



Received: 03-05-2023
Accepted: 13-06-2023

International Journal of Advanced Multidisciplinary Research and Studies

ISSN: 2583-049X

Omnibus Law Policy and Its Impact on Workers in Indonesia

¹Amilia Khoirun Nisa, ²Amanda Margaretna, ³Fitria Sukmawati
^{1, 2, 3}History Education, Sebelas Maret University, Surakarta, Indonesia

Corresponding Author: **Herimanto**

Abstract

This study analyzes the emergence and process of juridical review of the Job Creation Law that applies in Indonesia and the impact of Law Number 11 of 2020 on Job Creation in Indonesia's work world. The topics discussed and studied in this essay are (1)—Law No. 11 of 2020 concerning Job Creation which regulates many sectors. The eleven clusters regulated in the Job Creation Law are Licensing Simplification, Investment Requirements, Employment, Land Acquisition, Business Promotion, Innovation Research Support, Administration, Sanctions, Licensing Facilitation, and Micro Business Protection, Small and Medium Enterprises, Project Investment Management, and Finance. (2). Impact of Job Creation Law No. 11 of 2020 on Indonesia's work world has generated much controversy and criticism. Workers' Representatives consider that this

decision highlights many problems even though the Job Creation Law Number 11 of 2020 has been issued and ratified. This Law affects several aspects and parties and mainly affects workers or laborers. (3). Changes to the provisions of the Job Creation Law regarding wage arrangements for groups of workers are in line with legal protection for workers and their families[4]. The legal consequence of changing the wage provisions of the Labor Law is that some regulations lose their validity; being frozen, for example, there are several new provisions. B. Imposing fines on workers/employees and employers who intentionally or negligently commit violations and requiring prorated hourly wages only from part-time workers/employees.

Keywords: Law, Omnibus law, Politics, Workers

Introduction

President Joko Widodo announced the simplification of regulations in the government. He conveyed two things related to the Omnibus Law, which the government is currently preparing, including the empowerment of UMKMs and the Job Creation Law. To realize this, the government invites the DPR to participate in the realization of the two laws. Omnibus Law is a regulation or law that addresses various issues and topics. In general, the law for all is the understanding of the omnibus law. Relating to or dealing with numerous objects or items simultaneously: including many things or having various purposes (Garner, 1999) [2]. According to Acehinside (2020) [1], the Omnibus Law in the Job Creation Law is a new law that combines provisions and eliminates several articles in the previous law; the articles discussing employment are made more superficial. The follow-up to this program is drafting the National Legislation Program (Prolegnas) in 2020-2024. In the Prolegnas, the DPR RI has determined 248 bills, three of which are part of the Omnibus Law, which includes the Bill on Tax Facilities for Strengthening the Economy, the Bill on Economic Development and Strengthening, and the Bill on Job Creation. The urgency behind the government in enacting the Omnibus Law is due to overlapping regulations, which will have implications for the domestic investment climate. According to the World Bank's Ease of Doing Business (EoDB) rating, there has been a decline due to 4 main factors related to licensing issues, ease of cross-border trade, enforcement of trade contracts, and protection of minority investors. The four factors that caused the downgrade of EoDB Indonesia were caused by investors who needed an investment climate that offered legal certainty (Kurniawan (2022) [6]. Law Number 11 of 2020, which discusses Job Creation, states that Job Creation is an effort to create jobs by advancing, protecting, and strengthening cooperatives and UMKM businesses, improving the investment ecosystem and facilitating investment by the central government, and accelerating national strategic projects. It is hoped that the Job Creation Law will boost the national economy on a micro and macro scale. It is claimed that the Job Creation Law can anticipate the domestic economic crisis amid the current unstable world economic conditions. The urgency of having the Job Creation Law is because the high unemployment rate in Indonesia has reached 7 million people; with the Job Creation Law, it is hoped that it will be able to open new jobs (Kurniawan, 2020). According to the World Bank, Indonesia will have lower middle income in 2021. According to the ADB (Asian Development Bank), Indonesia's economy is expected to grow by around 4.8% and 5.0% in 2024; this is in line with the weakening of the

commodity boom and starting to normalize domestic demand.

