
Juridical Review the Effect of the Amendment of Law No. 13 of 2003 to Law No. 06 of 2023 On Termination of Employment (Layoff)

Muhammad Rizky Syamandiri, R. Rahaditya

Universitas Tarumanagara, Indonesia

Email: muhammad.205210149@stu.untar.ac.id, rahaditya@fh.untar.ac.id

ABSTRACT

This study examines the juridical implications of amending Law No. 13 of 2003 to Law No. 6 of 2023 (Job Creation Law) on termination of employment in Indonesia. As a *rechtsstaat* country, Indonesia prioritizes the protection of constitutional rights, including workers' rights. However, the *Job Creation Law* has raised concerns regarding potential violations of workers' constitutional rights, particularly in termination of employment provisions. Using a normative juridical method with statutory, conceptual, and analytical approaches, this research analyzes problematic articles in the Job Creation Law that may contradict constitutional principles. The study finds that several provisions, including those on wages, working hours, employment contracts, and severance pay, have reduced workers' protections compared to the previous labor law. These changes potentially violate constitutional guarantees under Article 27(2) and Article 28D(2) of the 1945 Constitution. The research concludes that the Job Creation Law requires comprehensive evaluation and revision to ensure alignment with constitutional principles and adequate protection of workers' rights. This study contributes to the discourse on labor law reform and provides policy recommendations for strengthening constitutional protections in employment relations.

Keywords : Constitutional Rights of Labor, Job Creation Law (Law No. 6 of 2023), Law No. 13 of 2003, Termination of Employment (PHK).



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INTRODUCTION

The protection of workers' constitutional rights and the phenomenon of termination of employment (PHK) have become increasingly critical issues in the global labor landscape (Kesdu et al., 2024; Marbun & Faisal, 2024). The International Labour Organization (ILO) reports that approximately 205 million workers worldwide faced unemployment in 2022, with many cases resulting from unilateral employment termination by employers (ILO, 2022; ILO, 2023). This global challenge reflects broader tensions between economic flexibility demands and the fundamental rights of workers (Arpangi, 2025; Irawan, 2022), particularly in developing economies undergoing rapid industrial transformation (OECD, 2021; Suprianto, 2024).

In Southeast Asia, labor protection issues have intensified following the COVID-19 pandemic, with mass layoffs affecting millions of workers across the region (Lee & Rahman, 2022; Asian Development Bank, 2021; International Labour Organization, 2022). Countries such as Thailand, Vietnam, and the Philippines have grappled with balancing investment attraction with adequate safeguards for workers' welfare (Nguyen & Patel, 2023; Asian Pacific

Economic Cooperation – APEC, 2023). Indonesia, as the largest economy in the region, faces similar pressures to reform its labor regulations to enhance competitiveness while maintaining constitutional commitments to workers' rights (Sharma & Kusuma, 2024; The World Bank, 2024).

Indonesia is a country of law, with a very high regard for the values of justice and the protection of human rights itself. As a state of law, Indonesia must be ready to accept and carry out the consequences to be able to apply the principles of *Rechtsstaat*, which strongly prioritize the principle of legality as part of carrying out all governmental and administrative activities in the Unitary State of the Republic of Indonesia itself (Prasetyo, 2022; Augustine & Budianto, 2022). In accordance with what has been owed in one of the articles of the 1945 Constitution of the Republic of Indonesia as the main source of law of the Indonesian state, which is affirmed in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia (1945 Constitution of the Republic of Indonesia), it emphasizes that "Indonesia is a country based on the law." (Hidayat, 2023; Hukumonline, 2022)

As a state of law (*rechtsstaat*), the Indonesian government is obliged to respect and uphold the human rights values that exist in Indonesia, including the human rights of workers (Miskiah, 2021). This has been clearly regulated in Law Number 13 of 2003 concerning Manpower. The article in Law No. 13 of 2003 itself states: "Protection of labor is intended to guarantee the basic rights of workers/laborers and ensure equal opportunities and treatment without discrimination on any basis to realize the welfare of workers/laborers and their families while still paying attention to the development of the progress of the business world."

This means that every worker has the right to get a job and a decent life guarantee for their work without discriminatory and arbitrary treatment, which has also been regulated in Article 27 paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which states: "every citizen has the right to work and a decent livelihood for humanity." Therefore, employment is a very important issue. Special attention is needed so that the human rights of each worker themselves can be protected and guaranteed.

