

**JLPH:**
Journal of Law, Politic
and Humanities<https://dinastires.org/JLPH> ✉ dinasti.info@gmail.com ☎ +62 811 7404 455E-ISSN: 2962-2816
P-ISSN: 2747-1985DOI: <https://doi.org/10.38035/jlph.v6i2>
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The Urgency of Establishing Compensation Standards and Minimum Wage Schemes For Interns From A Justice Perspective: A Normative Study on Internship Providers

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Abstract: The lack of harmonization in regulations governing internship programs in Indonesia has led to ambiguity regarding the legal status of interns, resulting in weak legal protection and the absence of fair compensation standards, thereby potentially giving rise to disguised employment. Based on an analysis using the theories of justice of Gustav Radbruch, John Rawls, and the Critical Legal Studies (CLS) perspective, it was found that the existing regulations, namely Minister of Manpower Regulation No. 6 of 2020, Minister of Education, Culture, Research, and Technology Regulation No. 63 of 2024, and Minister of Manpower Regulation No. 8 of 2025, still overlap and have not established clear compensation standards. This situation contradicts the principles of justice as fairness and substantive justice because it disregards the economic rights of interns. Therefore, a Presidential Regulation (Perpres) is needed as a legal umbrella to unify inter-ministerial provisions and establish National Compensation Standards Based on the Minimum Wage (UMP), with a scheme of 25% of the UMP for curricular internships, 40% for non-curricular internships, and 50% for fresh graduates, in order to realize a fair, adaptive, and legally certain internship system.

Keywords: Intenrship, Internship Compensation, Fairness.

INTRODUCTION

Fresh graduates in Indonesia continue to face considerable challenges in obtaining employment due to their limited relevant experience. In this context, internship programs serve as an effective solution to help them gain professional exposure to the world of work. Internship programs are not only intended for fresh graduates but also for current students, high school and vocational school graduates, active university students, and any individual who has reached working age. Since 2021, the Ministry of Education, Culture, Research, and Technology (Kemendikbud Ristek) has launched the Certified Internship and Independent Study Program (MSIB) to support the development of interns' skills. In addition to MSIB, there are also regular internships.

Internships constitute valuable experiences in the form of training or courses designed to sharpen and enhance participants' soft skills (Lutfia & Rahadi, 2020). According to Article 1 point 11 of Law No. 13 of 2003 concerning Manpower (hereinafter referred to as the Manpower Law), an internship is part of an integrated work training system that combines learning at training institutions with direct work experience under the supervision of instructors or more experienced workers, within the process of producing goods and/or services in a company, with the aim of developing specific skills or expertise. This is different from the employment relationship as referred to in Article 1 point 15 of the Manpower Law, which is based on an employment agreement between the worker and the employer. The internship program is part of job training that does not establish an employment relationship, but rather a training relationship between the intern and the company. These programs are designed to ensure that each participant can develop their skills effectively, thereby preparing them to face challenges in the professional world. However, in practice, interns are often treated as regular employees, even though legally they are not employees.

In this study, several operational definitions are used to avoid differences in interpretation. Internship compensation (allowance) is defined as financial and non-financial rewards given by the company to interns for their participation in job training activities, without creating a formal employment relationship between the two parties (Dessler, 2017). Meanwhile, the minimum wage is the lowest income standard set by the government through the Provincial Minimum Wage (UMP), and its provisions only apply if the internship activity shifts in practice into a disguised employment relationship.

Regulations regarding compensation for workers with internship status are stipulated in Article 22 paragraph (2) of the Manpower Law, which states that interns are entitled to receive compensation and/or transportation allowance, social security benefits, and an internship certificate upon successful completion of the program. Furthermore, this is regulated in Minister of Manpower Regulation No. 6 of 2020 concerning Domestic Internship Implementation, which specifies that interns are entitled to receive compensation covering transportation costs, meal allowances, and internship incentives. However, the specific amounts are not detailed in the prevailing regulations. Consequently, the level of compensation largely depends on the agreement between the intern and the provider, resulting in the absence of legally binding minimum standards.