Employment is everything related to work before, during, and after working hours. Labor can also be interpreted as someone who can do a job to produce goods or services. According to Simanjuntak, the workforce is residents who are already working and doing other activities, such as going to school or looking for work. Data from the BPS (Central Statistics Agency) in August 2022 through the National Labor Force Survey (Sakernas) showed 143.72 million people in the workforce; this figure increased by 3.57 million compared to August 2021. The number of the workforce is aligned with population growth (Todaro, 2000)^[13]. Currently, the population in Indonesia is dominated by the productive age group. The productive age group (15-59 years) is around 171 million people, or around 64% in 2019. It is estimated that in the next ten years, Indonesia will enjoy a demographic bonus where the productive age group or workforce is larger than the productive age group—unproductive age or elderly. However, behind the lure of a demographic bonus, Indonesia is also facing the threat of large numbers of unemployed if adequate skills do not match the large workforce; this causes the workforce to be excluded from the job market, especially in the 4.0 industrial revolution era where there are many new challenges. Emerging, as well as the demand to improve the quality of human resources so that they can compete amidst the onslaught of foreign workers.

It is hoped that the Job Creation Law will facilitate regulations for entrepreneurs and attract foreign investors to invest in Indonesia so that more job opportunities are opened. Referring to data from the Ministry of Investment, since the Job Creation Law was passed in November 2020, there has been an increase in investment realization from IDR 826.3 trillion in 2020 to IDR 901.2 trillion in 2021 and IDR 1,207.2 trillion in 2022. However, in reality, investment realization does not align with job creation. Investment realization will rise by approximately 33% in 2022, and employment will only increase by 8% from 1.2 million people in 2021 to 1.3 million in 2022. This figure still needs to be closer to the employment absorption target of 2.7 million-3 million per year targeted by the government at the time of ratification of the Job Creation Law.

Another fact revealed that while drafting the Job Creation Law until it was ratified the Job Creation Law, many cons in society disagreed with the Omnibus Law, especially the Job Creation Law. This rejection results from the Job Creation Law being irrelevant to the conditions of the Indonesian people because the public feels that many articles are detrimental, starting from the issue of leave, foreign workers, outsourcing, basic salary, severance pay, and reduced social security. This is because the public feels that the Job Creation Law only favors entrepreneurs and foreign investors. The Job Creation Law is considered negligent in protecting workers, natural resources, and the environment. However, the Job Creation Law has the potential to reduce the level of public trust in the government; this is because the Job Creation Law is considered to be impartial to ordinary people, especially workers. The negative impacts of the Job Creation Law include that employers have the breadth and freedom to maintain the status of contract workers without limits, holidays are shortened, wage regulations are changed, the right to request termination of employment is removed, the existence of the Job Creation

Law also makes it easier for foreign workers to enter Indonesia. This further strengthens the many contradictions in society due to the Job Creation Law, which the government passed.

Literature Reviews

Putri's research (2021)^[9] shows that the Job Creation Law No. 11 of 2020 has legal supremacy related to labor regulations in Indonesia and facilitates legal regulations for entrepreneurs and foreign investors related to their investment in Indonesia. The Job Creation Law has a philosophy to make it easier for foreign investment to enter, while Law Number 13 of 2003 has a philosophy towards protecting workers. Suppose the articles in the Manpower Law are integrated into the Job Creation Law. In that case, there will be a philosophical conflict, namely the philosophy between the ease of investing in visas and the philosophy of protecting workers so that there is no legal certainty.

To avoid this uncertainty, The Job Creation Law must contain three forms of legal protection for workers: technical protection, social protection, and financial protection. However, in the context of the Job Creation Law, there are several quite complex problems; this is because Law Number 11 2020 concerning Job Creation seeks to remove and replace several regulations contained in Law Number 13 of 2003 concerning employment, Law Number 40 of 2004 regarding the social security system, and Law Number 2011 concerning social security administering bodies combined into one regulatory unit that is in line with the vision and mission of creating massive employment opportunities for the next few years. However, unfortunately, the Job Creation Law No. 11 of 2020 has not paid attention to several important aspects related to workers who have experienced layoffs because the abolition of several provisions regarding severance pay will decree the position of the workforce. If it is looked at the substance of Article 89 of Law No. 11 of 2020 concerning work creation, does not provide benefits for workers, so many workers protest the existence of Law No. 11 of 2020.

