

Legal Reforms for Preventing Employer Abuse: Crafting a Socially Just Employment Law Framework

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Abstract

This research aims to examine the role of employment law in overcoming the challenges of abuse of power by employers to build a legal framework that is socially just. This challenge is in focus because of its impact on imbalances in employment and labour relations. In this context, labour law has an important role in protecting workers' rights and preventing abuse of power by employers in the corridor of legal reform that provides social justice. The research method used is a normative legal approach. Through analysis of various legal regulations, court decisions, and related literature, this research seeks a

comprehensive understanding of the concept of employment law and its relevance in overcoming the challenges faced. The novelty of this research lies in its holistic approach, integrating social justice, proactive prevention, technology use, and worker participation in employment law reforms to prevent employer abuse, ensuring comprehensive and fair protection for all workers. The research results show that labour law plays a crucial role in ensuring social justice in the work environment and in carrying out legal reforms. Clear regulations and effective law enforcement are key to preventing abuse of power by employers and protecting workers' rights. Thus, labour law is not only an instrument of protection but also a foundation for building a legal framework that is socially just. In conclusion, comprehensive labor law implementation and collaboration among government, employers, and workers are essential for creating a fairer and more socially just work environment.

Keywords *Employment Law, Abuse of Power, Social Justice, Legal Reform*

Introduction

Abuse of power by employers within the framework of employment law can be understood through several philosophical perspectives, each offering a unique approach to justice and fairness in the workplace. Utilitarianism, for example, stresses the importance of maximizing the well-being of the greatest number of people. In the context of employment, this approach would advocate for laws that protect workers' rights, ensure fair wages, and promote safe working conditions, all aimed at achieving the greatest societal benefit. Such labor protections would prevent the exploitation of workers and address any imbalance of power between employers and employees, fostering a more just and equitable society.¹ Similarly, liberalism, which emphasizes

¹ See Kukuh Tejomurti, and Sukarmi Sukarmi. "The Critical Study of the Omnibus Bill on Job Creation Based on John Rawls View on Justice." *Unnes Law Journal* 6, no. 2 (2020): 187-204; Saru Arifin, "Human Rights and Business: Human Rights Violations in the Outsourcing Industry in Modern Business Indonesia." *Journal of Indonesian Legal Studies* 6, no. 1 (2021): 35-52; Nyoman Mas Aryani, Ayu Putu Laksmi Danyathi, and Bagus Hermanto. "Quo Vadis Protection of The Basic

individual freedom and equality, highlights the importance of safeguarding workers' autonomy and dignity. From a liberal perspective, employment laws should ensure that workers are not subjected to unfair treatment or coercion, and that their fundamental rights are upheld in the workplace.²

Moreover, theories of justice, such as John Rawls' concept of justice as fairness³, provide further insight into how employment law can counteract abuses of power. Rawls suggests that a fair society is one where inequalities are arranged to benefit the least advantaged, making the case for labor laws that protect vulnerable workers and reduce systemic inequalities in the workplace.⁴ In Indonesia, the principles of Pancasila, which emphasize justice, humanity, and social welfare, offer a cultural and philosophical foundation for addressing power imbalances in the labor market.⁵ By integrating these philosophical ideas, employment law not only seeks to protect workers from exploitation but also strives to promote broader social justice, ensuring a fair and humane work environment for all.⁶

Rights of Indonesian Workers: Highlighting the Omnibus Legislation and Job Creation Law." *Pandecta Research Law Journal* 17, no. 1 (2022): 104-120.

² Sherlyn Nathalia Cheung, Yuwono Prianto, and Sheren Hardjono. "The Urgency of Legal Protection for Domestic Workers as Informal Workers." *Unnes Law Journal* 9, no. 1 (2023): 149-162.

³ Ridwan Arifin, "Translating the Meaning of Justice and Legal Protection: What exactly is justice?" *Journal of Indonesian Legal Studies* 7, no. 1 (2022): i-iv.

⁴ Tejomurti, and Sukarmi "The Critical Study of the Omnibus Bill on Job Creation Based on John Rawls View on Justice."

⁵ Bambang Guritno, et al. "Culture of Islamic economic principles and democracy and welfare based on Pancasila Ideology." *Journal of Intercultural Communication* 23, no. 1 (2023): 55-65; Johni Najwan, "The Implementation of Employment Agreements in Indonesian Labour Law Based on Justice of Pancasila." *4th Green Development International Conference (GDIC 2022)*. Atlantis Press, 2023.

⁶ Julianti Ratnasari Ningsih, Fayla Lakmi Dara, and Widya Ananda Minda Putri. "Pancasila Sebagai Dasar Hukum dalam Mewujudkan Keadilan Sosial." *Advances In Social Humanities Research* 1, no. 4 (2023): 462-470. Furthermore, social justice in Indonesia involves ensuring equitable access to rights and opportunities for all citizens, including workers. However, in many cases, employees face unequal treatment, with significant disparities in wages, job security, and working conditions, especially in informal sectors or among vulnerable groups. Some employers abuse power by imposing unfair labor practices, such as low wages, unsafe environments, or limited benefits, exacerbating social inequalities. Efforts to address these issues have led to labor law reforms, but challenges persist,

Refers to Liberalism which is a political and philosophical view that emphasizes individual freedom, equal rights, and protection of human rights. In the context of labour law, the liberalism approach highlights the importance of workers' rights as individuals who have dignity and freedom which must be respected and protected by law. Therefore, labour law must ensure that workers have the right to work in a safe environment, free from discrimination, and with fair wages.

Justice theory asks questions about how resources and opportunities should be fairly distributed within society. In the employment context, justice theory demands that the relationship between workers and employers must be based on the principles of equality, justice, and compliance with basic human rights. This means that labor law must regulate the fair distribution of power between the two parties, as well as provide effective law enforcement mechanisms to deal with abuse of power by employers. Labour law has a concept of creating order, calm, legal certainty, and justice for industrial society.⁷

Through the combination of philosophical concepts such as utilitarianism, liberalism, and justice theory, it can be understood that the role of employment law in overcoming abuse of power by employers has a strong moral and ethical basis. The main goal is to create a work environment that is fair, and safe and respects the human rights of all individuals involved. By considering these philosophical values, we can develop legal frameworks that are more effective in maintaining social justice in the workplace and society more broadly.

After discussing the philosophical aspect, it can be explained by understanding the juridical aspect. The juridical aspect of the role of employment law in overcoming abuse of power by employers is closely related to the laws that regulate employment relations between workers

requiring continued advocacy for fair employment practices and greater enforcement of workers' rights to achieve true social justice in the workforce. See also Luhur Sanitya, "The Implementation of the Employment Social Security Program for Non-Wage Workers in the Semarang City Region in View from the Minister of Manpower Regulation number 1 of 2016." *Indonesian State Law Review* 1, no. 2 (2019): 205-228.