This condition has the potential to lead to exploitation or abuse of the internship programs as a form of disguised employment, creating unfair treatment of interns. As a result, many interns receive compensation that does not correspond to their workload, and some receive no compensation at all, as frequently observed in practice. In addition, the low awareness of interns regarding their rights discourages them from reporting violations due to concerns that it may affect their evaluation or continuation in the internship program.

Therefore, the application of the principles of justice and social welfare as the basis for establishing minimum wage policies is crucial to protect workers, particularly vulnerable ones, ensuring that their basic living needs are met fairly and equitably in accordance with the values of social justice in Pancasila. This policy serves to prevent income inequality and industrial relations conflicts, while promoting productivity and job stability. In the context of internships, setting a fair minimum wage is urgent so that interns are legally protected and their rights are fulfilled in accordance with the principles of justice and welfare. This practice highlights the need for an in-depth study on the implementation of rights and obligations, particularly regarding the determination of minimum wages for interns, to ensure legal protection and the fair and adequate fulfillment of their rights.

Based on information from the official website of the Ministry of Manpower and studies in several academic journals, practices of exploitation against interns are still prevalent, including reductions in compensation, excessive working hours, and assignments unrelated to

their field of study. Here are some examples of cases of violations of the rights of interns in Indonesia:

Table 1. Case Analysis of Internship Exploitation in Indonesia

No.	Case Analysis	Results
1.	<p>According to the official website of the Ministry of Manpower (kemnaker.go.id), a case of exploitation involving interns occurred at the educational startup Campuspedia in Surabaya (Kementerian Ketenagakerjaan Republik Indonesia, 2021). The case originated from a viral social media post in which an intern shared their experience of receiving only IDR 100,000 per month in compensation and being subjected to a fine of IDR 500,000 if they resigned before the end of the internship period.</p> <p>This post attracted widespread public attention as it was perceived as a form of exploitation of interns. Following the viral dissemination of the case, the Ministry of Manpower (Kemnaker), through the Directorate of Vocational Training and Internship Implementation (Ditjen Binalavotas) and the Directorate of Labor Inspection and Occupational Health and Safety (Binwasnaker and K3), conducted a sudden inspection at Campuspedia's office in Surabaya on Saturday, October 30, 2021.</p>	<p>This case reflects the unfairness in the implementation of internship programs, characterized by weak legal protection and uncertainty regarding the amount of compensation that should be clearly regulated by law. Furthermore, interns are often subjected to excessive workloads and working hours that exceed reasonable limits.</p>
2.	<p>The case of MS, a student majoring in Library Science at a state university in Jakarta, involved an internship at PT NI, a food and beverage company producing syrups, powdered drinks, and dairy products (Azied, 2022). Prior to the internship, the company provided a non-negotiable <i>take-it-or-leave-it</i> agreement, stipulating a six-month duration with working hours from 09:00 to 17:00 WIB. Although a monthly compensation was promised, the amount was not specified in the agreement. In practice, MS reported being forced to work overtime without additional compensation and lacking both protection and a sense of safety when returning home at night.</p>	<p>The internship program at PT NI demonstrates a misalignment with the legal objectives of internships in Indonesia. These practices are alleged to have been conducted systematically, in an organized manner, and on a large scale by the program organizers. Furthermore, the work patterns of interns at this company indicate that they perform core functions akin to regular employees, yet without receiving the additional compensation they are rightfully entitled to.</p>
3.	<p>The case of IB, a Communication Science student at a state university in Jakarta who also interned at PT NI under similar terms and working conditions as MS, revealed that the company provided only IDR 180,000 per month in compensation, despite requiring him to go to the field daily to promote the company's products (Azied, 2022).</p>	<p>As in the previous case, the interns performed core functions similar to those of regular employees, yet received disproportionate compensation, which was not even specified in the internship agreement.</p>

No.	Case Analysis	Results
4.	A Computer Engineering student from a prominent university participated in an internship program at a technology startup in Jakarta, under an agreement specifying eight-hour workdays, five days a week (Rahmadia, 2024). However, in practice, working hours increased to 60–70 hours per week due to late-night overtime and weekend work, accompanied by high pressure to complete projects within tight deadlines. This excessive workload resulted in physical and mental fatigue, stress, sleep disturbances, and a decline in academic performance. Attempts to report these conditions to the HR department were met with no response.	This case underscores the importance of applying the principles of protection and justice in internship programs to prevent exploitative practices that may undermine the well-being of participants.

