



JLPH: Journal of Law, Politic and Humanities

E-ISSN: 2962-2816
P-ISSN: 2747-1985<https://dinastires.org/JLPH> ✉ dinasti.info@gmail.com ☎ +62 811 7404 455DOI: <https://doi.org/10.38035/jlph.v6i4>
<https://creativecommons.org/licenses/by/4.0/>

Protection of the Normative Rights of Platform Workers: A Comparative Study of Indonesia and Singapore

Bona Jevon Tampubolon^{1*}, Ridha Wahyuni²¹ Universitas Pembangunan Nasional “Veteran” Jakarta, Jakarta, Indonesia, 2210611260@mahasiswa.upnvj.ac.id.² Universitas Pembangunan Nasional “Veteran” Jakarta, Jakarta, Indonesia, wahyuniridha@upnvj.ac.id.*Corresponding Author: 2210611260@mahasiswa.upnvj.ac.id.¹

Abstract: This research analyzes the legal vacuum in providing protection for platform workers in Indonesia. The massive growth in the number of digital workers in recent years has not been matched by the fulfillment of their normative rights. However, the protection of the workforce and the right to a decent livelihood are constitutional mandates, as stipulated in Article 27 of the 1945 Constitution of the Republic of Indonesia. Using a normative (doctrinal) legal research method through statutory and comparative approaches, this study finds that the state must intervene in this regulatory vacuum by formulating adaptive laws. Through a comparative study, Singapore has proven successful in formulating protection via the *Platform Workers Act* by establishing a "Third Category" status; this approach accommodates the fulfillment of social security, work injury compensation, and the right to unionize, without eliminating the inherent flexibility of the digital economy industry. Therefore, this research recommends that the Government of Indonesia immediately draft specific regulations (*lex specialis*) to achieve a harmonious balance between the continuous innovation of the digital economy and the guaranteed dignity and welfare of the workers.

Keyword: Platform Workers, Legal Protection, Labor Law, Digital Economy

INTRODUCTION

Digital transformation has brought significant changes to the pattern of employment relationships in the modern era. Technological advancements also impact the economy, including the diverse job opportunities offered through information technology-based applications. The integration of the economic sector with advancements in information technology has resulted in more flexible work rhythms, as seen with workers utilizing digital information platforms or gig workers. The use of such platform technology tends to grant greater autonomy to individuals, allowing them to manage their own time and work locations by utilizing digital platforms as their workplace (Muntaha, 2024). The emergence of this work model is a key phenomenon within the digital economy transformation.

The gig economy is a prime example of the digital economic transformation a new ecosystem born from the shift in economic strategies from traditional or analog to digital. This

term refers to a new work model involving flexible employment that individuals secure by utilizing digital platforms or applications as intermediaries connecting workers and consumers within an ecosystem (Izza et al., 2024). Within this model, a platform worker is an individual who has an agreement with a digital platform service and receives payment for the tasks performed. The compensation is determined by the amount of work completed and is not tied to standard working days or fixed work quotas (Seow & Chia, 2020).

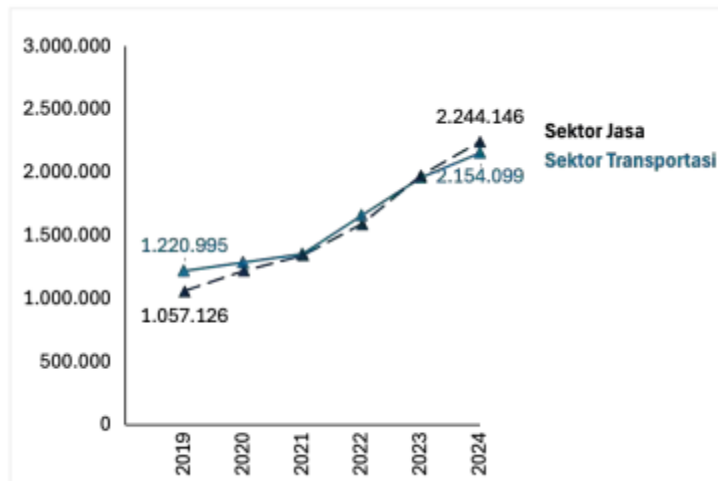


Figure 1. Jumlah Pekerja Platform di Indonesia. Source : BPS, Sakernas 2024, Compiled by INDEF

When examining the data presented in Figure 1, it is evident that in recent years, the gig economy has become a prominent topic of discussion and an integral part of everyday life. Some argue that the gig economy aligns with the diverse employment trends of the future, characterized by its spirit of flexibility and entrepreneurship. A policy brief published by the Institute for Development of Economics and Finance (INDEF) states that digital platforms have become the most significant absorbers of the workforce, with the number of platform workers or gig economy workers increasing from 2.2 million in 2019 to 4.3 million in 2024 across both the service and transportation sectors (Izzati et al., 2025).