⁷ Eva Noviana, Toto Tohir Suriaatmadja, and Rini Irianti Sundary. "Asas Keseimbangan dalam Perjanjian Kerja antara Pekerja dan Pengusaha dalam rangka Mewujudkan Keadilan bagi Para Pihak." *Jurnal Wawasan Yuridika* 6, no. 1 (2022): 84-100.

and employers. In the Indonesian context, the law on employment that has recently been adopted is the Job Creation Law (UU Job Creation). The Job Creation Law includes various provisions that affect employment relations in Indonesia. Responsive and fair industrial relations require the active participation of all stakeholders, including employers, workers, and the government.⁸

One of the main aspects of the Job Creation law is increasing employment flexibility. The law introduces various mechanisms that enable employers to more easily undertake organizational restructuring, including more flexible employment agreement arrangements and the possibility of outsourcing. However, on the other hand, this flexibility also increases the potential for abuse of power by employers, especially in terms of reducing workers' rights and the potential for unfair termination of employment. Employment laws also often include provisions prohibiting termination of employment based on discrimination.⁹

The Job Creation Law also regulates aspects of wages and compensation for workers. One of the goals is to increase the competitiveness of the Indonesian economy by providing incentives to entrepreneurs to reduce production costs, including labour costs. However, this can also result in workers receiving low or inadequate wages, especially in sectors with intense competition. In this case, labour law needs to enforce minimum standards of decent wages and protect workers from exploitation by employers.

Although the Job Creation law provides more flexibility for employers, it also contains several provisions aimed at protecting workers' rights. For example, the Job Creation law sets limits on the maximum number of working hours per week and gives workers the right to regular annual leave. Apart from that, this law also regulates severance pay for workers who are laid off unfairly. Thus, labour law in the context of the Job Creation law plays a role in balancing the interests

⁸ Resya Dwi Marselina, et al. "Membangun Hubungan Industrial Yang Responsif dan Berkeadilan di Era Revolusi Industri 4.0 Pada PT. Sumber Alfaria Trijaya Tbk." *Intellektika: Jurnal Ilmiah Mahasiswa* 2, no. 1 (2024): 39-47.

⁹ Agus Suntoro, "Implementasi Pencapaian Secara Progresif dalam Omnibus Law Cipta Kerja." *Jurnal HAM* 12, no. 1 (2021): 1-18.

of workers and employers and preventing abuse of power by employers.¹⁰

One important aspect of employment law is the dispute resolution mechanism between workers and employers. In the context of the Job Creation law, some provisions regulate dispute resolution procedures efficiently and fairly. For example, this law encourages amicable dispute resolution to reach an agreement between both parties. However, if a deliberative resolution is not successful, the dispute can be submitted to a court or appointed dispute resolution institution.

Linking the Job Creation law to the juridical aspects of employment law, it can be understood that this law has a significant impact on employment relations in Indonesia. Although the Job Creation law provides more flexibility for employers, labour law also has an important role in protecting workers' rights and preventing abuse of power by employers. Therefore, the government and related institutions need to ensure that the implementation of the Job Creation law is in line with the principles of social justice and protection of workers. Therefore, it is necessary to consider social, environmental, and collective welfare impacts in decision-making.¹¹

Apart from the dichotomous aspect and the juridical aspect, the sociological aspect plays a role in the study of employment law. The sociological aspect of the role of labour law in addressing abuses of

¹⁰ Julius Imanuel Simbolon, et al. "Analisis Kontribusi Pengadilan Hubungan Industrial dalam Penyelesaian Sengketa Ketenagakerjaan." *Ilmu Hukum Prima (IHP)* 6, no. 2 (2023): 211-220. See also Yani Nur Fatimah, "Penyelesaian Perselisihan Hubungan Industrial di Pengadilan Hubungan Industrial dalam Pemenuhan Hak Pekerja/Buruh Yang Diputus Hubungan Kerja." *Pandecta Research Law Journal* 10, no. 2 (2015): 215-232; Ivan Ndun, Yohanes G. Tuba Helan, and Umbu Lily Pekuwali. "The Absolute Competence of the Industrial Relations Court in Resolving Employment Termination Disputes." *Journal of Indonesian Legal Studies* 5, no. 1 (2020): 29-52; Aries Harianto, "Paradigmatic Problems of Industrial Relation Dispute Settlement on the Perspective of Pancasila Industrial Relations." *Journal of Law and Legal Reform* 5, no. 1 (2024): 201-236; Gerald Samuel, "How Industrial Dispute Problems Are Resolved in Indonesia? A Book Review Penyelesaian Sengketa Hubungan Industrial, Ari Hermawan, UII Press, 142 Pages, ISBN 978-602-6215-56-7." *Indonesian Journal of Advocacy and Legal Services* 2, no. 1 (2020): 111-116.

¹¹ Ahmat Alparisi, Akhmad Zaky Maulana, and Muhammad Yasir. "Etika Bisnis dalam Islam: Pengaruhnya Terhadap Pengambilan Keputusan Manajerial." *Religion: Jurnal Agama, Sosial, dan Budaya* 2, no. 5 (2023): 730-742.

power by employers involves an analysis of how the relationship between workers and employers affects social structure, inequality, and the stability of society as a whole. In this context, we will explore several relevant sociological dimensions, including the role of social class, interclass conflict, and the importance of social integration in the workplace.¹²

Sociology recognizes the important role of social class in shaping the relationship between workers and employers. Social class reflects social stratification in society, where groups with different access to resources and power have different influences on employment relations. For example, workers from lower economic groups tend to have limited access to decent work and are often vulnerable to abuse of power by employers.

Conflict between classes is a phenomenon that often occurs in employment relations, where the interests of workers and employers often conflict. Employers often seek to maximize profits and control production, while workers struggle for fair wages, decent working conditions, and recognized rights. This conflict between classes can create tensions in society and increase the risk of abuse of power by entrepreneurs.¹³

¹² See Fahrinda Khansa Pramesti, and Nabiatatus Sa'adah. "Access to Safety for Domestic Workers in Indonesia." *Pandecta Research Law Journal* 19, no. 1 (2024): 178-197. See also Hafiz, Hiba. "Structural labor rights." *Michigan Law Review* 119, no. 4 (2021): 651-727.

¹³ In Indonesia, class conflict in employment relations arises when the interests of employers and workers clash. Employers, particularly in industries like manufacturing and agriculture, aim to maximize profits and control production, often at the expense of workers' welfare. Workers, on the other hand, demand fair wages, safe working conditions, and the recognition of their rights. This tension can lead to exploitation and the abuse of power, especially in sectors with weak labor protections or informal employment. The ongoing struggle for workers' rights in Indonesia reflects broader societal issues of inequality, making it crucial to strengthen labor laws and enforcement to ensure fair treatment for all. See Talcott Parsons, "Social classes and class conflict in the light of recent sociological theory." *The American Economic Review* 39, no. 3 (1949): 16-26; Ralf Dahrendorf, "Class and class conflict in industrial society." *Social Stratification, Class, Race, and Gender in Sociological Perspective, Second Edition*. (London: Routledge, 2019), pp. 105-111. See also Kosuke Mizuno, "The rise of labor movements and the evolution of the Indonesian system of industrial relations: A case study." *The Developing Economies* 43, no. 1 (2005): 190-211; Nurlinah Nurlinah, et al. "Informal politics

Power structures in the workplace are an important aspect of the sociological analysis of employment relations. Entrepreneurs often have control over economic resources and production decisions, while workers often have little power to influence working conditions or management decisions. Abuse of power by employers can occur when employers use their position to take advantage of or oppress workers, whether in terms of wages, working conditions, or unfair treatment.