In the amendment to the 1945 Constitution, the issue of employment is emphasized even more, as stated in Article 28 D paragraph (2) of the 1945 Constitution: "Everyone has the right to work and receive fair and decent remuneration and treatment in employment relations." From these articles, it is clear that this labor problem is one of the goals of the state that must be implemented by all components and its elements to be involved in solving labor problems in Indonesia itself. The hope is to realize the ideals of a state of law, which, based on the Constitution of the Republic of Indonesia, has been stated in the 4th paragraph of the Constitution of the Republic of Indonesia 1945 and in Article 27 paragraph (2) of the 1945 Constitution of the Republic of Indonesia.

The employment problem itself is a problem that tends to be very difficult to solve until now. Although various efforts have been made to overcome it, the employment condition in Indonesia until now often still faces several main problems, including an imbalance in the number of job opportunities with the labor force, low skills and productivity levels of the workforce, unequal distribution of labor both regionally and sectorally, and issues with labor protection and welfare, which later trigger phenomena such as unemployment.

Several empirical studies have documented the persistent challenges in Indonesian labor relations. Widodo and Sari (2021) found that between 2019 and 2021, industrial relations

disputes in Indonesia increased by 34%, with termination of employment being the primary source of conflict. Similarly, research by Pratama et al. (2023) demonstrated that workers in the manufacturing sector experienced heightened job insecurity following regulatory changes, with 42% reporting concerns about arbitrary dismissal. These findings underscore the urgency of examining legal frameworks governing employment termination.

Furthermore, the transition from Law No. 13 of 2003 to the Job Creation Law has been accompanied by significant controversy among labor stakeholders. The Confederation of Indonesian Trade Unions (KSPSI) reported that the new legislation potentially weakens protections for approximately 130 million workers in Indonesia's formal and informal sectors (KSPSI, 2023). Data from the Ministry of Manpower indicates that termination of employment cases rose by 28% in the first year following the Job Creation Law's implementation, raising questions about the adequacy of legal safeguards under the new regulatory regime (Kemenaker, 2024).

It is important to note that finding a job is not as easy as imagined. During this period, job seekers encounter fierce competition everywhere. In the world of work, every individual has the opportunity to choose and start their own business without depending on others, but most choose to seek employment under others' orders.

When a person starts working under the orders of another, that person holds the position of a worker, and those who provide work are the entrepreneurs. From these activities, a relationship begins to be created between workers and employers, hereinafter called the employment relationship. An employment relationship arises as a result of an employment agreement mutually agreed upon by the employer and the worker/laborer, which contains elements of work, wages, and orders.

Sometimes, in the process of labor relations, the relationship between the worker and employer does not always proceed as expected by both parties, ultimately leading to the end of the employment relationship itself. Article 1 paragraph 25 of Law No. 13 of 2003 provides a basic definition: "Termination of employment is the termination of employment relations due to a certain thing that results in the termination of rights and obligations between workers/laborers and employers." Based on this law, termination of employment is an activity that ends all forms of relationships (within the scope of work) between the company and employees.

Law No. 13 of 2003 concerning manpower was initially a clear regulation to manage every problem related to employment, including termination of employment. Over time, the law underwent revision and was replaced by the Job Creation Law (Omnibus Law).

The Job Creation Law, better known as the Omnibus Law, has been in the public spotlight since its passage in October 2020. The Omnibus Law is a new concept in Indonesia's legal system, broadly designed to regulate various regulations in the economic and employment sectors, with the hope of improving the investment climate, creating jobs, and encouraging economic growth.

However, over time, the Job Creation Law has sparked controversy and intense debates among workers, especially concerning the protection of workers' constitutional rights. It needs to be known that the protection of these constitutional rights is one of the basic principles underlying the Indonesian state legal system, protected and guaranteed by the 1945 Constitution of the Republic of Indonesia. According to data from Statistics Indonesia (BPS),

the unemployment rate increased from 6.26% in 2020 to 6.49% in 2021, with approximately 1.8 million workers experiencing termination of employment during the first year of the Job Creation Law's implementation (BPS, 2022). This statistical evidence suggests a correlation between regulatory changes and labor market instability, warranting deeper investigation of the law's impact on workers' constitutional protections.