The gig economy is also viewed as an alternative form of employment for individuals who do not prefer conventional office-based work models with inflexible working hours (Permana et al., 2022). The relationship established between platform provider companies (platform operators/applicators) and platform workers or merchants is generally categorized as a “partnership” rather than a conventional employment relationship, meaning that the relationship is primarily based on contractual agreements (Dibrata, 2025).

This type of work model, such as the gig economy, is considered a continuation of neo-liberal exploitative practices in which platform owners or providers indirectly control workers by taking advantage of the ambiguity surrounding the term “partnership” (Izzati et al., 2025). This condition arises because the primary difference between workers in the gig economy and traditional workers lies in the obligations between the company (employer) and the worker. In a traditional employment relationship, the company provides work and the worker accepts it; from this reciprocal relationship arise rights and obligations that must be fulfilled and complied with, along with an employment contract that legally binds both parties.

Relying on the concept of flexibility, companies or platform providers in the gig economy are not obligated to provide work, and workers are not obligated to accept it (Seow & Chia, 2020). Furthermore, although contractual agreements exist, they are generally standardized contracts, meaning that platform workers do not possess genuine freedom of contract.

However, until now, Indonesia has not established clear regulations governing the employment relationship between platform workers and platform operators. The legal status of

partner workers remains vulnerable due to the many legal uncertainties and potential disputes they may face. When viewed under existing Indonesian labor law, they are deprived of legal protection, particularly regarding normative labor rights. Nevertheless, their existence as workers who contribute to corporate revenue and national economic development cannot be denied. Referring to the developmental law theory of Mochtar Kusumaatmadja, the state must play an active role (through intervention) in regulating economic activities that affect the welfare interests of society as a whole (Kusumaatmadja, 2021).

Workers' normative rights are a worker's right born as an effort to provide protection for workers that needs to be fulfilled by the employer (Elzar et al., 2025). The normative rights that must be fulfilled by the employer as regulated in the Manpower Law include minimum wage, severance pay, social security, decent working hours, labor unions, and other rights (Maulinda et al., 2024). In contrast to what applies in Indonesia, Singapore has taken a progressive step in protecting platform workers through the ratification of the Platform Workers Act 2024. This law creates platform workers who are between platforms also have the right to establish their own workers' associations (Ministry of Manpower, 2025). Through a different legal approach, it can be seen that Singapore has made efforts to adapt its labor system to align with modern economic changes without sacrificing the basic rights of workers. permanent workers and independent workers (self-employed) but rather as a third category (third category worker) who also has normative rights just like formal workers. It can be seen that Singapore has made efforts to adapt its labor system to align with modern economic changes without sacrificing the basic rights of workers.

METHOD

This study utilizes a normative or doctrinal legal research approach, which focuses on the analysis of positive law relevant to the issues under investigation (Benuf & Azhar, 2020). The data used is entirely secondary data obtained from library materials, such as statutory regulations and previous research findings, which are then critically analyzed to address the legal issues under study.

The approach employed in this research consists of two methods. First, a statutory approach (statute approach), which involves examining various regulations related to the research topic to establish a comprehensive legal foundation (Kristiawanto, 2022). Through this, the researcher examines the labor legal framework in Indonesia, which has not yet been able to accommodate the development of the digital economy, particularly regarding the normative rights of platform workers. Second, a comparative approach, which is used to compare the labor law systems in Indonesia and Singapore specifically focusing on the Platform Workers Act to identify similarities and differences, as well as to provide a deeper understanding of the ideal protection of rights for platform workers.