Social integration in the workplace plays an important role in preventing abuse of power by employers. Social integration refers to the process of inclusion and solidarity between members of an organization or society, which can help create a more equitable and supportive work environment. For example, the existence of a trade union or labour organization can strengthen the collective voice of workers and increase transparency in employment relations.

From a sociological perspective, social policies aimed at addressing abuse of power by employers must take into account the structural dynamics and class interests that exist in employment relations. For example, policies that encourage the formation of unions or regulate collective negotiations between workers and employers can help reduce power inequalities in the workplace. Apart from that, education and awareness about workers' rights are also important elements in preventing abuse of power by employers because employment is a very important aspect in the context of a country's economic life.¹⁴

Considering sociological dimensions such as the role of social classes, interclass conflict, power structures in the workplace, social integration, and social policy implications, it is understandable that labour law has a complex role in shaping the relationship between workers and employers. By taking these sociological factors into account, employment policies and regulations can be designed to promote social justice, reduce inequality, and prevent abuse of power by employers, thereby making a positive contribution to the stability and well-being of society as a whole. Therefore, from the three aspects above,

and local labor activism in Indonesia." *Critical Asian Studies* 53, no. 4 (2021): 561-581.

¹⁴ Simbolon, et al. "Analisis Kontribusi Pengadilan Hubungan Industrial dalam Penyelesaian Sengketa Ketenagakerjaan."

namely the philosophical aspect, the juridical aspect, and the sociological aspect, research is needed on the renewal of labour law in overcoming the challenges of abuse of power by entrepreneurs in building a legal framework that supports social justice. Therefore, realizing justice and balance in employment reform must include the central role of humans in the dynamics of employment relations.¹⁵

This research employs the normative legal research method, which focuses on examining and interpreting applicable legal norms. It involves analyzing legal texts, doctrines, and principles, while considering the social, political, and economic context in which the law operates. The goal is to understand how legal norms regulate human behavior in society and how they contribute to broader societal issues, such as power imbalances between employers and employees. In addition, data analysis in normative legal research involves reviewing statutes, regulations, court decisions, and legal literature. By investigating these sources, the research seeks to understand how laws are applied in practice and their impact on individuals and society, particularly in the context of employment law and the protection of workers' rights in Indonesia.¹⁶

Employment Law in Indonesia: A Quo Vadis of Workers' Protection

Legal reform to address employer abuse of power within the framework of labor law necessitates the implementation of a socially just legal system. This includes strengthening protections for workers through regulations governing fair working hours, equitable wages, and safeguards against discrimination and harassment in the workplace. Additionally, an effective enforcement mechanism is essential, requiring robust oversight of employers' compliance with these laws, alongside stringent sanctions for violations. Such measures are crucial to ensuring equality and justice within the workplace, fostering a more balanced relationship between employers and workers.

¹⁵ Qiqi Asmara Asmara, "Mewujudkan Keadilan dan Keseimbangan dalam Reformasi Ketenagakerjaan di Indonesia." *Jurnal Kependudukan dan Pembangunan Lingkungan* 3, no. 2 (2022): 91-104.

¹⁶ Soerjono Soekanto, *Pengantar Penelitian Hukum* (Jakarta: UI Press, 2012).

Employment law constitutes a fundamental aspect of a country's legal framework, regulating the relationship between workers and employers. In the context of globalization and intensifying market competition, employer abuse of power has emerged as a critical issue in efforts to reform labor law and create a socially just legal environment. This discussion will focus on legal reform and the role of labor law in addressing these challenges, exploring key concepts such as labor law principles, the issue of employer abuse, and the role of legal frameworks in promoting social justice. The basic concepts of labor law, including the rights and obligations of workers and employers, employment relations, contracts, and legal protections for workers, will be examined in detail in this context.¹⁷

Workers' rights are basic principles in labour law that ensure that workers have protection and guarantees of fair and decent working conditions. Some of the basic rights of workers include the right to fair and equal wages, social security, occupational safety and health¹⁸, and the right to join a trade union. In general, the rights of workers/labourers that need to be protected include the right to work, the right to fair wages, the right to association and assembly, the right to safety and health, basic legal rights, justice, the right to protection, equal treatment, the right to privacy, right to freedom of conscience. Meanwhile, workers' obligations include the obligation to comply with the regulations and procedures set by the employer, carry out their duties in good faith, and maintain the confidentiality of company information.¹⁹

¹⁷ Noviana, Suriaatmadja, and Sundry. "Asas Keseimbangan dalam Perjanjian Kerja antara Pekerja dan Pengusaha dalam rangka Mewujudkan Keadilan bagi Para Pihak."

¹⁸ See Laga Sugiarto, et al. "Perlindungan Pekerja Hiburan Terhadap Kedaulatan Tubuh Dengan Pendekatan Kapabilitas" Capability Approach" di Kecamatan Bandungan." *Jurnal Pengabdian Hukum Indonesia* 4, no. 1 (2021): 68-76.

¹⁹ See Ridwan Arifin, "Indonesian Political Economic Policy and Economic Rights: An Analysis of Human Rights in the International Economic Law." *Journal of Private and Commercial Law* 3, no. 1 (2019): 38-49; Berliana Dwi Arthanti, and Nabilla Dyah Eka Pramudhita. "Law and Human Rights in Addressing Labor Problems During the Pandemic to Achieve Sustainable Development Goals." *Lex Scientia Law Review* 4, no. 2 (2020): 39-54; Arinto Nugroho, et al. "The Impact of Labor Law Reform on Indonesian Workers: A Comparative Study After the Job Creation Law." *Lex Scientia Law Review* 8, no. 1 (2024): 65-106; Fenny

Employers have the responsibility to provide a safe and healthy work environment, provide fair wages by applicable regulations, and comply with applicable labor regulations. On the other hand, entrepreneurs also have the right to organize and manage their business operations by established policies and procedures. However, employers' rights must always be in line with applicable labour law principles and must not violate workers' rights.²⁰

In addition, the employment relationship is a basic concept in employment law that describes the interaction between workers and employers in the context of the work environment. Employment relationships are usually regulated by an employment contract which contains the rights and obligations of both parties, as well as provisions relating to salary, working hours, leave, and other aspects related to work. Good working relationships require clear and transparent communication between workers and employers, as well as respect for the rights and obligations of each party. Therefore, work contracts are needed that provide solutions for justice for workers and employers.

An employment contract is a legal document that regulates the relationship between workers and employers. Employment contracts usually contain information about the worker's salary, position, responsibilities, working hours, leave, and other provisions related to work. Employment contracts can be permanent contracts, temporary contracts, or project contracts, depending on the type of work and business needs. It is important to note that employment contracts must comply with applicable labour law provisions and must not violate workers' rights, legal protection is needed for workers in employment relations.²¹

Legal protection for workers is an important principle in employment law which aims to protect workers from exploitation and discrimination in the workplace. Some forms of legal protection for

Sumardiani, "Peran Serikat Buruh Migran Indonesia dalam Melindungi Hak Tenaga Kerja Indonesia di Luar Negeri." *Pandecta Research Law Journal* 9, no. 2 (2014): 257-272.