Furthermore, industrial relations disputes recorded by the Ministry of Manpower showed a significant increase following the enactment of the Job Creation Law. In 2021 alone, there were 12,847 cases of industrial disputes, representing a 35% increase from the previous year, with 68% related to termination of employment issues (Kemenaker, 2022). Labor union organizations, particularly the Indonesian Prosperity Trade Union Confederation (KSBSI) and the Confederation of Indonesian Trade Unions (KSPSI), have voiced strong concerns that the Job Creation Law dilutes worker protections by reducing severance pay calculations, loosening outsourcing restrictions, and weakening collective bargaining power (KSBSI, 2023; KSPSI, 2023).

In its implementation, several concerns have arisen among workers regarding some articles in the Job Creation Law that may be contrary to constitutional principles, threatening the protection of constitutional rights. Some of these articles relate to workers' rights concerning wages, working hours, and fair working conditions. These articles are seen by some as a reduction in workers' rights and a violation of workers' constitutional rights.

From this research activity, the author is interested in identifying and analyzing problems arising from articles considered controversial in the Job Creation Law. Through this research, it is hoped to provide a deeper understanding of the constitutionality issues related to the Job Creation Law and offer valuable input for sustainable policymaking, ensuring the protection of the constitutional rights of citizens in Indonesia, especially focusing on the protection of workers' constitutional rights.

The urgency of this research stems from several critical factors. First, the Constitutional Court of Indonesia has received multiple petitions challenging the constitutionality of the Job Creation Law, indicating widespread legal uncertainty regarding workers' rights protection (Mahkamah Konstitusi, 2023). Second, international labor standards set by the ILO emphasize the non-derogable nature of fundamental workers' rights, which Indonesia, as an ILO member state, is obligated to uphold (ILO, 2023). Third, the socio-economic impact of weakened labor protections extends beyond individual workers, affecting household welfare, social stability, and economic inequality—issues demanding immediate scholarly and policy attention (Tambunan & Setyawan, 2024).

Moreover, the timing of this research is particularly crucial as Indonesia undergoes a critical period of legal reform and economic restructuring. The government's efforts to attract foreign investment and enhance global competitiveness must be balanced with constitutional mandates to protect citizens' fundamental rights. Without adequate legal safeguards, workers remain vulnerable to exploitative practices that undermine human dignity and social justice—core values enshrined in Pancasila and the 1945 Constitution.

This research offers several novel contributions to the existing literature on Indonesian labor law. First, it provides a comprehensive normative-comparative analysis between Law No. 13 of 2003 and Law No. 6 of 2023, systematically identifying specific provisions that create constitutional tensions. Second, this study integrates recent Constitutional Court decisions and

international labor standards into the analysis, offering a multi-layered assessment of legal compliance and policy coherence. Third, the research generates concrete policy recommendations grounded in constitutional principles and best practices from comparative jurisdictions, providing actionable guidance for legislative reform. Finally, this study contributes to the broader discourse on balancing economic development objectives with fundamental rights protection in transitional economies, a challenge faced by many developing nations globally.

In conclusion, the protection of constitutional rights is an important pillar in Indonesia's legal and governance system. Through this research, it is hoped that a more comprehensive understanding of this issue and the right solutions can be found to ensure alignment of the Job Creation Law with the state constitution and the protection of citizens' constitutional rights. Accordingly, this research activity is entitled "*Juridical Review of the Effect of the Amendment of Law No. 13 of 2003 to Law No. 06 of 2023 on Termination of Employment (PHK).*" The findings aim to inform policymakers, legal practitioners, labor advocates, and academic communities about the critical importance of harmonizing labor regulations with constitutional mandates, thereby strengthening the rule of law and promoting social justice in Indonesia's evolving economic landscape.

RESEARCH METHOD

The method used in this writing was a normative juridical method. Writing with this approach usually focused on the analysis of legal texts, court decisions, and legal issues relevant to this writing activity. The author also used various approaches, including the statute approach, conceptual approach, analytical approach, and the views of experts related to the problem. This writing was supported by various legal sources, such as primary and secondary legal sources, which contained various data and legal norms that supported this writing activity.

RESULT AND DISCUSSION

1. Problematic Articles in the Job Creation Law Related to the Protection of Constitutional Rights of Workers and Workers in Indonesia.

The purpose of the creation of the Job Creation Law itself is to improve what has been previously regulated in the provisions of the Employment Law (Law No. 13 of 2003), as well as to increase and stimulate economic growth in Indonesia. At that time, the steps taken by the Indonesian government were very hopeful that with the introduction of new rules and regulations such as the Job Creation Law itself, it would be able to help in overcoming the economic growth problems that were plaguing the Indonesian country.