RESULTS AND DISCUSSION

Legal Regulations Regarding the Protection of Normative Rights for Platform Workers in Indonesia

The development of digital technology has given rise to a new form of working relationship known as platform work, where individuals work through digital applications that connect service providers with consumers, such as online motorcycle taxi drivers, digital freelancers, and food delivery couriers. The emergence of this working arrangement has created a massive transformation in industrial relations and employment in Indonesia, shifting from conventional relationships to ones based on applications and algorithms. Problems arise when platform workers are not explicitly classified as employees in a formal employment relationship. Digital platform companies particularly those in the transportation sector,

referencing the Minister of Transportation Regulation (Permenhub) No. 12 of 2019 generally use the term "partner" (*mitra*) to describe their relationship with platform workers. The current positive law on employment in Indonesia is based on Law Number 13 of 2003 concerning Manpower, which has been amended by Law Number 6 of 2023 regarding the Enactment of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation into Law. Under this legal system, an employment relationship can only be recognized if it cumulatively fulfills three elements: the existence of work, orders (instructions), and wages. Article 1 point 15 of the Manpower Law states that an employment relationship is the relationship between an employer and a worker/laborer based on an employment agreement. However, this legal construction tends to be rigid as it only recognizes two categories: "worker" (employee) or "independent" (entrepreneur/partner). The absence of an intermediate category leaves platform workers in a legal vacuum; even though they execute instructions through digital applications, the relationship is not considered a formal employment relationship because it is deemed not to fulfill the element of "order" in the conventional sense.

As a result, platform workers do not receive the protection of normative rights, even though the state should ideally protect and ensure the fulfillment of its citizens' rights. Although the relationship is recognized as a partnership, in practice, there are strong elements of subordination (Stevania & Hoesin, 2024), wherein platform workers continue to receive instructions through the application system, are subject to company rules, must follow certain service standards, and earn income based on a system determined by the platform company. Furthermore, the company also holds the authority to impose sanctions in the form of suspensions or the unilateral termination of account access.

The normative rights that must be fulfilled by employers, as regulated in the Manpower Law, include the minimum wage, severance pay, social security, decent working hours, the right to unionize, and other rights (Satria, 2025). The concept of an employment relationship under the Manpower Law requires the existence of work, wages, and orders (the principle of subordination) (Satria, 2025). This makes the relationship between digital platform providers and platform workers unable to be categorized as an employer-employee relationship, but rather as a partnership. This situation places platform workers in a vulnerable position due to a legal vacuum, resulting in a lack of social protection that they should rightfully receive just as formal workers do as part of the normative rights protected by the state. This is part of the constitutional obligation as stipulated in Article 27 paragraph (2) and Article 28D paragraph (1) of the 1945 Constitution, which guarantee every citizen the right to work and a decent livelihood.

A similar sentiment was expressed by Nabiyla Risfa Izzati (a Lecturer in Labor Law at the Faculty of Law, Universitas Gadjah Mada) during a public discussion held by the Institute for Development of Economics and Finance (INDEF) (Izzati et al., 2025). She stated that the unrecognized employment relationship classifying them as partners rather than workers along with the legal vacuum, are the root problems preventing platform workers from obtaining their rightful normative rights. Moreover, partnership agreements that are drafted unilaterally and can be changed at any time tend to contain clauses that are detrimental to the workers. A case in point involves Taufik Ansori, who recounted that his earnings did not even reach Rp100,000 because driver tariffs consistently drop every year. He complained that platform service providers never pay attention to the welfare of online motorcycle taxi drivers and that they are not officially registered for social security, leaving them unprotected in terms of health and occupational safety (Yusuf & Arief, 2022).

Based on research from the ILO (International Labour Organization), Indonesia ranks among the top 15 countries with the highest number of platform workers worldwide,

accounting for 1.52 percent (International Labour Organization, 2024). Today, the number of workers in the informal sector is increasing annually, reaching approximately 59.40 percent in 2025 (Triana, 2025). Platform workers are spread across various sectors, ranging from transportation and health services to education and online tutoring. Based on the data, the transportation sector still has the highest number of platform workers, reaching 13 million workers between 2018 and 2022 (Izza et al., 2024). Therefore, platform workers have established a digital economy that is far too massive to be ignored. This creates a contradiction; despite the rapid growth of the digital economy, the legal and social protection of these workers which is a crucial element has yet to be accommodated.

This situation is also inconsistent with the Development Law Theory proposed by Mochtar Kusumaatmadja, which positions law as an active instrument supporting the national development process, as well as the concept of "law as a tool of social engineering" proposed by Roscoe Pound. In this view, social changes brought about by the times require legal adjustments to create order and justice within society. Therefore, the state is obligated to intervene; the law cannot remain static but must be adaptive to changing social conditions (Kusumaatmadja, 2021). Through the perspective of the Development Law Theory, this condition indicates that Indonesian labor law has not been fully capable of keeping pace with the development of the digital economy. Labor regulations are still oriented toward traditional employment relationships, whereas working relationships on digital platforms possess new characteristics that are more flexible, algorithm-based, and do not always display a direct subordination relationship.