²⁰ Nkechi Emmanuella Eneh, et al. "Modern labor law: a review of current trends in employee rights and organizational duties." *International Journal of Management & Entrepreneurship Research* 6, no. 3 (2024): 540-553.

²¹ John Dewey, "The future of liberalism." *The Journal of Philosophy* 32, no. 9 (1935): 225-230.

workers include a prohibition on discrimination based on gender, religion, race, or sexual orientation, as well as a prohibition on arbitrary or discriminatory termination of employment.²² In addition, labour law also sets occupational safety and health standards that employers must comply with to protect the physical and mental well-being of workers.

In implementing the basic concepts of employment law, it is important to pay attention to the principles of justice, equality, and protection of human rights. A healthy and sustainable working relationship requires a commitment from both parties to comply with applicable labour law regulations and principles. Protection of workers' rights—in general—several rights must be protected for workers. These rights include the right to work, the right to fair wages, the right to associate and assemble, the right to security and health protection, the right to legal proceedings, the right to be treated fairly and equally, the right to personal privacy, and the right on freedom of expression. Thus, a good understanding of the basic concepts of employment law is the key to creating a fair, safe, and productive work environment for all parties involved.²³

The basic concept of labour law is the foundation that regulates the relationship between workers and employers in the context of the work environment. Through a series of regulations and principles, labour law aims to protect workers' rights and regulate the obligations and responsibilities of employers. Workers' rights are an important aspect of employment law. These rights include the right to fair and equal wages, social security, occupational safety and health, and the right to join a trade union. This principle is reinforced by the importance of rights such as employment rights, fair wages, the right to association, and personal privacy. Legal protection for workers is also important in employment law, where workers are protected from exploitation and discrimination in the workplace.

In implementing the basic concepts of labour law, the principles of justice, equality, and protection of human rights are very important. A healthy and sustainable working relationship requires a commitment

²² Nur Putri Hidayah, "Comparative Study of Legal Protection for Migrant Workers in Participation of Social Security Programs in Indonesia and Singapore." *Legality: Jurnal Ilmiah Hukum* 28, no. 1 (2020): 47-59.

²³ Clara Sabbagh, and Manfred Schmitt, eds. *Handbook of Social Justice Theory and Research*. (New York: Springer, 2016).

from both parties to comply with applicable labour law regulations and principles. To optimize a fair and productive work environment, a good understanding of the basic concepts of employment law is required. This will help in creating awareness of the rights and obligations of each party and strengthen legal protection for workers.

In a theoretical context, the conflict approach in sociology can provide a deeper understanding of the dynamics of the relationship between workers and entrepreneurs. Conflict theory highlights the inequality of power between the working class and the entrepreneurial class in the work environment, as well as the potential for conflict that arises due to differences in interests between the two. By understanding conflict theory, potential problems or tensions in work relationships can be identified, so that conflict mitigation or resolution efforts can be carried out effectively.²⁴

In addition, organizational justice theory can be a basis for understanding how justice principles are implemented in the context of employment relationships. Principles of organizational justice, such as distributive, procedural, and interactional, help in assessing the extent to which organizational policies and practices meet standards of fairness in treating workers. Strengthening aspects of justice in the work environment can increase worker satisfaction and welfare, as well as minimize the potential for conflict.

In conflict theory, it highlights the dynamics of social relations which are influenced by the inequality of power between various groups in society. In the context of employment relations, conflict theory examines the differences in interests between the working class and the entrepreneurial class and the potential conflicts that arise as a result. This theory provides a deep understanding of how interactions between workers and employers are influenced by conflicting interests, control over resources, and the distribution of power in the work environment.

The working class generally has an interest in fair wages, safe working conditions, and protection against exploitation by employers. On the other hand, the entrepreneurial class tends to have an interest in maximizing profits, controlling production costs, and maintaining

²⁴ R. Cropanzano, *Procedural and Distributive Justice are More Similar Than You Think: A Monistic Perspective and a Research Agenda*. (Stanford, CA: Advances in Organizational Justice/Stanford University Press, 2001).

authority in organizational decision-making. The inequality of power between the working class and the entrepreneurial class often creates tension and conflict, especially when their interests' conflict.

Conflict in employment relationships can come in many forms, from salary and benefits negotiations to differences in hiring and promotion policies. By understanding conflict theory, we can identify potential problems or tensions in work relationships and design effective conflict mitigation or resolution strategies. For example, by adopting a fairness-oriented negotiation approach or strengthening employee representation in decision-making processes, organizations can reduce the likelihood of conflict that harms productivity and job satisfaction.²⁵

In addition to conflict theory, organizational justice theory also provides valuable insights into understanding the dynamics of employment relationships. Organizational justice theory highlights the importance of treating workers fairly in various aspects of work life, including the distribution of resources, decision processes, and interpersonal interactions. There are three main components in organizational justice theory, namely distributive justice, process justice, and interactional justice.

Distributive justice relates to the perception that the allocation of resources, such as salaries and benefits, is fair and appropriate to individual contributions and needs. Distributive justice is one of the main concepts in organizational justice theory which is related to individual perceptions of the allocation of resources in the workplace, such as salary, benefits, promotions, and career development opportunities. This concept emphasizes the importance of individuals feeling that the distribution of resources is fair and by the contribution they make and the needs they have.

In the context of distributive justice, it is important to understand that perceptions of fairness can vary between individuals and depend on a variety of factors, including personal values, previous work experiences, and cultural context. For example, a person may perceive salary allocation as fair if they feel that the wages they receive are commensurate with their level of education, work experience, and job responsibilities. However, other individuals may feel it is unfair if they

²⁵ Carl Watner, "The proprietary theory of justice in the libertarian tradition." *Journal of Libertarian Studies* 6, no. 3-4 (1982): 289-316.

believe they are paid less compared to their colleagues who have similar qualifications and performance.²⁶

Perceptions of distributive justice are also influenced by internal and external organizational factors. Internal factors include compensation policies, salary structures, and performance evaluation processes. Meanwhile, external factors include labor market conditions, government regulations regarding minimum wages, and industry practices. When individuals feel that the distribution of resources is based on fair and transparent considerations, they tend to feel satisfied and motivated to contribute positively to the work environment.

In practice, organizations need to pay attention to several strategies to improve distributive justice in the workplace. First, they must ensure that compensation and promotion policies are based on clear and objective criteria, such as job performance and individual contributions to organizational goals. Additionally, transparency in the decision-making process and open communication about organizational policies can help reduce uncertainty and dissatisfaction that may arise among employees.²⁷

Distributive justice is an important concept in understanding the dynamics of employment relationships in organizations. By paying attention to individual perceptions of resource allocation and adopting practices that support distributive justice, organizations can create more inclusive, productive, and satisfying work environments for all employees.

Process fairness refers to the belief that decision-making processes in an organization, such as performance appraisals and promotions, are fair and transparent. Process justice is one of the key aspects in organizational justice theory which emphasizes the importance of individuals feeling that the decision-making process in the workplace takes place fairly and transparently. This concept involves the belief that the mechanisms and procedures used in various organizational activities, such as performance appraisal, promotion decision-making, and dispute

²⁶ Duncan Bell, "What is liberalism?." *Political Theory* 42, no. 6 (2014): 682-715.