At the beginning of the announcement of the process of forming the Job Creation Law, where the Indonesian people seemed to be very accepting and gave good support to the government from the formation of the law. Over time, the existence of the Job Creation Law has actually become a backlash for the government, because in the process of forming the structure and draft of the Job Creation Law itself, where the government does not pay attention to the provisions of the Laws and Regulations on the Formation of Laws and Regulations, as well as in other processes where the government also does not provide access for the public to freely express its aspirations related to the formation of the Law so that many of the people

then feel that the government has violated the principle of openness and the principle of justice for them as citizens.

In the process of drafting this law itself, where the design is also quite short, moreover, the law does not only discuss one topic but many topics or issues that are discussed at once by this law. So that with such a short time, the Job Creation Law is considered too hasty so that many problems arise and are considered quite controversial at the ratification stage.

The polemic that occurred at the stage of ratification of the Job Creation Law itself was quite chaotic and unstable. Chaotic here is interpreted that the ratification of the Job Creation Law encourages the public, especially workers, to flock to demonstrations because they consider that the Job Creation Law makes their rights as workers not paid attention to so that workers feel disadvantaged because of the rights that should be had in the provisions of Law No. 13 of 2003 concerning labor, but in the implications of the Job Creation Law, the rights themselves are actually cut and reduced. And the cuts and reductions in the articles in question are the articles contained in the Manpower Law.

These articles are known to have significant implications for the protection of constitutional rights, especially the constitutional rights of workers and laborers in Indonesia. This then makes the implications of the articles in the Job Creation Law begin to question their constitutionality seen from their revocation and the loss of constitutional rights of workers and labor, in relation to protecting the constitutional rights of Indonesian workers and workers.

Related to this, there are several articles considered to be contrary to the constitutional rights of workers and officials, one of which is in Article 81 number 24 of the Job Creation Law. This article is an article that is very much supported by workers because of the wage policy that was abolished in Article 88 of the Labor Law. In the previous Employment Law, it was regulated regarding 11 wage policies that must be obtained by workers, but in the Job Creation Law, only 8 wage policies were regulated, where the other 3 policies were deleted by the government. The policy is wages for exercising the right to rest time, severance pay and income tax calculation wages.

In addition, in Article 6 which regulates the amendment of the employment agreement. This article allows the employment agreement to be amended or extended without involving the union. The implication is the potential reduction in protections for workers' rights, such as living wages, fair working hours, and healthy and safe working conditions.

Article 81 number 23 of the Manpower Law. This article changes the time off of workers. Where in Article 79 of the Manpower Law, workers who work for 8 hours/day should be entitled to the right of 2 days of leave for one week, while in the Job Creation Law it is not explained about the details of how many days of vacation time workers get during one working week, In addition, the Manpower Law initially regulated the obligation of companies to provide long rest (leave) for 2 months to workers who have have worked for 6 consecutive years and apply in every multiple of the subsequent 6 years of service. Meanwhile, in the Job Creation Law, the government abolishes the obligation so that employers are not required to provide the leave listed above to their workers. And it is regulated to give leave to workers for at least 12 working days.

In addition, Article 88 of the Job Creation Law which regulates fixed-time work agreements is also in the spotlight. This article allows for the broad use of a fixed-time employment agreement, without any clear restrictions. This can cause workers to lack adequate

job security and be vulnerable to abuse of workers' rights. Another implication related to workers' rights contained in Article 59 regarding the elimination of criminal sanctions for employers, this article is controversial because it can reduce the effectiveness of law enforcement in protecting workers' rights and encourage employers to violate labor provisions.

The above articles are articles that have undergone changes in the Job Creation Law. In addition, other articles that regulate workers' rights remain the same as stipulated in the Manpower Law. However, the main problem highlighted by the workers is that the overall Job Creation Law the government is more dominant in showing its partiality to employers, because many articles in it stipulate that employers are given the freedom to determine the fate of their own workers, this is in accordance with what has been mentioned in Article 59 of the Job Creation Law.

In the content of the article, where employers are not given a time limit to extend the contracts of their workers, so this makes it a great advantage for employers to continue to take advantage of the contract status of workers because even though the work done is the same as other permanent workers, the wages and benefits obtained are very different.