This condition creates a structural imbalance, wherein platform companies hold absolute bargaining power, while workers are left in a highly vulnerable position without any preventive or repressive legal protection. The urgency for specific regulations for platform workers is rooted in the three philosophical foundations of the objectives of law proposed by Gustav Radbruch: justice (*gerechtigheit*), certainty (*rechtmatigheid*), and utility (*zwechmatigheid*) (Afdhali & Syahuri, 2023). Juridically, there is a need for a regulation capable of transcending the boundaries of the conventional definition of an employment relationship. This regulation is urgent because the number of platform workers continues to increase significantly, and they have become the backbone of the national digital economy. Without specific rules, the state is considered to have failed in executing its duty to protect its citizens, as mandated by Article 27 paragraph (2) of the 1945 Constitution. State intervention through *lex specialis* (specific legislation) is urgently needed to establish minimum protection standards for platform workers without eliminating the flexibility that characterizes this industry, thereby creating a fair and humane business climate.

The Ideal Regulatory Framework for Protecting the Rights of Platform Workers in Indonesia through a Legal Comparison of Indonesia and Singapore

Singapore is one of the countries in Southeast Asia that is relatively more progressive in responding to the development of the digital economy, including in the regulation of platform workers. The growth of digital transportation services, food delivery, and app-based services prompted the Singaporean government to establish a specific legal framework to provide legal protection for platform workers in the country. Previously, platform workers in Singapore were also categorized as self-employed persons or independent workers. This status meant that platform workers did not receive the protection of employment rights like formal workers do. However, the Singaporean government recognized that working relationships on digital platforms possess characteristics of strong economic dependence on the platform companies, and vice versa. Based on this, the Singaporean government established a specific regulation that recognizes the existence of platform workers as a particular category of workers

with distinct characteristics, known as the *Platform Workers Act*, which officially came into effect in January 2025.

This approach demonstrates that Singapore does not entirely force platform workers into the category of standard formal workers, nor does it leave them in a legal vacuum. The legal framework in Singapore was built through a tripartite approach involving the government, platform companies, and worker organizations (International Labour Organization, 2025). This model aims to create a balance between the flexibility of the digital economy and social protection for platform workers. This regulation represents a critical step in providing legal certainty for platform workers who previously existed in a gray area between formal employees and self-employed workers. Through this regulation, platform workers obtain several clearer forms of protection for their normative rights, particularly regarding social security, work injury protection, and collective representation.

These progressive steps include the establishment of laws specifically regulating the legal relationship between platform workers and platform companies, in the form of amendments to the Workplace Injury Compensation Act (WICA) and the latest policies initiated by the Advisory Committee on Platform Workers. This contrasts with Indonesia, which to date still relies on the legal relationship of partnership agreements a relationship fraught with the potential for violations of workers' normative rights due to their vulnerable condition. Meanwhile, Singaporean law has begun to recognize the "platform worker" group as a "Third Category," whose status lies halfway between formal workers and independent partners. In doing so, Singapore has taken a leading step in forming a dynamic mechanism that protects the interests of both the workers and the platform companies (Xu et al., 2025). The Singaporean government actively intervenes through regulations by requiring platform companies to provide social security protection through the Central Provident Fund (CPF) and Work Injury Compensation (WIC) schemes (International Labour Organization, 2025). This legal framework demonstrates that Singapore prioritizes an adaptive approach that acknowledges the uniqueness of the platform business model while not ignoring the company's social responsibility toward its workers. The protection of platform workers' rights in Singapore focuses on three main pillars, namely (Xu et al., 2025):

1. **Central Provident Fund (CPF):** The Singaporean government requires Platform Operators and Platform Workers to integrate and make monthly contributions to the Central Provident Fund (CPF). These contributions are deducted from the platform workers' earnings at varying rates depending on the worker's age. The contributions will be allocated to several accounts to help workers achieve financial security. These include the Ordinary Account (OA), which is intended for housing, investment, and insurance; the Special Account (SA), which serves for retirement funding and retirement-related financial products; MediSave (MA), which is used for health insurance and hospitalization or hospital-related expenses; and lastly, the Retirement Account (RA), which is created when the worker reaches the age of 55, funded by transfers from the OA and SA accounts rather than from ongoing monthly contributions.
2. **Work Injury Compensation:** Platform workers will be provided with the same level of Work Injury Compensation protection as regular workers or employees. The coverage provided by WIC includes medical expenses up to SGD 45,000 or the total medical expenses incurred within one year from the date of the accident, whichever is reached first; compensation for loss of income during medical leave or hospitalization; as well as a lump-sum compensation for permanent disability or death caused by a work-related accident (provided the worker is commuting or actively carrying out their job).
3. **Representation and Negotiation Rights:** Platform workers are granted the legal right to form Platform Work Associations, which function similarly to trade unions. This body

has the legal power to represent the interests of platform workers and provides tangible bargaining power to conduct negotiations with platform companies.