Source : Research Data (processed by Author)

Based on an analysis of various internship cases in Indonesia, establishing compensation standards for interns is urgently needed to ensure fairness and welfare. Ambiguities in wage regulations, excessive working hours, and penalty policies indicate weak legal protection. Implementing fair compensation would enhance the quality of internships and create a more humane working environment. A comprehensive strategy is required, involving the strengthening of regulations, government supervision, and company education, to safeguard the rights of interns. Furthermore, effective wage policies are crucial for the workforce, and these interests must be supported by clear and enforceable government policies to ensure the comprehensive protection and welfare of internship participants (Mandari dkk., 2025).

Thus, it is hoped that internship programs in Indonesia will become a means of quality and fair learning that is beneficial for both participants and organizers. Based on the above discussion, this study raises two research questions:

1. Why do regulatory gaps in internship programs still exist in Indonesia?
2. Is a stronger legal framework necessary to ensure equitable and beneficial internship programs for participants?

This study offers novelty regarding internship compensation and minimum wages based on employment status to clearly distinguish between training schemes and disguised employment. Another innovation relates to the implementation of a national compensation standard based on the Provincial Minimum Wage (UMP), with a percentage scheme ranging from 25% to 50% of the UMP, to guarantee fairer protection for interns. As a normative solution, this study also proposes an integrated regulatory model through a Presidential Regulation (Perpres) that serves to harmonize inter-ministerial policies while strengthening the national internship portal as an integrated legal compliance and monitoring system.

METHOD

This research is a normative legal study focusing on the examination of statutory regulations, legal principles, and legal doctrines related to the determination of compensation and minimum wages for internship participants. The approach used is the Comprehensive Approach with Germany's MiLoG (Mindestlohnengesetz) as a reference for a comparative system in the internship compensation scheme. The legal materials used consist of primary legal materials, namely Minister of Manpower Regulation Number 6 of 2020 concerning the Implementation of Domestic Internships, Minister of Manpower Regulation Number 8 of 2025 concerning Guidelines for Providing Government Assistance for the Internship Program for College Graduates, and Regulation of the Minister of Education, Culture, Research, and Technology Number 63 of 2024 concerning the Implementation of Student Internships, as well as other implementing regulations; and secondary legal materials, in the form of literature,

scientific journals, research results, and expert opinions relevant to the theme of justice in employment.

Data for this research were collected through library research, by examining various credible legal sources and academic literature. The data were then analyzed using a qualitative-descriptive method, which involved interpreting and comparing existing legal norms to identify regulatory gaps and propose recommendations for improvement. As the analytical framework, this study adopts three main theoretical perspectives: Gustav Radbruch's Theory, which emphasizes the values of legal certainty, justice, and expediency; John Rawls' Theory of Justice, particularly his concept of fairness; and Critical Legal Studies (CLS), which is used to examine the power asymmetry between interns and companies. These three theoretical frameworks collectively serve to assess the extent to which Indonesia's internship regulations are capable of realizing substantive justice within the internship system.

RESULTS AND DISCUSSION

Persistent Gaps in the Regulation of Internship Programs in Indonesia.