²⁷ Morton Deutsch, "Equity, equality, and need: What determines which value will be used as the basis of distributive justice?." *Journal of Social Issues* 31, no. 3 (1975): 137-149.

resolution, are not only objective but also provide equal opportunities for all individuals to participate and receive fair treatment.²⁸

In the context of process justice, it is important to understand that decision-making processes in organizations can have a significant impact on employee motivation, job satisfaction, and commitment. When individuals feel that they have equal access to information, that decisions are made by considering multiple points of view, and that they have control over the outcome of the decision, they tend to feel more satisfied with the decisions they make, even if those decisions do not always align with their desires they.

Transparency is one of the main characteristics of process fairness. This includes providing clear information and open communication about the organization's goals, policies and procedures, and the criteria used in decision-making. When employees feel that the decision-making process is not hidden and impartial, they are more likely to accept the results of decisions, even if those results do not always match their expectations.²⁹

Strategies that can be used by organizations to improve process fairness in the workplace include communicating organizational goals, values, and policies to all employees, ensuring that the procedures and criteria in organizational decision-making are openly accessible to all employees, opening up space for participation and feedback from employees in the relevant decision-making process and conducting training and development for managers and organizational leaders on the importance of transparency, participation, and consistency in decision-making.

Interactional justice concerns the view that interpersonal interactions in the workplace, including treatment from superiors and coworkers, are fair and respect individual dignity. Interactional justice is a concept that refers to an individual's perception of how interpersonal interactions in the workplace are organized and conducted. This includes the view that treatment from superiors, co-

²⁸ J. Greenberg, "The social side of fairness: Interpersonal and informational classes of organizational justice." *Justice in the Workplace: Approaching Fairness in Human Resource Management*. (Hillsdale, NJ: Erlbaum, 1993).

²⁹ Apriana Laia, et al. "Perlindungan Hukum Terhadap Pekerja/Buruh Yang Di Putuskan Hubungan Kerja Secara Sepihak Oleh PT Megaauto Finance." *Jurnal Retentum* 6, no. 1 (2024): 43-53.

workers, and others within the organization is fair, respects individual dignity, and treats everyone with equal respect. This concept highlights the importance of how individuals feel they are treated appropriately and respected in their relationships in the work environment.³⁰

In the context of interactional justice, it is important to understand that interpersonal interactions in the workplace can have a significant impact on employee motivation, well-being, and job satisfaction. When individuals feel that they are treated fairly and valued by their superiors and co-workers, they tend to feel more motivated to contribute positively to the organization and are more satisfied with their jobs.

One of the main aspects of interactional justice is consistent and non-discriminatory treatment of all individuals in the organization. This means that superiors and co-workers should treat everyone the same, without differentiating based on personal characteristics such as gender, race, or cultural background. When individuals feel that they are not subjected to unfair or discriminatory treatment, they tend to be more satisfied with their work environment and more motivated to contribute.

Interactional justice also involves the recognition of individual contributions and achievements. This means that superiors and co-workers must appreciate and reward people who have done a good job and made a meaningful contribution to the organization's goals. When individuals feel that their contributions and achievements are recognized and appreciated by others in the organization, they tend to be more motivated to continue performing well.³¹

³⁰ Jerald Greenberg, "A taxonomy of organizational justice theories." *Academy of Management Review* 12, no. 1 (1987): 9-22.

³¹ Bell, "What is liberalism?." In addition, He examines how liberalism has shaped political thought, emphasizing its commitment to individual freedoms, equality, and limited government. Bell also delves into the internal debates within liberalism, particularly the tension between classical liberalism's emphasis on free markets and modern liberalism's focus on social justice and state intervention. The article highlights liberalism's flexibility and its adaptation to changing political, social, and economic contexts over time. *See also* Michael Freedman, "Liberalism." *The Routledge Companion to Social and Political Philosophy*. (London: Routledge, 2012), pp. 231-242; John Rawls, "Political liberalism." *The New Social Theory Reader*. (London: Routledge, 2020), pp. 123-128.

Strategies that can be used by organizations to promote interactional justice in the workplace include encouraging an organizational culture that values diversity and inclusion, where all individuals are treated with respect and value, providing training to managers and employees on the importance of effective communication, appreciation, and responsive to individual needs, supports an open and honest feedback system, where employees can provide input about their experiences in interacting with superiors and co-workers and facilitate the building of strong, collaborative interpersonal relationships through social activities, team training and mentoring programs.

By understanding and applying the principles of organizational justice, organizations can increase employee satisfaction and well-being, as well as minimize potential conflicts that may arise. For example, by ensuring that compensation policies follow the principles of distributive justice, organizations can reduce employee dissatisfaction with pay and increase work motivation.

Challenges of Abuse of Power by Entrepreneurs

Abuse of power by employers presents a range of significant challenges for workers, manifesting in various forms such as unilateral layoffs, labor exploitation, and discrimination. These issues can severely undermine workers' rights and create an oppressive work environment. In this subchapter, we will examine these challenges in detail, focusing on the impact of unjust termination, exploitation of labor, and discriminatory practices. Additionally, we will explore the concept of assessing fair and decent working conditions, as proposed in the context of the transformation of the international labor rights regime. This includes evaluating the fulfillment of fundamental rights, such as the prohibition of forced labor, the right to organize and assemble, the right to equal wages, and the principle of non-discrimination.³²

³² Suntoro, "Implementasi Pencapaian Secara Progresif dalam Omnibus Law Cipta Kerja." *See also* May Linda Iswaningsih, I. Nyoman Putu Budiarta, and Ni Made Puspasutari Ujjanti. "Perlindungan Hukum Terhadap Tenaga Kerja Lokal dalam Undang-Undang Nomor 11 Tahun 2020 Tentang Omnibus Law Cipta Kerja." *Jurnal Preferensi Hukum* 2, no. 3 (2021): 478-484; Muh. Sjaiful, "Problematisa normatif jaminan hak-hak pekerja dalam Undang-Undang Nomor 11 Tahun

One of the main challenges faced by workers due to abuse of power by employers is unilateral termination of employment. Unilateral termination of employment occurs when an employer terminates an employment contract without clear reasons or without providing sufficient notice to the employee. This can result in financial and emotional losses for workers, as well as disrupt the stability of their lives.

Unilateral layoffs often occur in situations where employers wish to reduce labour costs or avoid legal obligations related to worker protection. In many cases, workers who are dismissed unilaterally do not have adequate legal protection, especially in countries with weak labour regulations. Therefore, the government and related institutions need to implement regulations that protect workers from unilateral termination of employment and provide a fair and transparent dispute resolution mechanism.

