



## Synergy of Law and Education in Protecting Contract Workers in Indonesia

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### Info Articles

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### Abstract

This study examines the synergy between law and education in providing protection for contract workers in Indonesia. Contract workers are one group of workers who often face problems related to legal status, job insecurity, and limitations in obtaining normative rights as stipulated in labor regulations. Although Law Number 13 of 2003 concerning Manpower and its derivative regulations have provided a legal framework, implementation in the field often shows gaps that weaken the position of contract workers. Therefore, an interdisciplinary approach is needed that integrates legal and educational dimensions to provide more comprehensive protection. The research method used is normative legal research with a qualitative approach, through a review of labor laws, doctrines, and practices, and enriched with educational studies that emphasize the importance of legal literacy for workers. The results of the study indicate that legal protection for contract workers is not fully effective due to weak supervision, workers' low understanding of their rights, and the ongoing practice of contract abuse by employers. In this context, education plays a crucial role in increasing legal awareness among contract workers, through formal and informal education, as well as skills-based training in legal and employment law. The conclusion of this study confirms that the synergy between law and education is a relevant strategy for strengthening the protection of contract workers. The law provides a binding normative framework, while education fosters workers' awareness and empowerment in demanding their rights. Therefore, the combination of the two is expected to achieve social justice and improve the welfare of contract workers in Indonesia.

## I. INTRODUCTION

National development essentially aims to create social welfare by improving the quality of human resources and creating a productive work climate.(Ali, 2009)The workforce is a strategic factor in realizing these goals because workers not only function as implementers of production activities, but also as subjects of development whose dignity and rights must be protected.(Anggraini & Tukiman, 2022)In the context of industrial relations in Indonesia, the status of contract workers, known as Fixed-Term Employment Agreements (PKWT), is a crucial issue. The existence of contract workers provides flexibility for businesses in navigating global economic dynamics, but on the other hand, it opens up the possibility of vulnerabilities to workers' normative rights.

Normatively, the existence of contract workers is regulated by Law Number 13 of 2003 concerning Manpower, which was subsequently

significantly amended by Law Number 11 of 2020 concerning Job Creation and its derivative regulations. This regulation emphasizes that contract workers can only be used for certain types of work that are temporary or seasonal in nature. However, in practice, many companies expand the use of contract workers to jobs that should be permanent. As a result, many contract workers experience unilateral termination of employment, lose the opportunity to receive severance pay, and experience prolonged uncertainty about their employment status. This situation demonstrates a gap between ideal legal norms and the reality of employment practices on the ground.

In such situations, education is a crucial element that works in synergy with the law. Education not only serves to produce a technically competent workforce,(Wonggo, 2010)but also equip them with legal awareness, an understanding of normative rights, and the ability

to advocate for their own protection. Low legal literacy among workers is often a major reason why contract workers are vulnerable to harm.(Catur et al., 2020)Many workers don't understand the terms of their signed contracts, are unaware of the legal limitations of PKWTs, and even lack the mechanisms for filing complaints if their rights are violated. Therefore, the issue of protecting contract workers is not only a legal issue, but also an educational one.

Furthermore, adequate employment education can strengthen workers' capacity to adapt to regulatory developments. Regulatory changes through the Omnibus Law, for example, introduce various new adjustments regarding employment relations, social security, and dispute resolution mechanisms. Without a proper understanding, workers will remain in a weak position in negotiations with employers. In this context, educational institutions, both formal and informal, have a responsibility to organize employment law literacy programs, provide soft skills training on self-advocacy, and foster a culture of legal awareness from an early age.

The synergy between law and education in protecting contract workers is also relevant when linked to Indonesia's human resource development agenda. The government, through various policies, consistently emphasizes the importance of improving the quality of human resources as a pillar of national competitiveness.(Zaelani, 2019)However, this quality improvement extends beyond technical skills to encompass legal knowledge, work ethics, and an understanding of normative rights. A legally literate worker will be better able to protect themselves from exploitative practices and contribute more optimally to healthy industrial relations.

Furthermore, the synergy between law and education provides a new perspective in efforts to strengthen labor regulations. Good regulations without the support of worker awareness will be difficult to enforce effectively. Education is an instrument to accelerate the internalization of legal norms into the behavior of workers and employers.(Isep, 2016)For example, through vocational education curricula that incorporate labor law, training programs for labor unions, and legal counseling conducted in industrial areas. Thus, the protection of contract workers relies not only on law enforcement officers and labor supervisory agencies, but also on the active participation of knowledgeable workers.