In an increasingly competitive era of global competition, the demand for skilled and adaptive human resources has become a top priority for the workforce. One internationally recognized strategy for bridging the gap between education and industry is apprenticeship programs. According to the International Labour Organization, internships play a strategic role as a means of practical work-based learning in business and industry, providing benefits not only to participants but also to companies and the government (International Labour Organization, 2020). Pursuant to Article 1 paragraph (11) on Manpower Law, an internship is a form of work training implemented in an integrated manner, combining learning at training institutions with direct work practice in companies under the guidance and supervision of instructors or experienced employees, in order to acquire specific skills or expertise in the production of goods and/or services.

For interns, the program serves as a platform to develop both technical competencies and non-technical skills (soft skills) required for workforce qualification. Conversely, companies benefit from the presence of pre-tested prospective employees, both in terms of technical ability and workplace adaptability. For the government, the successful implementation of internship programs contributes to expanding employment opportunities, ultimately enhancing societal welfare as part of the state's responsibility in economic development.

Internship programs in Indonesia are not merely work-based learning practices, but also obtain legal legitimacy through various regulatory instruments that govern their implementation. One such regulation is the labor law, namely Law No. 13 of 2003 on Manpower (UU 13/2003). Article 22 paragraph (1) requires that every internship program be conducted based on a written agreement between the intern and the program organizer. This provision provides legal certainty, as the rights and obligations of both parties must be clearly stipulated in the contract. Article 22 paragraph (2) specifies that interns have essential rights, including the right to receive compensation and/or transportation allowance, access to social security, and an internship certificate upon completion. Furthermore, Article 22 paragraph (3) emphasizes that if no written agreement is made, the status of the intern automatically converts to that of a company employee or worker. In other words, this regulation protects interns from the misuse of the "internship" status as a pretext to avoid corporate obligations.

Subsequently, a more specific regulation regarding internships was introduced, namely the Regulation of the Minister of Manpower of the Republic of Indonesia No. 6 of 2020 on the Implementation of Domestic Internships. According to Article 13, the rights of internship participants include the following:

Interns have the right to :

- a. Receive guidance from an Internship Supervisor or instructor;

- b. Receive the fulfillment of rights in accordance with the Internship Agreement;
 - c. Access occupational safety and health facilities during the internship;
 - d. Receive an allowance;
 - e. Be enrolled in a social security program; and
 - f. Obtain an Internship Certificate or a statement of participation in the internship.
- (1) The allowance referred to in paragraph (1) point d includes transportation costs, meal allowances, and incentives for internship participants.
- (2) The allowance referred to in paragraph (2) shall be borne by the Internship Organizer and agreed upon in the Internship Agreement.
- (3) In the event that the distance between the Internship Location and the participant's place of residence is more than 30 (thirty) kilometers, the Internship Organizer is required to provide accommodation and transportation during the Internship.

The subsequent regulation concerning student internships is the Regulation of the Minister of Education, Culture, Research, and Technology of the Republic of Indonesia No. 63 of 2024 on the Implementation of Student Internships. This regulation does not contain specific provisions regarding the amount or the obligation to provide an allowance for internship participants. In other words, such matters are determined based on an agreement between the student, the university, and the internship organizer. According to Article 28, the rights of students participating in internships include the right to receive protection as stipulated in the Student Internship Cooperation Agreement.

In September 2025, the government enacted a new regulation concerning internships for university graduates (fresh graduates), namely the Regulation of the Minister of Manpower No. 8 of 2025 on Guidelines for Providing Government Assistance for the Internship Program for University Graduates. The provisions regarding assistance for internship participants are stipulated in Article 11, as follows:

- (1) Government assistance for the internship program shall be provided to internship participants in the form of a stipend.
- (2) Government assistance for the Internship Program as referred to in paragraph (1) is provided monthly for a maximum period of 6 (six) months while participating in the Internship Program.
- (3) The government assistance in the form of a stipend as referred to in paragraph (1) shall be provided in cash, with the amount determined by the Minister.