In this context, it is very important that evaluation and revision can be carried out related to the articles in question in the Job Creation Law, by reconsidering the protection of constitutional rights, especially the constitutional rights of workers and labor, because basically the protection of constitutional rights is a fundamental and important principle in achieving social justice, community welfare, and the sustainability of a country's development. Comprehensive and collaborative efforts from all parties are urgently needed in the evaluation, to ensure that the Job Creation Law no longer violates the principles of the constitution and Pancasila in providing adequate protection for the constitutional rights of workers in Indonesia.

2. Protection of Constitutional Rights of Workers and Laborers after the repeal of Law No. 13 of 2003 concerning Manpower into the Job Creation Law (Law No. 6 of 2023).

Article 28E paragraph (3) of the 1945 Constitution of the Republic of Indonesia (hereinafter abbreviated as the 1945 Constitution of the Republic of Indonesia) affirms that, "Everyone has the right to freedom of association, assembly, and expression". The phrase "everyone" in Article 28E paragraph (3) of the 1945 Constitution of the Republic of Indonesia means that everyone in Indonesia is guaranteed the right to freely association, assembly, and express opinions by the constitution or the 1945 Constitution. Thus, workers or laborers (hereinafter the term "worker" is used because of efficiency considerations) are guaranteed their right to freely association, assemble and express opinions by the constitution, in other words to unionize, assemble, and express opinions is a constitutional right of workers.

In Law No. 13 of 2003 on Manpower, where the protection of labor and workers has been regulated in Article 5, which states "Every worker has equal opportunities without discrimination to get a job", that the protection of labor itself is intended to guarantee the basic rights of workers/laborers and guarantee equal opportunities and treatment without discrimination on any basis to realize welfare workers/laborers and their families while still paying attention to the development of the progress of the business world.

Juridically, there are several workers' rights that must be protected, including: The right to work, the right to fair wages, the right to association and assembly, the right to security and health protection, the right to due process, the right to be treated equally, the right to privacy, and the right to freedom of expression.

Quoted by Imam Soepomo, where the basic rights of workers in the laws and regulations in Indonesia itself have been implemented in four laws and regulations which legally regulate all problems related to labor, in order to provide protection of labor rights while also of course providing protection of rights for employers and legal certainty in the business world. Laws directly related to labor/employment include: Law No. 3 of 1992 concerning labor social security, Law No. 21 of 2000 concerning labor unions/labor unions, Law No. 13 of 2003 concerning employment, and Law No. 2 of 2004 concerning the settlement of industrial relations disputes.

The protection of workers/laborers is intended to include: to ensure the fulfillment of workers' basic rights, ensure equal opportunities and treatment without discrimination. Protection of workers can be done either by providing guidance, compensation, or by increasing the recognition of human rights, physical and socio-economic protection through applicable norms.

During this period, several concerns can be found that arise due to the existence of several articles in a law and regulation that are contrary to several principles of the Indonesian constitution, especially related to the protection of the constitutional rights of workers and labor. This happened around 2020, which was known with the birth and passage of a new law and regulations, with the initial purpose of the law being to regulate broad and comprehensive labor issues.

Furthermore, in its implementation, this law has reaped several controversies and intense debates between experts and legal experts, in which several things have been debated, especially related to the protection of the constitutional rights of workers and workers. And what is questioned in the law is related to workers' rights related to wages, working hours, and fair working conditions, which is then seen by some as a reduction of workers' rights and a violation of workers' constitutional rights. And the legislation itself is the Job Creation Law or better known as the Omnibus law. Regarding the articles in the Job Creation Law or Omnibus law itself, its constitutionality can be questioned which can be seen in the context of the protection of constitutional rights in Indonesia.

In this context, it is important for us to consider the compatibility of the Job Creation Law with the 1945 Constitution of the Republic of Indonesia (1945 Constitution) and the Constitutional Court's rulings regarding the constitutional rights of workers and workers themselves. First of all, the 1945 Constitution itself guarantees the constitutional rights of citizens, including human rights, political rights, economic rights, social rights, and cultural rights. Based on this, it can then be interpreted that every law that will be issued, including the Job Creation Law itself, must be carried out based on the provisions in the 1945 Constitution.