The results of research conducted by Andini *et al.* (2023) state that there is some protection for UMKMs carried out by the government, which includes UMKM coaching and development programs through partnership programs, training, increased competitiveness, innovation, and market expansion, ease of access to financing, and dissemination extensive information. This is reflected through the waiver of the minimum wage for UMKMs, which aims to provide benefits for improving the people's economy in business competition and free market for UMKM actors. This was previously regulated in Article 3 of Law No. 20 of 2008, which regulates Micro, Small, and Medium Enterprises (UMKMs), which the government then followed up through Peraturan Pemerintah (PP/ Government Regulation) No. 17, 2013, as the implementation of Law No. 20 of 2013. The PP has an important point, namely the role of the central and regional governments in encouraging the development of UMKMs. The research conducted by Otti Ilham *et al.* (2022)^[8] argued that Indonesia as a country based on the law (the rule of law), and it is appropriate for the government to stipulate a regulation that becomes the basic concept that contains a legal basis regarding the direction of legal development in a certain period. One is in the UMKM sector; the lack of legal protection makes domestic UMKMs experience difficulties in developing their business.

UMKMs have an important position in the sustainability of the country's economy. The projected contribution of UMKMs to the national gross domestic product is projected to increase by 5% throughout 2019, with a total national GDP contribution of 65% or around Rp. 2.3 trillion, with a realization of the national GDP of 60.34%. However, behind this, several factors inhibit the development of UMKMs, including capital problems, poor management, low human resource capabilities, weaknesses in the market system, and the complexity of existing regulations. The government is pursuing the development of UMKMs to increase investment and expand employment opportunities. This effort is contained in the Job Creation Law No. 11 of 2020, which discusses job creation. In the preamble, it is stated that there is the provision of convenience, protection, and empowerment of MSEs which are placed at the forefront together with cooperatives, which also includes increased protection and welfare of workers contained in chapter V from article 87 to article 104. Form of the protection provided by the government in the form of guidance and development of UMKMs and cooperatives through partnership programs, training, increased competitiveness, innovation and expansion of market networks, access to finance, and the broadest possible dissemination of information through various platforms. As stated in the Job Creation Law, UMKM business owners are also not obligated to pay awards as referred to in Article 92 of the Job Creation Law. The licensing described in Article 91 explains that UMKM registration can be done online or offline by simply attaching a photocopy of the ID and a business certificate from the head of the local RT. Then the UMKM actor will receive a Business Identification Number containing the valid date permits for all types of businesses. In addition to the things described above, the government also followed up by issuing PP No. 7 of 2021, which regulates the convenience, protection, and empowerment of cooperatives for Small and Medium Enterprises.

Methodology

The omnibus law is enough to become a problem that causes a lot of polemic in society, so it must be studied and reviewed concerning its use. President Joko Widodo first introduced Omnibuslaw in his inauguration speech. The omnibus law is a statutory regulation that raises a lot of pros and cons in people's lives in Indonesia. The presence of the omnibus Law itself is sufficient to become an issue to be discussed. In order to fulfill the questions and the many opinions regarding the pros and cons related to the social object law stipulated in Indonesia, the author, therefore, requires a qualitative data analysis method with a normative juridical approach which is presented descriptively to analyze the legal material that has been collected, in order to question omnibus law strategy as a problem solver of overlapping regulations in Indonesia. This journal also describes a policy of legislation that is synchronized with policies related to human rights or human rights in Indonesia, which will then be used to examine whether the application of the omnibus law is under the needs that exist in people's lives in Indonesia and whether the omnibus law strategy is appropriate or under the applicable normative provisions.

Sugiyono (2018: 213) defines a qualitative research method as a method based on philosophical thinking used to analyze scientific conditions or experimental conditions where

researchers act as instruments, data collection techniques, and qualitative analysis to emphasize meaning.