Another challenge faced by workers is the exploitation of labour by employers. Labour exploitation can take many forms, including payment of inadequate wages, excessive working hours without additional compensation, and unsafe or unhealthy working conditions. Employers who exploit labour often leverage their position of power to force workers to accept unfair or inhumane working conditions.³³

Labour exploitation can harm workers' physical, mental, and economic well-being, as well as damage healthy working relationships between workers and employers. To overcome this challenge, the government needs to implement strict regulations related to wage standards, working hours, and work safety. In addition, it is important to raise workers' awareness of their rights and provide them with access to report violations they experience. It should be noted that labour is the main capital and implementation of development. The most

2020 tentang Cipta Kerja." *Media Iuris* 4, no.1 (2021): 37-60; Muhammad Zubi, Marzuki Marzuki, and Ibnu Affan. "Tinjauan Yuridis Perlindungan Hak-Hak Normatif Tenaga Kerja Setelah Berlakunya Undang-Undang Cipta Kerja (Omnibus Law)." *Jurnal Ilmiah METADATA* 3, no. 3 (2021): 1171-1195.

³³ Muhammad Saleh, Jumadil Jumadil, and Ilham Ilham. "Tinjauan Hukum Islam Terhadap Tradisi Mammanu'-Manu'." *Al-Azhar Islamic Law Review* 3, no. 1 (2022): 14-24.

important goal of development is the welfare of the people, including the workforce.³⁴

In addition, discrimination is part of other serious challenges faced by workers due to abuse of power by employers. Discrimination can occur based on a variety of factors, including gender, age, race, religion, sexual orientation, or disability. Employers who discriminate often use their power to limit employment opportunities or treat workers unfairly based on their characteristics.

Discrimination not only violates workers' human rights but also undermines diversity and inclusion in the workplace. To overcome this challenge, the government must implement strong anti-discrimination laws and impose strict sanctions against violators. In addition, it is important to provide training on equality and diversity to employers and workers, as well as encourage a work culture that is inclusive and respectful of human rights.

Law enforcement and dispute resolution play a key role in overcoming the challenges faced by workers due to abuse of power by employers. The government must enforce existing labour laws firmly and fairly, and provide effective and affordable dispute resolution mechanisms for workers who experience violations of their rights.

Effective law enforcement requires cooperation between the government, labour inspection agencies, and workers' organizations. The government also needs to increase the capacity of law enforcement agencies to handle cases of labour rights violations quickly and efficiently. On the other hand, fair and transparent dispute resolution can help resolve conflicts between workers and employers and create a more stable and harmonious work environment.

In this context, we have analyzed the various challenges workers face due to abuse of power by employers, including unilateral layoffs, labor exploitation, and discrimination. To address these issues, concrete measures are required from the government, relevant institutions, employers, and workers' organizations. Only through the implementation of stringent regulations, increased awareness of workers' rights, and robust enforcement of labor laws can a fair, safe,

³⁴ Akhmad Nazar Virgiawan, Dian May Syifa, and Ergina Faralita. "Kebaruan Hukum Ketenagakerjaan Setelah Lahir Undang-undang Cipta Kerja." *Journal of International Multidisciplinary Research* 1, no. 2 (2023): 889-898.

and inclusive work environment be established for all. Abuse of power by employers represents a serious issue that creates significant challenges for workers. This analysis will examine these challenges in detail, focusing on issues such as unjust termination of employment, labor exploitation, and discrimination.

Unilateral termination of employment is one of the main challenges faced by workers. This occurs when employers terminate employment contracts without clear reasons or provide inadequate notice to workers.³⁵ The impact can be financial and emotional losses for workers and disrupt the stability of their lives. Several studies highlight the importance of fulfilling workers' fundamental rights in assessing decent and fair working conditions.³⁶

Labour exploitation is another significant challenge. This includes payment of inadequate wages, excessive hours worked without additional compensation, and unsafe or unhealthy working conditions. This kind of exploitation harms workers' physical, mental, and economic well-being and damages healthy working relationships between workers and employers. The government needs to implement strict regulations related to wage standards, working hours, and work safety to overcome this challenge.

Conflict theory in sociology can provide a deeper understanding of the dynamics of the relationship between workers and employers in the context of abuse of power. Conflict arises due to the inequality of power between the two parties and the differences in interests between them. By understanding conflict theory, potential problems or tensions in work relationships can be identified, so that conflict mitigation or resolution efforts can be carried out effectively. In addition,

³⁵ Vanya Raghdatul Asya, Ayundah Riani, and Viona Lavidya. "Juridical Review of Cases of Unilateral Termination of Employment Based on Labor Law." *Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance* 3, no. 3 (2023): 2582-2593; Mohamad Dwi Suprianto, "Legal Protection Against Unilateral Termination of Employment Relations of Private Employees." *Estudiante Law Journal* 6, no. 2 (2024): 467-482; Shrirang Ashtaputre, Manasi Joglekar, and Asyaffa Ridzqi Amandha. "Enforceability of Restrictive Covenants in Employment Contracts: Comparing India and Indonesia." *Law Research Review Quarterly* 8, no. 3 (2022): 403-426.

³⁶ Suntoro, "Implementasi Pencapaian Secara Progresif dalam Omnibus Law Cipta Kerja."

organizational justice theory can be a basis for understanding how justice principles are implemented in the context of employment relationships. Strengthening aspects of justice in the work environment can increase worker satisfaction and welfare, as well as minimize the potential for conflict.

Law enforcement and dispute resolution play an important role in overcoming the challenges faced by workers. The government must enforce existing labour laws firmly and fairly, and provide effective and affordable dispute resolution mechanisms for workers who experience violations of their rights. By combining an understanding of the challenges of abuse of power by employers with related theories, effective solutions can be found to create a fairer, safer, and more productive work environment for all parties involved.³⁷

The Role of Labour Law in Overcoming Challenges

Discussion of the role of labour law in overcoming the challenges of abuse of power by employers, this includes analysis of existing labour regulations, law enforcement, and alternative dispute resolution mechanisms. The role of employment law is very important in overcoming the challenges of abuse of power by employers in the work environment. By having clear and effective regulations, strict law enforcement, and alternative dispute resolution mechanisms, labour law can be an effective tool for protecting workers' rights and creating a fair and safe work environment. In this sub-chapter, we will discuss the role of labour law in overcoming the challenges of abuse of power by employers, including an analysis of existing labour regulations, law enforcement, and alternative dispute resolution mechanisms. Therefore, labour regulations are needed that provide social justice.

Labour regulations are the legal basis that determines the rights and obligations of workers and employers in the work environment. This regulation covers various aspects, from the right to fair wages to occupational safety and health standards. The main role of labour

³⁷ Ayon Diniyanto, "Measuring the Impact of Implementing the Presidential Threshold in the 2019 Concurrent Elections." *Indonesian State Law Review* 1, no. 1 (2018): 83-90.

regulations is to protect workers from abuse of power by employers and ensure that employment relations are fair and balanced.³⁸

In many countries, employment regulations include laws, regulations, and policies that govern various aspects of the employment relationship, including employment contracts, working hours, leave, and protection against discrimination. For example, labour laws often set minimum wage standards that employers must comply with, as well as providing guarantees of adequate leave rights for workers.

Apart from having strong regulations, strict law enforcement is also an important part of the role of employment law in overcoming the challenges of abuse of power by employers. Effective law enforcement requires cooperation between the government, labour inspection agencies, and other law enforcement agencies to enforce existing labour laws and investigate violations committed by employers.