The issue of protecting contract workers in Indonesia has become increasingly complex with the emergence of the digital economy and gig economy.(Yuniastuti, 2020)Many workers are held as "contract" or "partners" on digital platforms without adequate legal protection. This is where legal education plays a crucial role in ensuring that young people entering the digital job market are no longer trapped in exploitative employment relationships. Legal knowledge acquired in college or vocational training will be crucial for navigating the increasingly flexible and uncertain realities of the workplace.

From a social perspective, weak protection for contract workers has implications for increasing family economic uncertainty, reducing quality of life, and increasing the phenomenon of structural poverty. If contract workers remain in a state of continued vulnerability without clear protection, the impact will be felt not only by individuals but also by society at large. Therefore, a multidisciplinary approach that combines legal and educational aspects is needed as a comprehensive protection strategy.

Based on the above description, the study entitled "Synergy of Law and Education in Protecting Contract Workers in Indonesia" is important to answer several fundamental questions. First, how do current labor law norms protect contract workers? Second, what role does education play in improving the legal literacy of contract workers so they can understand and advocate for their rights? Third, to what extent can the synergy of law and education be realized in practice, whether through government policies, the role of educational institutions, or initiatives by labor unions and civil society organizations?

This research is expected to provide both theoretical and practical contributions. Theoretically, this study enriches the body of labor law studies by incorporating an educational perspective as a supporting instrument for law enforcement. Practically, this research can provide concrete recommendations regarding strategies for improving legal literacy among contract workers, strengthening vocational education curricula, and fostering synergy between the government, the business world, and educational institutions in creating a fair and sustainable employment ecosystem.

Thus, the issue of protecting contract workers is not merely a legal issue that must be addressed through regulations, but also a matter of literacy, awareness, and social learning. The synergy of law

and education will be key to realizing just, balanced, and dignified employment relationships in Indonesia.

## **II. RESEARCH METHODS**

The type of research used in this scientific work is normative legal research. Normative legal research, often referred to as doctrinal legal research, focuses on the study of positive legal norms applicable within the Indonesian legal system.(Sonata, 2014)

The approaches chosen are the statutory approach and the conceptual approach. The statutory approach is used to analyze positive legal regulations governing employment, such as the 1945 Constitution, Law Number 13 of 2003 concerning Employment, Law Number 11 of 2020 concerning Job Creation and its implementing regulations, and other derivative regulations. Meanwhile, the conceptual approach is used to examine legal ideas, principles, and doctrines related to the protection of contract workers, as well as their relationship to the role of labor law education as a means of increasing legal awareness and empowering workers.

## **III. RESULTS AND DISCUSSION**

### **A. Legal Regulations regarding Contract Workers based on Statutory Regulations in Indonesia**

The basic provisions regarding contract workers or Fixed-Term Employment Agreements (PKWT) are stipulated in Law Number 13 of 2003 concerning Manpower, which was subsequently fundamentally amended through Law Number 11 of 2020 concerning Job Creation and further regulated in Government Regulations as implementing regulations. Normatively, PKWT is permitted only for certain temporary jobs, such as jobs expected to be completed within a specified period, seasonal work, or work related to new products/activities and is of a trial nature. This regulatory framework is intended to prevent the misuse of contracts as a means to evade employers' long-term obligations to workers.(Shalihah, 2016)

From a technical regulatory perspective, Government Regulation No. 35 of 2021 details the types of employment that can be regulated by a PKWT (Working Permit), the duration, renewal/extension provisions, and legal

consequences if the agreement does not meet formal and material requirements. Several implementing regulations set limits on the total duration of a PKWT (as well as renewal conditions) and require objective reasons for choosing a PKWT over an indefinite employment agreement (PKWTT). These provisions, in principle, place the burden on employers to prove that the employment is truly temporary.(Workers' Rights, 2020)

However, at the practical level, significant implementation gaps exist. Numerous studies and empirical studies show that companies frequently use PKWT (Fixed-Term Work Agreements) for substantially permanent work—a series of recurring contracts, multiple extensions, or "continuing contracts"—that in reality bear the hallmarks of permanent employment. As a result, workers experience job insecurity, limited access to social security, and a weak employment status when demanding normative rights. These academic findings indicate a gap between legal norms and field practice, influenced by employers' economic incentives, weak oversight, and workers' low knowledge of their rights.(Workers' Rights, 2020)

Legally, if a PKWT does not meet the requirements stipulated by statutory regulations, for example, it does not meet the definition of a particular job or the extension exceeds the provisions, then the agreement has the potential to be declared by law as an Indefinite Term Employment Agreement (PKWTT).(Avianto et al., 2022)This provision is intended as a preventative measure to address the misuse of PKWT (Fixed Term Employment Contract) agreements. However, its implementation requires access to an effective dispute resolution mechanism so workers can substantiate their claims.

