations, with labor laws offering greater protection to employees (A. Quisumbing et al., n.d.). This regulatory shift highlights the importance of a comprehensive Administrative concept for freelancers to address challenges and ensure adequate Administrative protection and welfare provisions (Kurniasih et al., 2022).

KAJIAN PUSTAKA

The Casual Economy and Its Development

The casual economy is indeed characterized by short-term contract work and temporary tasks completed by independent workers, offering increased flexibility and employment opportunities (Soeari et al., 2022). This model allows individuals to have control over when, whether, and how they work, often facilitated through digital platforms such as Uber and Lyft (I Nyoman Tri Sutaguna et al., 2023). While the casual economy provides job satisfaction through flexibility and diverse employment opportunities, it also presents challenges such as inadequate compensation, unpredictable working hours, and significant burnout, leading to concerns about job security and career advancement for workers in this sector (Mubarak et al., 2023).

Employment Theory and Freelancing

The literature on labor theory explores the differences between traditional employment relationships and freelance work, highlighting the evolving landscape of employment arrangements. Traditional employment arrangements typically involve long-term formal contracts, emphasizing stability and benefits, while casual work, facilitated by digital platforms in the casual economy, offers more flexibility but lacks the guarantee of continued employment (Prasedya et al., 2021). The emergence of online contract workers further complicates employment relationships, leading to the evolution of complex labor dynamics in the face of identity dilemmas and changing traditional relationships (Renyaan, 2022). The sharing economy, which includes gig work, has reshaped the concept of work, promoting peer-to-peer sharing, lowering transaction costs, and encouraging flexible work arrangements through digital platforms such as Mechanical Turk, Airbnb, and Uber (Miladiah et al., 2023). This shift to non-traditional forms of work marks a significant departure from conventional employment models, emphasizing

adaptability and the separation of individual output in freelance roles (Pradana et al., 2021).

Labor Regulation in Indonesia

The Covid-19 pandemic has driven the adoption of Agile Working, combining flexibility and technology, which requires administrative certainty in Indonesian labor law (Fikri et al., 2021). However, challenges remain in ensuring workers' rights are met, with problems in the effectiveness of labor inspections and administrative protection for informal sector workers. Comparative Study of Labor Regulations in Other Countries

A comparative study of labor regulations in various countries has shed light on the evolving landscape of the rights and protection of casual workers. The study has highlighted the different approaches taken by countries such as Indonesia, the Netherlands, the United Kingdom, Germany, and the United Kingdom in addressing the Administrative status and protection of casual workers (Muid et al., 2022). While some countries classify casual workers as work partners, others recognize them as employees, emphasizing the need for clear regulations to ensure Administrative certainty and effective enforcement mechanisms.

METODOLOGI

This research methodology is designed to answer the research objectives with a comprehensive and systematic approach. This study will use qualitative methods to provide an in-depth understanding of the impact of regulatory changes on freelancers in Indonesia. This study will use exploratory and descriptive designs. An exploratory approach is used to explore poorly understood issues, while a descriptive approach is used to describe phenomena in detail. A qualitative approach will be used to gain in-depth insights into the experiences and perceptions of freelancers, employers, and policymakers regarding employment regulations.

HASIL DAN PEMBAHASAN

Limited Access to Social Security and Welfare

Many freelancers do not have access to social security such as BPJS Ketenagakerjaan and BPJS Kesehatan, which are essential for their well-being. Income uncertainty makes freelancers vulnerable to economic fluctuations and makes it difficult to plan their finances.

Lack of Administrative Protection against Exploitation

Freelancers often face exploitation by employers who use their status to avoid providing benefits and other rights. Existing complaint mechanisms are often ineffective in addressing freelancers' complaints about unfairness or mistreatment in the workplace. Freelancers who face exploitation due to their vulnerable status often face challenges in receiving Administrative protection and benefits from employers, as highlighted in various research papers. The lack of Administrative protection for outsourced workers, as discussed in contributes to uncertainty and unfairness in cases of termination of employment during the contract period.

In addition, the emergence of platform work, as explored, presents difficulties in extending traditional labor laws to adequately protect gig workers. In addition,

the informal nature of employment relationships in industries such as wigs and false eyelashes in Purbalingga, Indonesia, as described in , leads to a lack of written contracts and awareness of labor rights among casual workers, further exacerbating the problems of exploitation and inadequate Administrative protection. Efforts to improve the Administrative framework and establish effective grievance mechanisms are essential to address these challenges and ensure fair treatment for casual workers.

Lack of Representation and Voice in Policy-Making

Casual workers are often not organized into strong unions that can advocate for their rights. Casual workers have limited influence in policy-making processes, which often favor permanent workers and large employers. Casual workers face challenges in organizing strong unions to advocate for their rights, leading to limited influence in policy-making processes that tend to favor permanent workers and large employers. The inability of casual dancers to unionize and the lack of funding for choreographers hamper efforts to improve workplace conditions in the casual dance industry . Additionally, the concept of “loose feminism” highlights how precarious work and entrepreneurship intersect, forming new forms of feminist activism and self-promotion .

SIMPULAN

Many freelancers in Indonesia face uncertainty regarding their Administrative status as workers or independent contractors, which impacts their Administrative rights and protections. Freelancers often lack adequate employment protection, such as health insurance, sick leave benefits, and pension rights. Many freelancers do not have access to social security such as BPJS Ketenagakerjaan and BPJS Kesehatan. Income uncertainty makes freelancers vulnerable to economic fluctuations and makes it difficult to plan their finances.

Freelancers often face exploitation by employers who use their status to avoid providing benefits and other rights. Existing grievance mechanisms are often ineffective in addressing freelancers’ complaints about unfairness or mistreatment in the workplace. Freelancers often do not have access to training and skills development provided by their companies or the government.

Many freelancers do not have the resources or time to undertake training that could improve their skills. Freelancers are often not organized into strong trade unions that can fight for their rights. Freelancers have limited influence in policy-making processes, which often favor permanent workers and large employers.

Implications of the Research Findings

The findings on the uncertainty of Administrative status and lack of protection for freelancers indicate the need for the establishment of specific regulations that recognize and protect freelancers. The government should consider adopting laws that explicitly cover the rights and obligations of freelancers. Stricter Administrative enforcement is needed to ensure that

companies comply with regulations and provide adequate protection to freelancers. This includes monitoring exploitative practices and providing effective complaint mechanisms.

The findings on limited access to social security underscore the need to integrate freelancers into the national social security system, such as BPJS Ketenagakerjaan and BPJS Kesehatan. This will provide greater financial security for freelancers.

The government may need to provide subsidies or incentives for freelancers to join social security programs, given the instability of their income. Difficulties in accessing training and skills development indicate the need for specific training programs that are accessible to freelancers. This will help them improve their skills and competitiveness in the job market.

The findings on challenges in managing finances and taxes indicate the need for affordable financial education programs and tax consulting services for freelancers. This will help them manage fluctuating incomes and meet their tax obligations. The lack of freelance representation in policy-making highlights the need for the establishment of inclusive and strong trade unions. This will give freelancers a greater voice in decision-making processes. Governments and policymakers should ensure the active participation of freelancers in public consultations and discussions on labour regulations. This will ensure that the resulting policies are fairer and reflect the needs of all workers.

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