Moleong (2017: 6) explains that the qualitative method is a method that aims to understand an event that has occurred or experienced by the research subject, including behavior, ways of thinking, encouragement to take action, actions taken, and other things that are known using an analytical analysis. Thoroughly and through a scientific explanation in the form of words or language. The point is that the delivery of results of the analysis is presented in a scientific form using the experiential method of the subject under study.

Soerjono Soekanto defines a normative juridical approach as a research approach in the field of law that is carried out using analytical methods or research on literature or secondary data in the form of laws and regulations which have previously been used as basic materials to be researched by analyzing and synchronizing against regulations and sources of material. Reading related to the problem to be researched and discussed.

The Normative Juridical Approach is an analysis of existing laws and regulations based on examining the laws and regulations created and used in Indonesia. Legal materials used to review omnibus law policies such as Article 79 of Law Number 13 of 2003, which discusses employment, Article 59 Paragraph 1 of Law Number 13

The year 2003, Article 88 paragraph (4) of Law Number 13 of 2003 concerning Employee Salary Policy contains a statement by the government in setting a minimum wage that is based on the large need for decent living expenses taking into account existing productivity and economic growth but this article has been revoked because it was replaced by article number 11 of 2020 concerning work copyright.

Descriptive is a way of presenting research data to obtain a comprehensive, detailed description of events while still having a systematic view of the facts. Analysis, namely an overview or result of material exposure obtained by examining legal sources or actual events associated with the problem to be discussed by setting goals to prove a problem. This study aims to discover the facts of the formation of the omnibus law and what impact will occur when the omnibus Law is enacted.

Findings

The ratification of the Omnibus Law on Job Creation is one of the legal advances made by the government. The omnibus aims to eliminate overlapping regulations in the same area and conflict areas and then reconstruct it. This study examines aspects of legal protection for micro, small, and medium enterprises (UMKMs) after the ratification of the Job Creation Law Number 11 of 2020, highlighting the advantages and disadvantages of different groups. The author of this study uses qualitative data analysis using normative legal research methods where legal principles are examined through secondary data. The results of this study indicate that the protection of SMEs is well regulated by law; state and local authorities pay more attention to the promotion of SMEs seeking legal assistance and support services such as legal advice, legal advice, and out-of-court assistance.

Employment Overall, there are several critical issues in the employment chapter of Job Creation. First, the maximum loss of working time from a particular time work contract. Second, removing the term "good nutrition" from the

reference in the minimum wage calculation implies a significant change in the concept of wage protection. Third, removing restrictions on the types of work that can be outsourced. Fourth, changing the paradigm of termination of employment becomes more accessible because it opens up the possibility that termination of employment can only be carried out by notification to workers from the employer without prior negotiation. Fifth, the Job Creation Law also severely limits the state's power in labor relations because many problems stem from the contractual mechanisms of the workers. Sociologically and empirically, such an agreement harms workers because the gap between workers and employers makes workers' bargaining power insufficient for fair and bilateral negotiations. Sixth, the Job Creation Law is not disabled-friendly. This law provides injustice to workers who become disabled due to work-related injuries and are quickly fired. This provision is contrary to the provisions of the Law on Disabilities. 8 of 2016. Thus, the Job Creation Law does not replace the Manpower Law No. 13 of 2003, for example. B. the absence of informal workers such as housemaids, housemaids, or unusual workers. Moreover, many more have other deficiencies. Partial changes to the Labor Law in the Labor Procurement Law have created new problems that hurt occupational health and safety. In short, the Job Creation Law does not describe the role and existence of the state, which is different from the Pancasila labor market concept. Promote, protect, and strengthen cooperatives, micro, small and medium enterprises (UMKM). First, the Job Creation Law emphasizes the existence of a single database and integrated management of micro and small enterprises, where the central government has the authority to coordinate and evaluate the integrated management of SMEs in cluster agreements. This centralization effort is not under the principle of decentralization of the Indonesian constitution. Second, the Job Creation Law concerning company status provides an exception for establishing SME companies if MSE companies can have one person legal entity and only have one legal entity based on the Memorandum of Establishment made in Indonesia. This is different from the general situation where a company is established by a notary who speaks Indonesian. In addition, the minimum limit for share capital was changed by the Job Creation Law, which no longer stipulates a minimum limit. This arrangement may have the disadvantage of not being able to guarantee the solvency of third parties because no guaranteed capital can be used to pay debt deposits. In addition, there is an initial limit for SME founders, which can only occur once a year; there is no minimum entry limit per person. This can create a new problem, namely the risk that creditors will turn their backs and give the disabled person the opportunity to start a new company under for-profit corporate responsibility every year.