Dispute resolution mechanisms are a key instrument in enforcing the provisions of PKWT (Fixed Term Contracts). The Industrial Relations Court (PHI), established under Law Number 2 of 2004 concerning the Settlement of Industrial Relations Disputes, serves as a litigation forum for employment disputes, including termination claims and rights disputes. While this judicial framework exists, practical barriers such as cost, procedural complexity, lengthy processes, and lack of access to information for contract workers often undermine the effectiveness of law enforcement through litigation.

Further analysis reveals three structural factors why the normative regulation of PKWT

(Fixed Term Work Agreement) does not fully protect contract workers. First, the definition and categories of jobs that permit PKWT are often interpreted loosely, leaving employers with room for leeway. Second, the capacity of labor inspectors at the regional level remains limited, resulting in weak proactive oversight of PKWT practices. Third, workers themselves are often unaware of or afraid to assert their rights due to the risk of losing their jobs. This combination of factors places the legal protection of contract workers in a position that relies more on the courage to assert their rights and the effectiveness of law enforcement mechanisms than on the mere existence of norms on paper. Based on these findings, concrete efforts are needed: improving norms (clarifying PKWT criteria), increasing supervisory capacity, and facilitating access to dispute resolution for workers. (Harahap, 2019)

## **B. Role Education to Improve Legal Literacy and Contract Workers' Awareness of Their Rights**

Both formal (vocational) and non-formal (training, outreach, campaigns) education play a central role in shaping workers' capacity to understand and assert their labor rights. Labor legal literacy extends beyond simply knowing the rules; it encompasses the ability to analyze work situations, recognize violations, and understand available resolution channels (bipartite, mediation, the Industrial Relations Court). Therefore, educational interventions should be designed to change behavior and provide practical skills, rather than simply transferring normative information.

On the formal side, the revitalization of national vocational education, regulated through national policies (e.g., the Presidential Decree on the Revitalization of Vocational Education), opens up opportunities to incorporate labor rights literacy modules into vocational curricula and job training. By integrating labor-related materials (rights and obligations, types of employment agreements, dispute resolution mechanisms, and social security) into learning, vocational graduates will enter the job market with better knowledge, reducing their vulnerability to detrimental contractual practices. Therefore, synchronization is needed between curriculum makers, the business world, and labor authorities.

Non-formal and cross-sectoral initiatives are also underway, with institutions such as the Employment Social Security Agency (BPJS

Ketenagakerjaan) and the Ministry of Manpower conducting social security literacy programs and outreach on workers' rights in communities, vocational high schools, and job training. These programs, if implemented in a structured and sustainable manner, have the potential to raise awareness among contract workers about their rights (e.g., BPJS registration, wage rights, leave, and Industrial Relations (PHI) procedures). Some initiatives also target vocational high schools to make social security literacy part of their initial education for entering the workforce.

Empirical evidence shows that when workers have better legal literacy, they tend to be more active in bipartite negotiations, demand compliance with work agreements, and utilize dispute resolution mechanisms when necessary. Field studies show a positive correlation between education/socialization programs and workers' ability to enforce their rights, although this effect is also influenced by the organizational context in which they work (whether or not a union is present) and the availability of access to legal aid. However, the effectiveness of education programs is often limited by a one-way approach (lectures), inappropriateness of the material to the local context, and lack of follow-up. Therefore, literacy programs must be participatory, contextual, and complemented by empowerment services (e.g., legal aid clinics).

In practice, the recommended educational model includes: (1) integration of employment modules into the curriculum of vocational schools (SMK) and training at the BLK (Vocational Vocational Training Center); (2) regular outreach by the Manpower Office and BPJS at the sub-district/village level; (3) the establishment of "employment law clinics" at vocational campuses that provide pro bono services; and (4) advocacy training for trade union officials to become literacy agents in the workplace. These steps, if adopted comprehensively, will strengthen the bargaining position of contract workers and close the space for contract abuse by employers.

## **C. Synergy between Law and Education to Provide Effective Protection for Contract Workers**

Synergy between legal aspects (norms and enforcement) and education (literacy and empowerment) is key to comprehensively addressing the issue of contract worker protection. Conceptually, law provides a framework of certainty and sanctions; education

ensures that legal subjects (workers) understand and are able to actualize these rights. Without harmonization of the two, protection tends to be formalistic and lacks substantive impact.