Meanwhile, in Indonesia, the regulations as outlined above are not yet clearly structured; rather, they are solely determined within standard contracts prepared by the application companies, which certainly hold a more dominant bargaining position. For further clarity, a comparison will be elaborated in the table below, using the following comparative indicators:

Table 1. Comparison of Platform Worker Protection

Indikator	Singapura	Indonesia
Dasar Hukum	1 Januari 2025 Singapura secara resmi memberlakukan peraturan khusus mengatur tentang pekerja platform melalui Platform Workers Act	Belum ada peraturan khusus yang mengatur.
Klasifikasi Status	Kategori ketiga atau <i>Third Category Worker</i> , yang berposisi terpisah dan berantara di tengah-tengah pekerja formal dan mitra	Berdasarkan Permenhub 12/2019 pekerja Transportasi online berstatus sebagai mitra (<i>independent Contractor</i>), tetapi untuk pekerja platform sektor lainnya belum ada peraturan yang mengklasifikasikannya
Jaminan Sosial	<i>Central Provident Fund (CPF)</i> dan Kompensasi Kecelakaan dibayar melalui pendapatan pekerja tetapi tetap berintegrasi dengan perusahaan platform	BPJS Ketenagakerjaan kategori BPU (Bukan Penerima Upah), kontribusi dibayar mandiri oleh pekerja.
Posisi Tawar	Diakui secara hukum untuk membentuk badan perwakilan dan negosiasi kolektif.	Lemah. Ketentuan sepihak oleh aplikator (<i>take it or leave it</i>), rentan <i>suspend</i> sepihak.

Referring to the table above, it clearly demonstrates the main weakness currently prevailing in Indonesia, including the static nature of its labor laws. Because platform workers do not conventionally fulfill the elements of "Wages, Orders, and Work" (particularly the element of "orders," which is disguised through algorithms, and "wages," which are referred to as "tariffs/incentives"), they are pushed into the realm of civil law based on standard agreements where there is no bargaining position regarding freedom of contract (International Labour Organization, 2021). This turns the principle of freedom of contract into a tool for exploitation. Conversely, Singapore proves that providing protection does not have to destroy the platform business model; the state can establish a baseline of protection without having to make them full-time employees. The working relationship between platform workers and platform companies under a "partner" status means their normative rights cannot be fulfilled in the same way as conventional workers, placing platform workers in a vulnerable and unstable condition lacking adequate protection and welfare in their work environment (Dewi, 2025).

Another difference lies in the state's approach to social protection. In Singapore, the state actively establishes standardized social security and work injury compensation schemes for platform workers. Meanwhile, in Indonesia, such protection still largely depends on the internal policies of the platform companies. In terms of the right to unionize, platform workers in Indonesia also continue to face various obstacles because their legal status remains unclear. Conversely, Singapore has begun to provide space for collective representation, allowing platform workers to form a type of platform worker union recognized by the companies. This is important so that platform workers can strengthen their bargaining power; this new initiative

grants platform workers the right to form their own representative bodies (Research Office Legislative Council Secretariat, 2023). This aligns with the five global principles put forward by Fairwork namely *Fair Pay*, *Fair Conditions*, *Fair Contracts*, *Fair Management*, and *Fair Representation* thereby ensuring that the workers' welfare is fulfilled as they rightfully deserve from the state, as a means of ensuring the welfare of its citizens (Sitorus & Kornitasari, 2024).