Legal protection is an element that must exist in the country. Every state formation must contain laws that provide guidelines to its citizens. Within the state, a relationship must be between the state and its citizens. Law is a rule that obliges but does not mean to impose will depend on others but to protect the public interest. Because certain parties often violate these interests, a legal product is needed that can be guaranteed and, if necessary, can be monitored. UU UKM 2008 number 2 is one significant factor. Efforts to improve the investment climate in Indonesia. As the rule of law Indonesia (the rule of law), it is appropriate for the

government to establish a legal product as a fundamental concept that provides legal guidelines for developing national legislation during its reign. However, the lack of protection for Indonesian SMEs makes it difficult for them to develop, which is often misunderstood by the government, businesses, and society. Limited capital, quality of human resources, and weaknesses in managing technology are seen as a shortcoming of SMEs rather than a lack of adequate legal protection and leverage. In macroeconomic governments, policies are notoriously misguided, futile, and unable to protect SMEs from global corporate competition.

The results of Bank Indonesia's UMKM Profile survey found that the problems or limitations faced by UMKMs can be seen from the perspective of UMKMs and the banking industry. From the UMKM side, there are four (four) reasons for the weak UMKM activities, namely:

1. Easy to get permits for SMEs;
2. the ability of SMEs to manage the economy;
3. timeliness and amount of credit;
4. Skilled workers

It is important to remember that although SMEs play an essential role in the global economy, there are several barriers to SMEs fulfilling this role, especially in Indonesia. The National Development Planning Agency (Bappenas) summarizes the obstacles to SME development in Indonesia:

1. Low productivity. According to Bappenas, this is due to several factors. These factors include the low quality of human resources, limitations in organizational management, technology management, SME marketing, and low SME entrepreneurial skills.
2. Limited resource access, especially capital, technology, information, and marketing. The World Bank assumes that it is more difficult for SMEs to get bank loans than large companies. SMEs often rely on personal capital and wealth to run their business, of course, if the UKM goes bankrupt.
3. Poor quality of organizational operations. In practice, there are still very few SMEs that operate following the applicable laws and regulations. For example, SMEs, in general, still do not implement good governance.
4. Poor quality of cooperation. In managing cooperatives, many factors must be coordinated between founders, management, and employees because one of the requirements for establishing a cooperative, according to Law Number 6 Paragraph 1, is at least 20 (twenty) people. Of course, the existence of this article is increasingly contrary to the spirit of individual transactions contained in the UMKM Law.
5. The business climate needs to be more supportive. Bappenas explained that this was due to uncertainty and uncertainty in SME licensing procedures, leading to high business costs, an unhealthy business environment, and weak inter-agency coordination to support SMEs.

Meanwhile, from a labor perspective, the government is responsible for proving itself to be a pioneer in empowering workers, which has yet to be fully realized with the existence of the Job Creation Law because it is faced with exploitation and discrimination that ignores workers' rights. Related to this, there is a reduction in the rights of workers contained in Article 93, paragraph (1), which contains rules regarding the right to wages for workers when taking leave. Low severance pay threatens to terminate the workforce unilaterally and en masse because the severance pay is lower

when compared to having to pay employees every month. After all, the Job Creation Law does not regulate the prohibition against laying off employees. Companies also tend to formalize labor protection because there are three types of labor protection (1) technical protection, (2) social protection, and (3) financial protection. There have been significant changes to legal continuity for workers in Copyright Law Work.

The working time agreement, which was previously regulated in Article 56, was later replaced by the Job Creation Law, which abolished the existence of a working time agreement so that workers no longer have a maximum time limit of two years with the possibility of a one-year extension of the working period which results in uncertain job security. The reduction in leave periods is also in the public spotlight, where it shows the government's lack of seriousness in efforts to provide protection and legal certainty for workers.