The existence of these provisions shows that Indonesian positive law has attempted to provide protection so that interns are not merely exploited as labor, but also receive benefits in the form of experience, skills, and formal recognition. Although, normatively, these regulations include the rights of interns, including the right to compensation, they still leave fundamental issues regarding the principle of legal certainty (*lex certa*). This is reflected in the provisions on compensation, which are only regulated in general terms without clear nominal parameters or minimum standards, thus creating legal uncertainty for interns regarding the amount of compensation they should receive.

This condition actually contradicts Gustav Radbruch's legal values, particularly the principle of legal certainty (*Rechtssicherheit*), which emphasizes that norms must be predictable and consistently enforced. This ambiguity creates uncertainty for interns regarding their economic rights, opening the door to exploitative practices under the guise of job training. According to Gustav Radbruch, justice (*Gerechtigkeit*) is a fundamental value in law that must be placed above all else, while expediency (*Zweckmäßigkeit*) requires that the law be able to provide tangible benefits to society, including protection for the weak (Nopri, 2023). Therefore, any legislation loses its legitimacy if it deviates from the principle of justice to an intolerable degree. If internship regulations fail to provide clarity on compensation, this not only obscures

legal certainty but also violates the principles of justice and utility by disregarding the proportionality between the intern's work contribution and the rights they are due.

In line with Radbruch's view on the primacy of justice in law, John Rawls, through the concept of the veil of ignorance, asserts that true justice can only emerge when rules are designed impartially (Darmawan, 2025). In situations where individuals are unaware of their social position, abilities, or fortune, they are likely to agree upon rules that are genuinely fair to all parties. Consequently, Rawls' idea of justice as fairness reinforces the critique of the lack of clarity in internship compensation regulations (Taufik, 2013). When regulations fail to provide certainty regarding interns' economic rights, it not only produces legal uncertainty, as emphasized by Radbruch, but also fails to fulfill Rawls' principle of justice, which demands equal treatment and protection for every individual regardless of social standing.

A further evaluation of the internship program in Indonesia reveals a stark gap between the idealism of regulation and the reality on the ground. Although legal norms promise protection, in practice, many interns do not receive their rightful entitlements, and some even experience exploitative practices. The cases described in the introduction illustrate that internships, which should be a means of education and skills development, are often misused as a form of exploitation and disguised forced labor. This occurs because regulations do not provide sufficient clarity regarding the rights and compensation of interns, thus opening the door to disguised employment, which is a covert employment relationship that is not formally recognized as such but still demands responsibility and a real workload from interns (Knott, 2019).

From the perspective of Critical Legal Studies (CLS), this situation demonstrates that law is not a neutral instrument. On the contrary, internship regulations in Indonesia tend to be elitist, favoring the interests of businesses and reinforcing the dominance of powerful groups rather than protecting the vulnerable. Consequently, what should have been an educational mechanism has instead become a legal justification for low-wage labor practices (Unger, 1983). In this regard, the state has failed to fulfill its role as a protector of the weaker party.

The contrast is evident in Germany, where the Mindestlohngesetz (MiLoG) provides wage certainty for workers, including interns. Article 22 of the MiLoG (German MiLoG §22) stipulates that internships lasting more than three months must be paid in accordance with the national minimum wage, which is €12.82 per hour as of October 1, 2022. In this regulation, exceptions only apply to mandatory educational internships or short-term orientation programs. The regulatory model in the MiLoG demonstrates that German labor law not only provides legal certainty but also substantial protection for interns by placing them on equal footing with formal workers in terms of compensation rights. By mandating the payment of minimum wages for interns, this regulation successfully prevents exploitative practices and ensures that internships function as a means of fair education and skills development. The MiLoG approach is an example of progressive regulation and provides *lex certa* legal clarity, which is still lacking in internship regulations in Indonesia.