Observing the factual conditions occurring in Indonesia and comparing them with the legal framework implemented in Singapore, the concept of legal protection for platform workers must fundamentally align with the principles of economic, social, and cultural rights (ECOSOC rights) recognized in international law. One of the crucial international instruments is through the United Nations via the International Covenant on Economic, Social and Cultural Rights (ICESCR). This instrument affirms that everyone has the right to just and favorable working conditions, including the right to fair wages, safe working conditions, social security, and freedom of association, with the primary goal of ensuring social inclusion and basic security throughout life (Jony, 2024). This principle indicates that worker protection must not be lost simply due to changes in the form of employment relationships resulting from the development of digital technology. Furthermore, the International Labour Organization (ILO) also emphasizes the importance of the decent work concept in the digital economy, which rests on four strategic pillars, namely: 1. rights at work; 2. employment creation; 3. social protection; and 4. social dialogue (Drubel & Mende, 2023).

According to the ILO, the development of digital platforms must not lead to labor exploitation or the elimination of fundamental workers' rights. Viewed through the principles of ECOSOC rights and international standards for decent work, the ideal concept of platform worker protection in Indonesia must encompass at least several crucial aspects. First, the recognition of the legal status of platform workers as subjects entitled to legal protection. The state needs to avoid a legal vacuum that leaves platform workers in an uncertain position. Second, the guarantee of minimum normative rights such as a decent income, occupational safety protection, social security, and protection from arbitrary termination of application access. Third, the need for transparency in the algorithms of platform companies. In the practice of the digital economy, algorithms have a significant influence on order distribution, performance evaluation, and the income of platform workers. Therefore, the state must regulate the transparency of algorithmic systems so as not to disadvantage workers. Fourth, the state must guarantee the right of platform workers to unionize and conduct collective bargaining with platform companies.

Philosophically, this protection must integrate the values of Pancasila, specifically Social Justice for All the People of Indonesia, into the structure of the digital economy. This ideal concept manifests in the form of Rights-Based Adaptive Protection, where the formal status as partners is maintained to preserve flexibility, yet their substantial normative rights (health insurance, work injury compensation, and a decent wage) are still guaranteed by the state through legal mandates imposed on platform companies. Thus, a harmonious legal balance will be created among the interests of digital economic growth, business certainty for platform providers, and the protection of dignity for platform workers in Indonesia.

Observing the factual conditions occurring in Indonesia and comparing them with the legal framework implemented in Singapore, the concept of legal protection for platform workers must fundamentally align with the respect for and fulfillment of the principles of economic, social, and cultural rights (ECOSOC rights) recognized in international law. One of the crucial international instruments is through the United Nations via the International Covenant on Economic, Social and Cultural Rights (ICESCR). This instrument affirms that everyone has the right to just and favorable working conditions, including the right to fair wages, safe working conditions, social security, and freedom of association, with the primary goal of ensuring social inclusion and basic security throughout life (Jony, 2024). This principle

indicates that worker protection must not be lost simply due to changes in the form of employment relationships resulting from the development of digital technology. Furthermore, the International Labour Organization (ILO) also emphasizes the importance of the decent work concept in the digital economy, which rests on four strategic pillars, namely: 1. rights at work; 2. employment creation; 3. social protection; and 4. social dialogue (Drubel & Mende, 2023).

According to the ILO, the development of digital platforms must not lead to labor exploitation or the elimination of fundamental workers' rights. Viewed through the principles of ECOSOC rights and international standards for decent work, the ideal concept of platform worker protection in Indonesia must encompass at least several crucial aspects. First, the recognition of the legal status of platform workers as subjects entitled to legal protection. The state needs to avoid a legal vacuum that leaves platform workers in an uncertain position. Second, the guarantee of minimum normative rights such as a decent income, occupational safety protection, social security, and protection from arbitrary termination of application access. Third, the need for transparency in the algorithms of platform companies. In the practice of the digital economy, algorithms have a significant influence on order distribution, performance evaluation, and the income of platform workers. Therefore, the state must regulate the transparency of algorithmic systems so as not to disadvantage workers. Fourth, the state must guarantee the right of platform workers to unionize and conduct collective bargaining with platform companies.

Philosophically, this protection must integrate the values of Pancasila, specifically Social Justice for All the People of Indonesia, into the structure of the digital economy. This ideal concept manifests in the form of "Rights-Based Adaptive Protection", where the formal status as partners is maintained to preserve flexibility, yet their substantial normative rights (health insurance, work injury compensation, and a decent wage) are still guaranteed by the state through legal mandates imposed on platform companies. Thus, a harmonious legal balance will be created among the interests of digital economic growth, business certainty for platform providers, and the protection of dignity for platform workers in Indonesia.