Opportunities for the entry of foreign workers have also become one of the issues in the Job Creation Law, starting with the government issuing Presidential Regulation No. 20 of 2018, which discusses the rules for using foreign workers. In 2020, some regulations seemed to make it easier for foreign workers to enter Indonesia amidst the difficulty for Indonesian citizens to find work. Article 2, paragraph (1) states that the basis for implementing the Job Creation Law is equal rights, legal certainty, ease of doing business, togetherness, and independence. Article 42, paragraph (4) of the Job Creation Law states that foreign workers can be recruited in Indonesia only in certain employment relationships for certain positions and specific times. Discourse on using foreign workers (RPTKA) is a plan to use foreign workers prepared by employers in certain positions and then ratified by the minister or related official. RPTKA is the basis for obtaining permission to employ foreign workers (IMTA) (Virginia, 2019). The validity period of RPTKA is one year, except for the position written on the company's deed of incorporation, which is for three years. Article 46 of the Manpower Law is abolished and replaced with the Job Creation Law, where there are no more position restrictions for foreign workers working in Indonesian companies; another convenience is the removal of Article 43 of the Manpower Law, the article regulates RPTKA, where least there is a reason for using foreign workers, the period for using foreign workers, the positions of foreign workers in companies and also the appointment of Indonesian citizens as companions. Article 44 of the Manpower Law, which contains the obligations of employer companies for foreign workers to comply with provisions regarding positions and applicable competency standards, has also been replaced by the Job Creation Law.

Changes to Law No. 13 of 2003, which discussed employment, were replaced by an omnibus law on the Job Creation Law which was deemed detrimental to workers and more profitable for employers and investors alike. The arrangement regarding termination of employment or layoffs is in the public spotlight. After the entry into force of the Job Creation Law, there has been a significant change in the substance of layoff arrangements. This change has occurred in the settlement process, and the right to severance pay or layoff compensation, where the amount to be paid by the company, has changed.

This provision applies to all types and fields of business that have administrators and employ other people by paying

wages in other forms. PP No. 35 of 2021 concerning PKWT, Outsourcing, working time and rest time, and termination of employment are government regulations to follow up on articles 81 and 185 of Law No. 11 of 2020 which discuss Copyright.

Work. Two things affect the calculation of severance pay, namely (1) the length of service of the employee and (2) the reason for the employee's termination. In the Job Creation Law, article 154 A paragraph (1) regarding why it is permissible to terminate employment or layoffs deemed not to protect workers. Explanations regarding detrimental layoffs include companies consolidating, merging, taking over companies, separating companies and workers unwilling to continue the employment relationship, or employers unwilling to accept workers. The second is that the company carries out efficiency, followed by closing the company or not. From these points, it can be seen that the company has greater leeway and authority and can impact the unilateral termination of employment.

However, from all the opposing sides of the Job Creation Law that have been described above, there are several positive sides to the existence of the Job Creation Law, among others, with the Job Creation Law, it is hoped that there will be an equal distribution of job opportunities and also the availability of manpower that is in accordance with national development needs and regions as well as providing protection to the workforce, the government through the job copyright law facilitates regulations regarding foreign investment entering Indonesia so that it encourages the interest of foreign investors to invest in Indonesia, the existence of a job copyright law actually also makes it easier for SMEs and local entrepreneurs to can be more competitive in the international market, with more investment coming into Indonesia, indirectly there will be an expansion of employment opportunities so that more employment will be absorbed which will automatically increase the country's per capita income which will have a positive impact in the form of food security, etc. The Job Creation Law also protects workers who are victims of layoffs by providing a job loss guarantee program, which provides incentives in the form of cash and job training programs so that later laid-off workers can quickly get new jobs. However, from the many positive sides that exist, if it is not balanced by supporting human resources, Indonesian workers will be less competitive with foreign workers, especially Indonesia, which will experience the peak of the demographic bonus in 2045. Suppose this is not matched by improving the quality of human resources. In that case, this will not provide benefits for Indonesia. It has even become a disaster in itself because of the many unemployed due to the low quality of its human resources.