Legal protection, which should serve as an emancipatory instrument, has instead often become a means of reproducing structural injustice. Therefore, it is essential to formulate policies grounded in the principle of substantive justice, reinforced by strict sanctions, so that law no longer functions as a tool of domination but as a genuine instrument of protection for interns as a vulnerable group. This aligns with Article 27 paragraph (2) of the 1945 Constitution of the Republic of Indonesia, which guarantees every citizen the right to employment and a decent livelihood, as well as the fifth principle of Pancasila, Social Justice for All People of Indonesia. Furthermore, reforms to internship regulations must reflect the principles of clarity of formulation, justice, and utility as stipulated in Law No. 12 of 2011 on the Formation of Legislation, ensuring that legal norms no longer produce ambiguity but instead provide certainty, equality, and tangible benefits for interns. In doing so, internship regulations can

truly function as empowering instruments rather than mere legal formalities that weaken the position of interns in practice.

The Need for a Stronger Legal Framework to Ensure Fairness and Policy Harmonization in Internship Programs

In an effort to bridge the gap between education and the world of work, internship programs serve as a strategic instrument that not only provides practical learning opportunities but also reflects the application of social justice principles in the field of employment. The effectiveness of these programs is largely determined by the clarity and consistency of the regulations that govern them. Currently, there are three main regulations that serve as a reference in the implementation of internships, namely the Minister of Manpower Regulation Number 6 of 2020 concerning the Implementation of Domestic Internships, Ministry of Education, Culture, Research, and Technology Regulation No. 63 of 2024 concerning Student Internship Organizers, and Ministry of Manpower Regulation No. 8 of 2025 concerning Guidelines for Providing Government Assistance for Higher Education Graduate Internship Programs. The three regulations have fundamental differences in terms of target participants, objectives, and program implementation mechanisms, which are important to understand in order to ensure policy synchronization between the education sector and the world of work. Comparison of internship implementation regulations in terms of wage provisions for interns:

Table 2. Comparison of Internship Regulatory Frameworks in Indonesia

Regulations	Internship Participants	Key Notes
Regulation of the Minister of Manpower No. 6 of 2020 on the Implementation of Domestic Apprenticeships	Participants of domestic apprenticeship programs must be at least 17 years old, indicating that the regulation applies generally and is not specifically designed for university students or recent graduates.	Article 13, which governs the Rights of Apprentices, stipulates that the obligation to provide an allowance lies with the organizer. The allowance must include transportation costs, meal expenses, and incentives, as well as accommodation if the apprentice's residence is located more than 30 kilometers from the training site.
Regulation of the Minister of Education, Culture, Research, and Technology No. 63 of 2024 on the Implementation of Student Internships	This regulation governs university students undertaking internships as part of their academic learning process.	Article 15 outlines the framework for a cooperation agreement between higher education institutions and internship partner organizations, which includes provisions regarding the amount of allowance to be provided. However, the regulation does not explicitly mandate the obligation to provide wages or allowances within its substantive provisions. This framework allows flexibility for universities and internship partners in determining the form and amount of compensation provided to student interns.
Regulation of the Minister of Manpower No. 8 of 2025 on Guidelines for the Provision of Government Assistance for the Internship Program of University Graduates	This regulation applies to university graduates (fresh graduates) participating in internship programs supported by the government.	The program provides government assistance, which is distinct from wages paid by the internship provider. The program provides government assistance, which is distinct from wages paid by the internship provider. According to media reports, participants are said to receive a monthly stipend of IDR 3.3 million from the government for a six-month period. However, this interpretation originates from media coverage, as no explicit reference to such an amount is found within the text of the regulation itself.

Resource : Research Data (Processed by Author)

Based on the comparison of the three regulations, discrepancies can be observed in determining the rights of internship participants, particularly regarding remuneration. Differences among ministerial regulations create ambiguity in implementation, leaving many interns in a vulnerable position without adequate compensation or labor protection. This situation underscores the urgent need for a firm legal strategy to reinforce the principle of social justice in managing internship programs. In this context, humanity and state sovereignty are two interrelated and inseparable concepts; state sovereignty serves as a fundamental prerequisite for guaranteeing human rights, while the protection of those rights requires strong sovereignty to legitimize and maintain social stability and national security (Sitorus & Wati, 2025).