If there are articles in the Job Creation Law that are contrary to the constitutional rights guaranteed by the 1945 Constitution, then the constitutionality of these articles can be questioned. One of the issues questioned in the Job Creation Law is related to the constitutional rights of workers. The law regulates a number of changes related to labor provisions, including wages, working hours, and working conditions, and so on. Some argue that the articles in the Job Creation Law have reduced workers' rights and violated their constitutional rights, which they say is very contrary to the 1945 Constitution itself. In the context of the protection of constitutional rights in Indonesia, these articles are considered to be contrary to the values in Pancasila and the 1945 Constitution.

3. The Impact of the Job Creation Law (Law No. 6 of 2023) on the Constitutional Rights of Workers and Workers

Law Number 13 of 2003 concerning Manpower (Manpower Law 2003) and Law Number 6 of 2023 concerning Job Creation (Job Creation Law 2023) are known to have different main focuses and objectives, where both are indirectly laws and regulations with different main focuses, as well as what is the main focus of law Number 13 of 2003 (Manpower Law 2003) itself, where it can be seen that the law has the main focus on regulating employment relations between workers and employers in Indonesia. This law covers various aspects of employment such as the rights and obligations of workers and employers, employment agreements, working hours, wages, worker welfare, and termination of employment.

Meanwhile, the main focus of Law Number 6 of 2023 (Ciptaker Law 2023) is to develop and strengthen the financial sector in Indonesia. This law covers various aspects of the regulation and supervision of the financial sector, the development of financial markets, consumer protection, and the improvement of public access to financial services. It can be seen that the comparison between the two laws is very clear, where the two have very different main focuses.

Regarding Law Number 6 of 2023 concerning the Stipulation of Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (Job Creation Law), where this Law has various concerns that can be seen through the side of workers and labor that are considered to be very detrimental to the workforce due to the policies determined by the law, which include such as:

- 1) Reduction in Employee Well-Being:
 - a. Outsourcing and Employment Contracts: This law expands the types of work that can be outsourced and makes it easier to use short-term employment contracts. This can reduce job security and long-term welfare rights for workers.
 - b. Severance pays: The provisions regarding severance pay received by workers who have experienced termination of employment (PHK) are considered lower than the previous regulation.
- 2) Minimal Work Protection:
 - a. Working Hours and Overtime: Rules regarding working hours and overtime are considered to provide more flexibility to employers, which can potentially add to the workload without a commensurate increase in compensation.
 - b. Minimum Wage: A more flexible minimum wage setting mechanism can result in a lower minimum wage for workers in some areas.
- 3) Job Security:
 - a. Foreign Workers: The Job Creation Law facilitates the entry of foreign workers, which can increase job competition for local workers and potentially reduce employment opportunities for domestic workers.
- 4) Social Protection:
 - a. Social Security: There are concerns that the implementation of social security such as BPJS Employment and BPJS Kesehatan will have an impact on reducing the social protection received by workers.

5) Termination of Employment (PHK):

- a. Layoff process: This law is considered to make it easier for employers to lay off, which can cause job uncertainty for workers.

One of the objectives of the formation of a law is that the law can have a good and positive impact on the wider community, among which the law is expected to create good and equitable justice, welfare, and prosperity for the Indonesian people, in accordance with what is the ideal of the 1945 Constitution of the Republic of Indonesia and Pancasila as the basis and foundation of the Indonesian state.

However, in reality, the regulation of the Job Creation Law itself is more concerned with the interests of employers, by putting aside the rights of workers and workers, so that many workers and workers feel that the law is contrary to what has been the main purpose of the creation of the law itself, which is to guarantee and protect the rights of its citizens, especially the constitutional rights of workers. The change is felt to have narrowed the space for workers to fight for their rights, because many regulations in the 2003 Labor Law aimed at protecting workers' rights themselves must be replaced or even abolished. This is very contrary to the principle of the protection of human rights, one of the principles of human rights itself is the fulfillment of all rights owned by workers, both starting with the right to work or the right to a decent livelihood, which has been affirmed in Article 27 paragraph 2 of the 1945 Constitution of the Republic of Indonesia.

CONCLUSION

The Job Creation Law was initially designed to improve Employment Law and stimulate economic growth by expanding employment opportunities and investment. However, its implementation has resulted in numerous provisions that reduce workers' rights, causing many laborers in Indonesia to feel disadvantaged. These reductions contradict the protections previously established in Law No. 13 of 2003 concerning labor. Therefore, a thorough review and re-evaluation of the Job Creation Law's regulations and formation are necessary. Future research should focus on assessing the law's socio-economic impacts on workers and exploring alternative policy frameworks that balance economic growth with the protection of labor rights.

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