The government must ensure that labour inspection agencies have sufficient resources to carry out regular inspections of workplaces and take action against violations found. Apart from that, law enforcement agencies also need to provide strict sanctions against entrepreneurs who violate labour regulations, including termination of employment contracts, fines, or other legal action by applicable law by prioritizing alternative dispute resolution mechanisms.³⁹

Apart from going through court, alternative dispute resolution mechanisms can also be an effective tool in handling cases of labor rights violations. This mechanism includes mediation, arbitration, and negotiation between workers and employers to reach an agreement to resolve disputes without going through lengthy and expensive court processes. Mediation, for example, is a process in which a neutral

³⁸ Katherine VW Stone, and Harry Arthurs, eds. *Rethinking workplace regulation: Beyond the standard contract of employment*. (New York: Russell Sage Foundation, 2013). See also Patricia Leighton, and Michael Wynn. "Classifying employment relationships—more sliding doors or a better regulatory framework?." *Industrial Law Journal* 40, no. 1 (2011): 5-44.

³⁹ For further cases, also see Agus Mulya Karsona, et al. "Perspektif Penyelesaian Sengketa Ketenagakerjaan Melalui Pengadilan Hubungan Industrial dalam Menghadapi Masyarakat Ekonomi ASEAN." *Jurnal Poros Hukum Padjadjaran* 1, no. 2 (2020): 158-171; Nikmah Dalimunthe, and Rizka Hanum Mendrofa. "Upaya Arbitrase dalam Penyelesaian Sengketa Pemberian Upah Buruh yang Tidak Sesuai dengan Penetapan Upah Minimum." *Jurnal Pendidikan dan Konseling (JPDK)* 4, no. 6 (2022): 3338-3346.

mediator helps workers and employers to reach mutually beneficial agreements. Arbitration, on the other hand, involves an independent third party deciding on the dispute that arises, which then becomes final and binding on both parties.⁴⁰ Alternative dispute resolution mechanisms have several advantages, including speed of resolution, lower costs, and more flexible arrangements than traditional courts.⁴¹ However, it is important to ensure that these mechanisms remain fair and accommodate the needs and rights of the workers involved.

Apart from having strong regulations and effective law enforcement mechanisms, it is also important to integrate information and reporting systems to facilitate better supervision and law enforcement in the labour sector. An integrated information system can help the government and related institutions monitor employers' compliance with labour regulations, track violation trends, and respond to complaints or reports submitted by workers.

The final concept is that training and education play an important role in overcoming the challenges of abuse of power by entrepreneurs. Workers need to be given adequate information about their rights at work, as well as how to protect themselves from exploitation and discrimination. This training can also help workers recognize signs of abuse of power and provide them with the skills necessary to respond to situations they may encounter in the workplace.

In overcoming the challenges of abuse of power by employers, the role of employment law is very important. Clear and effective regulations, firm law enforcement, alternative dispute resolution mechanisms, integration of information and reporting systems, as well as training and education, are key components in maintaining healthy and fair working relationships between workers and employers.

⁴⁰ Maureen L. Ambrose, and Anke Arnaud. "Are procedural justice and distributive justice conceptually distinct?." *Handbook of Organizational Justice*. (New York: Psychology Press, 2013), pp. 59-84.

⁴¹ Irving R. Kaufman, "Reform for a System in Crisis: Alternative Dispute Resolution in the Federal Courts." *Fordham Law Review* 59, no. 1 (1990): 1-38. *See also* Ida Hanifah, "Non-Litigation Dispute Resolution Based on Labor Law in Indonesia." *De Lega Lata: Jurnal Ilmu Hukum* 9, no. 1 (2024): 55-64; Surya Tjandra, "Disputing labour dispute settlement: Indonesian workers' access to justice." *Law, Social Justice and Global Development Journal* 15 (2010).

With strong regulations, workers have better protection against unilateral termination of employment, labor exploitation, and discrimination. Strict law enforcement ensures that violations of labor regulations do not go unpunished, while alternative dispute resolution mechanisms provide an efficient and effective way to resolve workplace conflicts.⁴² Integration of information and reporting systems facilitates better monitoring and enforcement, while training and education increase workers' and employers' understanding and awareness of their rights and obligations under labour law. Thus, employment law has a very important role in creating a fair, safe, and inclusive work environment for all parties involved. Through cooperation between governments, labour inspection agencies, employers, and workers' organizations, we can ensure that workers' rights are respected and protected, and create a better workplace for all.

Building a Socially Just Legal Framework

In the final section, several recommendations will be put forward to build a more socially just legal framework in the employment context. This could involve improving regulations, increasing workers' access to legal protections, and strengthening law enforcement institutions. Legal protection for workers is explained in Article 28D paragraph (2) of the 1945 Constitution of the Republic of Indonesia. This article emphasizes that everyone has the right to work and receive compensation and fair and decent treatment in employment relationships.⁴³

Building a more socially just legal framework in the employment context is an important step to creating a fair, inclusive, and sustainable work environment. In this final subchapter, several recommendations will be put forward that can be carried out to achieve this goal. These recommendations include improving regulations, increasing workers'

⁴² Joanne Goss, "An Introduction to Alternative Dispute Resolution." *Alberta Law Review* (1995): 1-33.

⁴³ Akis Jahari, and Rahmatin Artita. "Perlindungan Hukum terhadap Pekerja Akibat Pemutusan Hubungan Kerja Tanpa Pesangon Berdasarkan Undang-Undang Nomor 13 Tahun 2003 dan Peraturan Pemerintah Pengganti Undang-Undang Nomor 2 Tahun 2022 Tentang Cipta Kerja." *Case Law: Journal of Law* 4, no. 2 (2023): 79-100.

access to legal protection, and strengthening law enforcement institutions.⁴⁴

One of the primary steps in establishing a more socially just legal framework is the improvement of existing labor regulations. This involves evaluating current policies and identifying areas where worker protections are insufficient or inadequate. Key regulatory improvements include enhancing wage standards by reviewing minimum wage laws to ensure that workers' earnings are adequate to meet their basic needs and prevent occupational poverty.⁴⁵

Another critical area is the protection of informal workers, such as domestic and casual laborers, who are often vulnerable to exploitation and denied fundamental employment rights. Expanding labor regulations to cover these workers is essential for promoting fairness. Additionally, strengthening regulations on occupational safety and health is vital to ensure employers are legally obligated to provide safe and healthy working conditions for all employees. Strengthening anti-discrimination laws and fostering an inclusive work culture is equally important to combat workplace discrimination and promote respect for diversity. Finally, increasing access to education and training is essential, encouraging employers to offer workers greater opportunities for skill development and improved job mobility.

Apart from improving regulations, it is also important to increase workers' access to legal protection.⁴⁶ This can be done through several steps, namely the first is providing clear and easy-to-understand information. Ensure that workers understand their rights under employment law by providing clear and easy-to-understand information

⁴⁴ Grace Maureen Febiola Karwur, et al. "The principle of justice towards employment in the era of globalization in the perspective of labor law in Indonesia." *The International Journal of Social Sciences World (TIJOSSW)* 5, no. 2 (2023): 193-199; Tri Nurhayati, and Raden Lungid Ismoyoputro. "Justice, Equality, and Indonesian Labor Law: Navigating Humanitarian Challenges in the Workplace." *Walisono Law Review (Walrev)* 6, no. 1 (2024): 1-12.