Although internships have been regulated under existing laws, their implementation in practice often deviates from the intended legal purpose. Many companies exploit the “internship” status to conceal what is, in fact, an employment relationship. Therefore, a legal status assessment is necessary to distinguish whether a program constitutes genuine training or has transformed into a form of disguised employment, as illustrated in the following table.

Table 3. A Comparison of Indicators Between Genuine Internship Training and Disguised Employment

Indicator	Genuine Internship Training	Disguised Employment
Curriculum/ Program	Refers to a training curriculum jointly developed with educational institutions or training agencies; focused on enhancing participants' competencies.	No training curriculum is provided; activities are oriented toward the company's production targets and profit gains.
Supervisor / Instructor	A designated supervisor or instructor is responsible for providing training and evaluating participants' competencies.	No specific supervisor is assigned; participants work directly like regular employees without training supervision.
Working Hours	Flexible according to learning needs (generally $\leq 6-8$ hours per day), adjusted to training standards.	Follow full employee working hours (8 hours per day or more), often including overtime without any training basis.
Production Target	Evaluation is based on the achievement of competencies and skills (learning outcomes).	Evaluation is based on production, sales, or business performance targets, similar to regular employees.
Overtime	No overtime; activities end according to the training schedule.	Frequently required to work overtime to complete operational tasks without additional compensation.
Agreement / Contract	Contains an internship agreement that clearly establishes the participant's status as a trainee and does not create an employment relationship.	Includes unilateral clauses (take it or leave it), provides no room for negotiation, and closely resembles an employment contract.
Compensation	A training allowance (non-wage compensation) is provided, determined based on the organizer's capacity.	A fixed “salary” is provided, but without the rights and protections afforded to regular employees (constituting disguised wages).

Resource : Research Data (Processed by Author)

As a normative recommendation to address the overlapping regulations and differing practices between genuine internship training and disguised employment, it is necessary to establish a Presidential Regulation (Perpres) as the highest legal framework governing the implementation of national internship programs. Such regulation would comprehensively ensure the realization of the principle of social justice. Through this Perpres, the government could affirm several key principles, as follows:

Regulatory Harmonization Among Ministries

In accordance with Article 55 of Law No. 12 of 2011, harmonization is required to prevent inconsistencies or conflicts between ministries/agencies, between central and regional

governments, as well as between new and existing regulations (Paonganan dkk., 2025). This Presidential Regulation would serve as an instrument to integrate various internship-related policies issued by the Ministry of Manpower, the Ministry of Education, Culture, Research, and Technology, and other relevant institutions. Consequently, a unified and coherent national internship policy could be implemented across Indonesia under a consistent legal framework. Furthermore, the establishment of a National Internship Portal is required as a centralized database and integrated reporting system to support the effective implementation and monitoring of such policies.

Standardization of Internship Participants' Rights and Obligations

The Presidential Regulation must include national standards on the rights and obligations of interns, including high school/vocational school students, university students, fresh graduates, and job seekers aged at least 17 years old, including the amount of compensation, internship duration, and the right to receive guidance and occupational safety protection. In addition, a standard internship agreement format must be provided as a national guideline to ensure legal certainty and prevent violations of the rights and obligations of the parties, as well as a tool for calculating compensation based on the minimum wage to ensure equal compensation across regions and in line with the Decent Living Needs (KHL). The establishment of these standards is a manifestation of John Rawls' principle of distributive justice, which is an effort to regulate how social benefits and burdens are distributed fairly, especially for the most vulnerable groups (Darnawan, 2025). Within the framework of justice, this Presidential Regulation will ensure that interns, who are in a weaker position than companies, get opportunities and rewards that are commensurate with their contributions.