Concrete synergy must be multi-layered and cross-institutional. First, at the national policy level, there needs to be an integrative policy that requires the inclusion of employment literacy in the vocational revitalization program (Presidential Regulation on Vocational Revitalization) and the social security roadmap (Presidential Regulation on Social Security Roadmap), so that education and social security become part of a single protection ecosystem. Such an integrated policy minimizes the possibility of education programs operating in isolation without any real impact on worker protection.

Second, at the implementation level, a collaborative protocol is needed between the Ministry of Education, the Ministry of Manpower, the BPJS, and regional manpower offices to conduct: (a) joint module development; (b) training of trainers (ToT) for vocational instructors; (c) structured outreach programs for contract workers in contract-intensive sectors; and (d) integrated monitoring and evaluation of literacy outcomes (e.g., BPJS registration rates, number of successful PHI cases, changes in contract patterns). Similar initiatives have begun to emerge (collaboration between BPJS and the Coordinating Ministry for Human Development and Culture for literacy in vocational schools), but need to be expanded and standardized.

Third, strengthening access to legal mechanisms must be accompanied by practical education: simulations of Industrial Relations (PHI) court hearings, legal aid clinics on campuses and in sub-districts, and materials on how to prepare contract evidence and supporting documents when filing a lawsuit. This approach reduces reliance on the litigation process, which is often perceived as technical and intimidating. Furthermore, labor inspectors need pedagogical training so that their supervisory function is not merely repressive but also educational—for example, providing recommendations for contract improvements and counseling within the company.

Finally, indicators of success in legal-educational synergy must be measurably measured: a reduction in the practice of repeated PKWT (non-permanent employment contracts) for permanent employment, an increase in BPJS

(Social Security) registration for contract workers, an increase in the number of successful bipartite settlements, and workers' perceptions of their ability to assert their rights. If policy, education, and enforcement are implemented simultaneously and mutually reinforcing, protection for contract workers will shift from mere normative certainty to substantive protection that is truly felt in the field.

#### **IV. CONCLUSION AND SUGGESTIONS**

##### **A. Conclusion**

Based on the results of the research and discussions that have been carried out, several conclusions can be drawn as follows:

Contract workers, or workers under Fixed-Term Employment Agreements (PKWT), are expressly regulated in Law Number 13 of 2003 concerning Manpower, which was subsequently amended by Law Number 11 of 2020 concerning Job Creation and its derivative regulations. These regulations, in principle, provide protection for contract workers by emphasizing the principles of legal certainty, protection of basic rights, and the principle of justice. However, practice in the field shows that various problems persist, such as misuse of PKWT by companies, weak supervision, and workers' lack of understanding of their rights. This indicates that although regulations are in place, their implementation is not yet fully effective.

Education, particularly in the form of legal education and legal literacy, plays a crucial role in raising contract workers' awareness of their rights and obligations. Through an educational approach, workers are able to gain a deeper understanding of employment contracts, statutory provisions, and labor dispute resolution mechanisms. Legal education can be provided not only in the formal sphere but also through training, outreach, seminars, and community-based non-formal programs. By increasing legal literacy, contract workers have a stronger bargaining position in their relationships with employers and are able to protect themselves from unfair and exploitative practices.

Effective legal protection for contract workers requires synergy between normative (legal) and educational (educational) aspects. Law without a sound understanding of the legal subjects will lose its effectiveness, while education without adequate regulatory support will struggle to have a tangible impact. Therefore, a partnership between the government, educational

institutions, labor unions, and companies is necessary to build workers' legal awareness. This synergy can be realized through an educational curriculum that includes employment aspects, practical legal training in the workplace, and ongoing legal counseling. Thus, protection for contract workers is not only formal but also substantive and able to address real needs in the field.

## B. Suggestion

Based on the research findings, several issues need to be addressed to strengthen legal protection for contract workers in Indonesia. The government should improve the effectiveness of existing regulations by tightening oversight of companies' implementation of fixed-term employment agreements, ensuring optimal protection of workers' rights. Educational institutions and labor unions should be more proactive in improving legal literacy through curricula, training, and outreach activities to ensure contract workers are fully aware of their rights and obligations. Furthermore, synergy between the government, education, and companies is key to creating a fair and effective protection system, ensuring that contract workers can work with a sense of security, protection, and prosperity.

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