⁴⁵ Heri Subroto, "Efektivitas Undang Undang Cipta Kerja dalam Peningkatan Kesejahteraan Buruh dalam Prespektif Sosiologi Hukum." *Journal Iuris Scientia* 1, no. 1 (2023): 8-16; Sebastian Edward Mardianto, "Analisis perlindungan hukum terhadap hak buruh/pekerja dalam hukum ketenagakerjaan di Indonesia." *Jurnal Justitia: Jurnal Ilmu Hukum dan Humaniora* 7, no.1 (2024): 160-169.

⁴⁶ Stone, and Arthurs, eds. *Rethinking workplace regulation: Beyond the standard contract of employment*.

about their rights and obligations in the workplace. The second is to support workers' organizations. Support workers' organizations, such as trade unions or professional associations, to provide legal assistance and protection to their members in cases of employment rights violations. Third is increasing access to free or affordable legal services. Providing free or affordable legal services for workers who need assistance in resolving disputes or protecting their rights at work, and fourthly encouraging the use of alternative dispute resolution mechanisms. Prioritize the use of alternative dispute resolution mechanisms, such as mediation or arbitration, as a faster and more efficient way to resolve disputes between workers and employers.

Strengthening legal protection for workers must be balanced with strengthening law enforcement institutions.⁴⁷ Strengthening law enforcement institutions is also an important step in building a more socially just legal framework. Some steps that can be taken include providing sufficient resources. Ensure that law enforcement agencies have sufficient resources, including personnel, budget, and infrastructure, to carry out their duties effectively. Additionally, on-going training. Provide on-going training to law enforcement officers on labour regulations, investigative techniques, and dispute resolution, so that they can handle cases of employment rights violations appropriately and fairly. Strict law enforcement must be carried out comprehensively. Strictly enforce labour laws against entrepreneurs who violate regulations, including providing sanctions appropriate to the level of violations committed. Apart from that, collaboration with related parties is mandatory. Develop cooperation with related parties, including government, workers' organizations, and civil society, to increase the effectiveness of law enforcement and expand the scope of legal protection for workers.

The final crucial point in building a more socially just legal framework is increasing public awareness and participation. This can be achieved through several means. *First*, education and awareness campaigns should be conducted to inform workers and employers about their employment rights, legal protections, and dispute resolution

⁴⁷ Maria Luz Vega, "Labour Inspection Systems: Strengthening Enforcement in Times of Crisis." In *Labour Administration in Uncertain Times*. (Cheltenham, UK: Edward Elgar Publishing, 2013), pp. 222-244.

mechanisms. *Second*, community participation in policy formulation must be encouraged. Engaging the community in the creation of employment policies ensures that regulations reflect the needs and aspirations of the broader society. *Third*, strengthening media and advocacy efforts is essential. Supporting independent media and advocacy organizations helps raise awareness of labor rights violations and promotes justice for affected workers.

By improving regulations, enhancing workers' access to legal protections, strengthening law enforcement institutions, and fostering public awareness and participation, we can establish a more socially just legal framework within the employment context. These measures will not only safeguard workers' rights but also contribute to creating a balanced, inclusive, and sustainable work environment for all stakeholders. Achieving a socially just legal framework requires that every step taken is grounded in the principles of justice, equality, and sustainability. Regulations must account for the needs of all parties—workers, employers, and society at large—and law enforcement must be impartial, firm, and fair, regardless of the violator's social or economic status. Additionally, strengthening law enforcement institutions with sufficient independence, integrity, and capacity is critical to ensuring effective and transparent implementation. Active community participation in the law enforcement process is also vital for ensuring that justice is genuinely realized.

By implementing the recommendations that have been put forward, we can build a stronger foundation for a socially just legal framework in the employment context. These steps will help create a more inclusive, fair, and sustainable work environment for all parties involved, as well as strengthen the foundations for sustainable social and economic development in the future. The evolution of technology, globalization, and the changing nature of work require updating labor laws to address new challenges and protect workers' rights. Building a more socially just legal framework in the employment context is a crucial step in creating a fair, inclusive, and sustainable work environment.⁴⁸ To do this, the recommendations that have been

⁴⁸ Peter Blunt, Mark Turner, and Henrik Lindroth. "Patronage, service delivery, and social justice in Indonesia." *International Journal of Public Administration* 35, no. 3 (2012): 214-220. Furthermore, in Indonesia, social justice remains a significant

proposed need to be analysed carefully, and reinforced with appropriate theories to support the effectiveness of their implementation.

One of the main recommendations is improving labour regulations. This is important to ensure that existing regulations reflect the needs and aspirations of all parties involved, including workers, employers, and society as a whole. The theory of legal pluralism can provide a basis for this approach, which recognizes that society is composed of a variety of values, interests, and views and that the law must reflect this diversity to achieve social justice.

Building a more socially just legal framework in the employment context requires a holistic approach that includes improving regulations, increasing workers' access to legal protection, strengthening law enforcement institutions, and increasing public awareness and participation. By combining these recommendations with appropriate theories, concrete steps can be taken to create a more inclusive, fair, and sustainable work environment for all parties involved.

Conclusion

In conclusion, employment law plays a crucial role in addressing the challenges arising from abuse of power by employers, acting as a key instrument for protecting workers' rights and fostering a socially just legal framework. By clearly outlining the rights and obligations of both workers and employers, labor law ensures fair wages, reasonable working hours, safe working conditions, and the right to organize and engage in

challenge, with issues such as income inequality, labor exploitation, and limited access to quality education and healthcare affecting marginalized groups. Workers, especially in informal sectors like domestic work, often face poor wages, unsafe conditions, and lack legal protections. Discrimination based on ethnicity, religion, and gender persists, limiting opportunities for many individuals. Additionally, the legal system sometimes fails to enforce protections effectively, leaving vulnerable populations without recourse. These challenges hinder the realization of true social justice, requiring comprehensive legal reforms, stronger enforcement of labor laws, and broader societal awareness and participation. *See also* Adiguna Bagas Waskito Aji, et al. "Social Justice on Environmental Law Enforcement in Indonesia: The Contemporary and Controversial Cases." *The Indonesian Journal of International Clinical Legal Education* 2, no. 1 (2020): 57-72; Peter Van Schilfgaarde, "Law-Linked Justice and Existence-Linked Justice." *Ratio Juris* 21, no. 1 (2008): 125-149; Clare Chambers, "Rereading A Theory of Justice." *Polity* 53, no. 4 (2021): 580-588.

collective bargaining. Additionally, labor law establishes mechanisms for resolving disputes, such as employment courts or arbitration bodies, which provide workers with fair and transparent means to address conflicts with employers.

Furthermore, labor law empowers the imposition of sanctions and supervision to deter employers from violating worker protections, with penalties that incentivize compliance. However, challenges remain in enforcement, as some employers may attempt to exploit legal loopholes or evade obligations. To address this, it is essential to strengthen monitoring systems, improve law enforcement, and raise public awareness of workers' rights. Ultimately, employment law is fundamental in protecting workers from abuse of power, ensuring compliance with regulations, and building a legal framework that upholds social justice in the workplace.

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