National Compensation Standards Based on Provincial Minimum Wage (UMP)

Based on the legal status test distinguishing training from employment, a national compensation standard that is proportional and based on the Provincial Minimum Wage (UMP) is essential. This standard aims to provide fair economic protection for internship participants according to the duration and type of program undertaken. The proposed compensation scheme includes:

- a.) Curriculum-Based Internship: Students participating in an internship as part of a formal educational curriculum (e.g., credited internship courses or fieldwork programs) for a duration of ≤ 3 months, shall receive a minimum compensation equivalent to 25% of the UMP (pro rata);
- b.) Non-Curriculum Internship: Individuals undertaking internships outside academic requirements for 3–6 months shall receive a minimum of 40% of the UMP (pro rata); and
- c.) Fresh Graduate Internship: University or diploma graduates shall be entitled to a minimum compensation of 50% of the UMP.

If during implementation it is found that the internship program meets the elements of an employment relationship as referred to in Article 1 point 15 of Law Number 13 of 2003 concerning Manpower, namely the existence of work, orders, and wages, then the program can be reclassified as an employment relationship. In this case, the minimum wage applies in full to interns, and the organizer has a legal obligation to fulfill all inherent labor rights, including social security, reasonable working hours, and legal protection from exploitative practices.

Legal Certainty of Internship Participants' Status

One of the fundamental issues that often arises in internship programs is the unclear legal status of interns, namely whether they are considered students, workers, or trainees. This Presidential Regulation is expected to provide a clear legal explanation regarding the status of interns and the legal relationship between interns, organizers, and educational institutions. Therefore, the Presidential Regulation needs to provide a clear legal definition of the status of interns and the legal relationship between interns, organizers, and educational institutions. This certainty of status is a direct application of Gustav Radbruch's legal principle of legal certainty

(Rechtssicherheit), which is the foundation for ensuring that each party knows their legal rights and obligations with certainty (Supriyadi dkk., 2025).

Establishment of Oversight and Sanction Mechanisms

Indeed, the *safe harbour clause* stipulates that as long as the training indicators are fulfilled and standard compensation has been duly provided, the status of internship or training participants shall not constitute an employment relationship. However, if these provisions are violated, a reclassification of the relationship may occur, requiring the training provider to pay the compensation differential and potentially face administrative sanctions.

To ensure compliance, the Presidential Regulation (Perpres) should establish an integrated and multi-tiered supervision mechanism involving the Manpower Office, universities, and independent supervisory bodies to ensure that every organizer adheres to the established standards. This system may be supplemented by a whitelist for compliant and high-performing organizers and a blacklist for those proven to have committed violations. Furthermore, a proportional and progressive sanction mechanism should be implemented, beginning with written warnings, temporary suspension of internship program licenses, and ultimately leading to license revocation and termination of cooperation with universities.

Through the establishment of this Presidential Regulation, it is hoped that the principle of social justice sought by John Rawls can be applied in the legal system governing internships in Indonesia. This means that internship policies are not only considered as economic or educational tools, but also as a means of distributing opportunities evenly and protecting the social rights of the younger generation. In addition, the application of Gustav Radbruch's three legal values, namely justice (*Gerechtigkeit*), expediency (*Zweckmäßigkeit*), and legal certainty (*Rechtssicherheit*), in a balanced manner to national internship regulations will make internship programs more fair and just.

CONCLUSION

Based on the research findings, it can be concluded that the regulatory framework governing internship programs in Indonesia still faces significant gaps due to the lack of synchronization among the existing laws and regulations, as well as inconsistencies in implementation at the practical level. This regulatory disharmony creates legal uncertainty for interns, particularly regarding the fulfillment of their economic rights and protections during the program. Therefore, the establishment of a Presidential Regulation (Perpres) as a stronger and more comprehensive legal framework is necessary to ensure a fair, legally certain, and proportionally beneficial implementation of internship programs.

Given that the internship policy increasingly reflects the government's commitment to improving human resource competencies, the government should prioritize the formulation of a Presidential Regulation concerning the implementation of the national internship program. With such regulation in place, all provisions currently dispersed across the Minister of Manpower Regulation and the Minister of Education, Culture, Research, and Technology Regulation could be integrated into a coherent and harmonized legal framework. This integration would enable the implementation of internship programs in Indonesia to become more effective, equitable, and legally legitimate.

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