CONCLUSION

The rapid development of the digital economy in Indonesia, which has given rise to the current trend of platform workers, has not been matched by adaptive labor regulations, thereby creating a legal vacuum that places workers in a vulnerable position. Existing legal loopholes are currently being exploited by digital companies to classify workers merely as "partners" to evade the fulfillment of normative rights such as social security and wage certainty, even though, in reality, these workers are subjected to disguised subordination through algorithmic control and the threat of unilateral sanctions. This structural imbalance clearly contradicts the mandate of the 1945 Constitution and the Development Law Theory, which dictates that the law must move dynamically in accordance with social changes. Given that tens of millions of platform workers have now become the backbone of the national digital economy, it is urgent for the state to intervene by formulating specific regulations (*lex specialis*) to guarantee justice and minimum welfare protection standards for workers, without eliminating the inherent flexibility of the industry itself.

To address these challenges, Indonesia needs to emulate Singapore's progressive steps through the Platform Workers Act, which boldly intervenes by creating a "Third Category" to guarantee social protection, work injury compensation, and the right to unionize without stifling the flexibility of digital businesses. As an ideal solution aligned with the ILO's Decent Work standards, the principles of ECOSOC rights, and the social justice values of Pancasila, the Indonesian government must immediately formulate a specific regulation that promotes the concept of "Rights-Based Adaptive Protection." This regulation must mandate the state's

presence to establish clear recognition of the legal status of platform workers, require companies to guarantee minimum normative rights (such as work injury compensation, and social security), regulate the transparency of algorithmic systems, and guarantee the right to collective representation. In doing so, it will create harmony between the sustainability of the digital economy and the assurance of the welfare and dignity of the workers.

REFERENCE

- Afdhali, D. R., & Syahuri, T. (2023). IDEALITAS PENEGAKKAN HUKUM DITINJAU DARI PERSPEKTIF TEORI TUJUAN HUKUM. *Collegium Studiosum Journal*, 6(2), 555–561. <https://doi.org/10.56301/CSJ.V6I2.1078>
- Benuf, K., & Azhar, M. (2020). Metodologi Penelitian Hukum sebagai Instrumen Mengurai Permasalahan Hukum Kontemporer. *Gema Keadilan*, 7(1), 20–33. <https://doi.org/10.14710/GK.2020.7504>
- Dewi, R. (2025). PERLINDUNGAN HUKUM UNTUK PEKERJA LEPAS: MENYIKAPI TANTANGAN DI ERA GIG ECONOMY: LEGAL PROTECTION FOR FREELANCE WORKERS: ADDRESSING CHALLENGES IN THE GIG ECONOMY ERA. *Journal Presumption of Law*, 7(1), 18–30. <https://doi.org/10.31949/JPL.V7I1.11866>
- Dibrata, Q. K. P. (2025). Expansion on the Scope of Vicarious Liability for Torts by Gig Workers: A Comparative Study on Indonesia, India, and the United States. *Lex Patrimonium*, 4(1), 1–24. <https://scholarhub.ui.ac.id/lexpatri/vol4/iss1/4>
- Drubel, J., & Mende, J. (2023). The hidden contestation of norms: Decent work in the International Labour Organization and the United Nations. *Global Constitutionalism*, 12(2), 246–268. <https://doi.org/10.1017/S2045381722000259>
- Elzar, T., Rumesten, I., & Flambonita, S. (2025). *PERLINDUNGAN HAK NORMATIF PEKERJA ATAS PEMUTUSAN HUBUNGAN KERJA MENURUT UNDANG-UNDANG NOMOR 6 TAHUN 2023*.
- International Labour Organization. (2021). World Employment and Social Outlook: The Role of Digital Labour Platforms in Transforming the World of Work. In *International Labour Organization*. https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40dgreports/%40dcom/m/%40publ/documents/publication/wcms_771749.pdf
- International Labour Organization. (2024). *Realizing decent work in the platform economy*. International Labour Organization. <https://www.ilo.org/resource/conference-paper/ilc/113/realizing-decent-work-platform-economy>
- International Labour Organization. (2025). *Platform Work Associations and the Platform Workers Act in Singapore The Role of Trade Union*. <https://www.ilo.org/publications/platform-work-associations-and-platform-workers-act-singapore>
- International Labour Organization. (2025). *Strengthened Protections For Platform Workers From 1 Jan 2025*. <https://www.mom.gov.sg/workplace-safety-and-health/work-injury-compensation/resources-and-tools#calculators>.
- Izza, S. R., Saharani, K. D., Ardiani, D., & Franssisca, M. L. (2024). Studi Literatur: Analisis Pengaruh Ragam Karakteristik Pekerja Ekonomi Gig terhadap Perekonomian Nasional. *Journal of Regional Economics and Development*, 1(3), 1–20. <https://doi.org/10.47134/JRED.V1I3.337>
- Izzati, N. R., Yuana, S. L., & Adha, I. A. F. (2025). *NARIK TIAP HARI, HAK PERLU DIHARGAI: REKOMENDASI UNTUK RUU PEKERJA PLATFORM INDONESIA*. <https://indef.or.id/wp-content/uploads/2025/11/Policy-Paper-Pekerja-Platform.pdf>