Discussions

The omnibus law has caused much polemic in society, many of whom think that the 1945 law opposes many articles, especially those relating to articles that benefit employees. What is controversial as a result of the stipulation and ratification of the law enacted in 2020 which has now been passed in 2023 background the government wants to implement regulations related to the government wanting to provide welfare to the community meaning the government has a goal yes or the reason for establishing a sea omnibus in Indonesia or enacted which will become legislation in 2023, namely the government wants to create an attractive

and conducive business climate for those who want to invest in Indonesia, meaning the government wants to create foreign investors or investors who want to invest in UMKMs or businesses in Indonesia it thinks that businesses in Indonesia are suitable as investments then the government also hopes that with a conducive business climate and also more acceptable to foreign investors, the Indonesian people will experience a faster increase as reported by the website from unisbank.ac.id but reported by mkri.id, the government stipulates the omnibus law as a law in Indonesia because the government wants to open up opportunities for all levels of Indonesian society to be able to have permanent jobs.

According to the Indonesian Parliament and the government, they confirmed or issued a work copyright law or omnibus Law, which is a way determined by the state to be able to fulfill human rights or the rights of Indonesian citizens in the form of the right to work and also the right to a decent life for humanity. According to the government, the job creation law is also expected to be more able to absorb labor or create jobs in Indonesia more broadly in an era of increasingly competitive demands and competition and also globally so that it can be an alternative solution to the problem of reducing the number of unemployed, in Indonesia.

According to the government, in terms of supporting the creation of broader employment opportunities, legal breakthroughs or new legal sources are needed that can resolve problems in several existing laws and regulations. Because according to the government, many regulations stipulated in Indonesia overlap, and then disharmony between regulations and the house throws away the making of laws. Hence, this is the basis for the DPR RI to apply the omnibus law method in government in Indonesia, especially in efforts to improve human welfare in terms of employment.

However, the reasons given by the government as a basis for creating laws raise many pros and cons in society because the law is considered not welfare for the people in Indonesia, especially the workforce. This is because, in the law, there are many violations, meaning that the creation or enactment of the law itself is considered as a matter that is less relevant or contrary to the 1945 Constitution of the Republic of Indonesia because the omnibus Law is considered a statutory regulation that does not meet the requirements for matters of compelling urgency so that in establishing the law itself it violated the 1945 law, this matter was based on or based on a decision from the constitutional court in Indonesia. Hence, revisions and improvements had to be made for two years but within two years, this law has stayed the same, but it has been established as a regulation in Indonesia. What are the articles that are cons in society and are also widely discussed?

A controversial article is where the work copyright law discusses the rest time of workers, namely from 2 days a week, which is trimmed to one day. 79 law number 13 of 2019 concerning employment, to be exact, in paragraph two-point B which says that the rest or leave referred to in paragraph 1 is resting within one week with six working days, namely one day of rest a week or rest/holiday two days for five working days in one week.

In addition, the work copyright law or omnibus law also violates the rules regarding the length of time for contract workers in government regulations so that workers tend to

be used by employers to continue to be contract workers. The human resources law that protects workers or laborers working in a company stipulates that employees can only be appointed as permanent employees with a maximum working time of 2 years and extended one time or one year in the future; work agreements for a particular time can only be made for work specific according to the type and nature or work activities that are completed within a specific time reads article 59 paragraph 1 law number 13 of 2003 not only that article 59 law number 13 of 2013 explicitly regulates work agreements for a particular time or PKWT which is a work agreement that occurs between workers and also companies in terms of employment. The law we work with also involves several deletions, including abolishing workers' rights to apply for layoffs. Work copyright law number 11 of 2020 removes the right for employees or workers to apply for termination of employment or layoffs when they feel aggrieved at work so that when a worker feels aggrieved, he does not have the right to be able to carry out or apply for dismissal or in other words can apply for dismissal but must file a lawsuit with an industrial relations dispute resolution institution.

The work copyright law stipulated in Indonesia contains provisions for the abolition of wages according to provisions or contracts, meaning that the sectoral minimum wage (UMK), district sectoral minimum wage (UMSK), and provincial minimum wage (UMP) have changed so that they are considered very burdensome for the people in Indonesia, especially workers who are under the auspices of contract workers because of the law

previous employment law or law Article 88 paragraph 4 law number 13 of 2013, states that the employee salary policy is determined based on the need for a decent cost of living, taking into account existing productivity and economic growth. However, Article 88 paragraph 4 is repealed and replaced by law job copyright number 11 of 2020, which removes wage provisions for employees so that the permanent work law is considered a law which is precisely what the people suggest than wage provisions that were initially from 11 or massive order cuts also occur in the law if work so that the Law we work is considered as a statutory regulation that is not appropriate or not properly enacted when the welfare of employees and safeguarding the welfare of workers are not adequately considered in terms of determining employees then in terms of determining salaries and also in terms of determining rest periods for workers.

Conclusion

The job copyright law emerged due to the government's desire to create wider employment opportunities for Indonesian people. The goals and objectives desired by the government conflict with several other laws in Indonesia and create uncertainty about the welfare of the rights of the workers to obtain a more prosperous life, workers and several other parties, as well as the implementation of the work copyright law or the omnibus law, still raise many pros and cons in society because the omnibus Law itself exists at a time when the situation is relatively stable and does not meet the requirements of compelling urgency.

References

1. Oceanside. Omnibus Law Cipta Kerja, Arti dan Dampak bagi Buruh, 2020. <https://acehinside.id/omnibus-law-cipta-kerja>.

2. Garner BA. Black's law dictionary. St.Paul: MN: West Group, 1999, p1276.
3. Habibi IT. Pembingkatan Berita Rancangan Undang Undang Omnibuslaw Cipta Kerja di Harian Kompas. Warta Ikatan Sarjana Komunikasi Indonesia, 2021, 143-155.
4. Habibi I, Widiastuti T, Ruliana P. Pembingkatan Berita Rancangan Undang Undang Omnibuslaw Cipta Kerja di Harian Kompas. Warta Ikatan Sarjana Komunikasi Indonesia. 2021; 4(2):143-155.
5. Khair OI. Analisis UU Cipta Kerja dan Kemudahan Berusaha Bagi UMKM. Syntax Literate; Jurnal Ilmiah Indonesia. 2022; 7(2):897-912.
6. kurniawan A. Relevansi Undang-Undang Cipta Kerja (Omnibus Law) Terhadap Perlindungan Lingkungan Hidup Dalam Kerangka Gatt-Wto. (Jurnal Ilmu Sosial dan Pendidikan). 2022; 6(1).
7. Mingkid RA. Pengaruh Undang-Undang Cipta Kerja (Omnibuslaw) Terhadap Sistem Permodalan Dan Izin Usaha Mikro Kecil Dan Menengah (Umk). Lex Privatum. 2023; 11(2).
8. Otti Ilham Khair CW. Analisis UU Cipta Kerja Dan Kemudahanberusaha Bagi Umkm. Syntax Literate: Jurnal Ilmiah Indonesia. 2022, 16. P ISSN: 2541-0849
9. Putri AH. Ketenagakerjaan Dalam Perspektif Omnibus Law. Krtha Bhayangkara. 2021; 15(2):223-232. ISSN 2721-5784.
10. Statistik BP. Tingkat Pengangguran Terbuka (TPT) sebesar 5, 86 persen dan Rata-rata upah buruh sebesar 3, 07 juta rupiah per bulan, 2022.
11. Susdarwono ET, Rizal MS. Praktik Omnibuslaw di Indonesia dilihat dari Segi Pembangunan Hukum Ekonomi. Journal of Law and Policy Transformation. 2021; 6(1):90-100.
12. Theodora A. Anomali Investasi, Tumbuh Tinggi tetapi Tak Banyak Menyerap Pekerja, 2023. <https://www.kompas.id/baca/ekonomi/2023/02/04/anomali-investasi-tumbuh-tinggi-tapi-tak-banyak-menyerap-pekerja>
13. Todaro MP. Pembangunan Ekonomi di Dunia Ketiga Edisi Ketujuh. Jakarta: Erlangga, 2000.
14. Tuegeh PT. Kajian Yuridis Undang-Undang Cipta Kerja dan dampaknya terhadap dunia ketenagakerjaan di Indonesia. Lex Privatum. 2021; 9(10).