- Jony, A. (2024). Protection & Implementation of Economic, Social & Cultural Rights under the Constitution in Compliance of ICESCR. In *Department of Law and Justice*. Department of Law and Justice. <http://103.15.140.189/handle/123456789/371>
- Kristiawanto. (2022). *Memahami Penelitian Hukum Normatif*. Prenada Media.
- Maulinda, D., Alifia, T. D., Ramadhan, S. R., Dewi, M. M., & Saputra, F. D. (2024). *Kurangnya Pemenuhan Hak-Hak Pekerja dalam UU Cipta Kerja Terbaru dalam Mewujudkan Keadilan bagi Pekerja*. <https://j-innovative.org/index.php/Innovative/article/view/12020/8135>
- Ministry of Manpower. (2025). *Platform Workers Act: what it covers*. <https://www.mom.gov.sg/employment-practices/platform-workers-act/what-it-covers>
- Permana, M. Y., Izzati, N. R., & Askar, M. W. (2022). Measuring The Gig Economy in Indonesia: Typology, Characteristics, and Distribution . *Jurnal Manajemen Teknologi*, 21(3), 339–358. <https://doi.org/10.12695/jmt.2022.21.3.7>
- Research Office Legislative Council Secretariat. (2023). Protection of digital platform workers in Singapore and Spain. In *Legislative Council Secretariat*. https://app7.legco.gov.hk/rpdb/en/uploads/2023/IN/IN17_2023_20230831_en.pdf
- Satria, I. G. S. (2025). Perlindungan Hak Pekerja Gig Economy melalui Perspektif Hukum Ketenagakerjaan. *Nomos: Jurnal Penelitian Ilmu Hukum*, 5(1), 127–134. <https://doi.org/10.56393/NOMOS.V5I1.2723>
- Seow, A., & Chia, A. (2020). Vicarious Liability And Enterprise Risk In The Gig Economy. *SAL Practitioner*, 1. <https://journalonline.academypublishing.org.sg/Journals/SAL-Practitioner/Employment-Law/ctl/eFirstSALPDFJournalView/mid/615/ArticleId/1516/Citation/JournalsOnlinePDF>
- Sidratul Muntaha. (2024). Diperdaya Algoritma Mesin Pencari: Kerentanan Mitra Bisnis Ekonomi Berbagi pada Media Daring di Indonesia. In *KEMITRAAN SEMU DALAM EKONOMI GIG DI INDONESIA ANALISIS TERHADAP KONDISI PEKERJA BERSTATUS MITRA* (pp. 93–114).
- Stevania, M., & Hoesin, S. H. (2024). Analisis Kepastian Hukum Jaminan Sosial Ketenagakerjaan Bagi Gig Worker Pada Era Gig Economy Di Indonesia. *Jurnal Ilmiah Penegakan Hukum*, 11(2), 268–277. <https://doi.org/10.31289/JIPH.V11I2.11968>
- Triana, E. D. (2025). *JAMINAN SOSIAL KETENAGAKERJAAN DI SEKTOR PLATFORM DIGITAL UNTUK PEKERJA GIG ECONOMY*. Populi Center. <https://populicenter.org/wp-content/uploads/2025/12/Policy-Brief-Edisi-7-JAMINAN-SOSIAL-KETENAGAKERJAAN-DI-SEKTOR-PLATFORM-DIGITAL-UNTUK-PEKERJA-GIG-ECONOMY.pdf>
- Xu, B., Jin, Y., & Zhang, N. (2025). *The Singapore Platform Workers Act and Its Implications*. <http://www.stemmpress.com>
- Yusuf, M. D., & Arief, T. M. V. (2022). Curhat Driver Ojol: Penghasilan Turun dan Tak Ada BPJS. *Kompas.Com*. <https://regional.kompas.com/read/2022/03/07/142502978/curhat-driver-ojol-penghasilan-turun-dan-tak-ada-bpjs?page=all>